

# Agenda

## Policy and Resources Committee Meeting

Date: Wednesday, 20 March 2024

Time 7.00 pm

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

Membership:

Councillors Mike Baldock (Vice-Chair), Monique Bonney, Lloyd Bowen, Derek Carnell, Tim Gibson (Chair), Angela Harrison, Mike Henderson, James Hunt, Mark Last, Rich Lehmann, Richard Palmer, Julien Speed, Mike Whiting, Ashley Wise and Dolley Wooster.

Quorum = 5

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Pages

### Information about this meeting

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- (a) The fire alarm is a continuous loud ringing. In the event that a fire drill is planned during the meeting, the Chair will advise of this.

- (b) Exit routes from the chamber are located on each side of the room, one directly to a fire escape, the other to the stairs opposite the lifts.
- (c) In the event of the alarm sounding, leave the building via the nearest safe exit and gather at the assembly point on the far side of the car park. Do not leave the assembly point or re-enter the building until advised to do so. Do not use the lifts.
- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the Minutes of the Extraordinary [Meeting](#) held on 31 January 2024 (Minute Nos. 579 – 583) and the [Meeting](#) held on 7 February 2024 (Minute Nos. 594 – 615) as correct records.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPIS) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

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12. Recommendations from the Swale Joint Transportation Board meeting held on 4 March 2024
13. 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3.

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

14. Leisure Centre Contract Extension

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**Issued on Tuesday, 12 March 2024**

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 [democraticservices@swale.gov.uk](mailto:democraticservices@swale.gov.uk). . To find out more about the work of this meeting, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

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

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<b>Policy and Resources Committee</b>	
<b>Meeting Date</b>	20 March 2024
<b>Report Title</b>	Revisions to the Covert Surveillance and Access to Communications Data Policy and Guidance Notes
<b>EMT Lead</b>	Larissa Reed - Chief Executive
<b>Head of Service</b>	Claudette Valmond – Head of Mid-Kent Legal Services
<b>Lead Officer</b>	Gary Rowland – Senior Legal Advisor and RIPA co-ordinating Officer
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	1. That the Covert Surveillance and Access to Communications Data Policy and Guidance Notes for 2024/25 are approved.

## **1 Purpose of Report and Executive Summary**

- 1.1 As the RIPA Co-ordinating Officer, I am required to review and revise the Council’s Covert Surveillance Policy (‘the Policy’), where necessary, every year. Having reviewed the current Policy, I have established that no revisions are required. This report seeks the Committee’s approval of the Policy for 2024/25, which is set out at Appendix I.

## **2 Background**

- 2.1 The Home Office Covert Surveillance and Property Interference Revised Code of Practice 2018 makes it a requirement that the authority’s elected Members should review the authority’s use of covert surveillance authorised under RIPA at least once a year. This forms part of the Monitoring Officer’s annual report to the Standards Committee.

## **3 Proposals**

- 3.1 That the Policy & Resources Committee approve the Policy for 2024/25.

## **4 Alternative Options Considered and Rejected**

- 4.1 Doing nothing is not an option as the Council is required by the Regulation of Investigatory Powers Act 2000 and associated Codes of Practice to have a Policy in place. The content of the Policy is steered by the recommendations made by the Investigatory Powers Commissioner’s Office.

## **5 Consultation Undertaken or Proposed**

N/A

## 6 Implications

Issue	Implications
Corporate Plan	No direct implications however the revised Policy will enable the Council to carry out surveillance in line with its values.
Financial, Resource and Property	There will be a cost to the Council as all applying and Authorising Officers will need to undertake training once in every three years.
Legal, Statutory and Procurement	Clear policy and guidance is necessary as failure to comply with the requirements of RIPA could lead to evidence in criminal proceedings not being admissible under the common law, section 78 of the Police and Criminal Evidence Act 1984 and the Human Rights Act 1998. It may also lead to proceedings being taken against the Council under the Human Rights Act 1998.
Crime and Disorder	The appropriate use of RIPA will enable the Council to provide evidence to support prosecutions in the public interest and tackle crime.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	Compliance with the Policy, together with the necessary training, will minimise the risks involved in carrying out covert surveillance and the associated risk of having critical information treated as inadmissible.
Equality and Diversity	This Policy treats all groups equally.
Privacy and Data Protection	No personal information is provided as part of this report.

## 7 Appendices

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

- Appendix I: Covert Surveillance and Access to Communications Data Policy and Guidance Notes 2024/25.

## 8 Background Papers

N/A



# COVERT SURVEILLANCE AND ACCESS TO COMMUNICATIONS DATA POLICY AND GUIDANCE NOTES

## Scope

This policy document explains how the Council's officers will comply with the Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 in relation to directed surveillance, use of covert human intelligence sources and the acquisition of communications data.

This policy is supplementary to the legislation, the statutory code of practice and the Home Office guidance to local authorities in England and Wales on the judicial approval process for RIPA and the crime threshold for directed surveillances.

RIPA Senior Responsible Officer: Chief Executive

RIPA Co-ordinating Officer: Gary Rowland (Senior Legal Adviser, Corporate Governance)

Revised: February 2024  
Review date: February 2025

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- A. Relevant legislation
- B. Authorisation Procedure Flowchart
- C. Authorisation control matrix

## **POLICY STATEMENT**

The Regulation of Investigatory Powers Act 2000 (RIPA) provides the legislative framework within which covert surveillance must be conducted whilst the Investigatory Powers Act 2016 provides the legislative framework within which access to communications data operations must be conducted. This ensures that investigatory powers are used with minimal interference with an individual's human rights. This Policy Statement is intended as a practical reference guide for Council Officers who may be involved in such operations.

### **This Policy is supplementary to the:**

- Home Office guidance on the use of covert surveillance or covert human intelligence sources (CHIS) - <https://www.gov.uk/government/publications/covert-surveillance-and-covert-human-intelligence-sources-codes-of-practice>
- Regulation of Investigatory Powers Act (RIPA) 2000 - <http://www.legislation.gov.uk/ukpga/2000/23/contents>
- Investigatory Powers Act 2016 - <https://www.legislation.gov.uk/ukpga/2016/25/contents/enacted>

The Council is committed to implementing the provisions of RIPA to ensure that any covert surveillance and/or access of communications data that is carried out during the course of investigations is undertaken properly and that the activity is necessary and proportionate to the alleged offence(s). Following the implementation of the Protection of Freedoms Act 2012 investigatory powers can only be used in relation to activities that would receive a minimum sentence of six months imprisonment or are in relation to the underage selling of alcohol or tobacco. If such action is contemplated initial consultation with the Council's Co-ordinating Officer should be undertaken at the earliest opportunity.

The Council seeks to ensure that this Policy Statement remains consistent with the Council's objectives.

### **This Policy ensures:**

- that proper procedures are in place in order to carry out covert surveillance or to obtain communications data;
- that an individual's right to privacy is not breached without justification;
- that proper authorisation is obtained for covert surveillance or access to communications data;
- that proper procedures are followed; and
- that covert surveillance is considered as a last resort, having exhausted all other options.

## 1. **BACKGROUND**

### Scope and Control

- 1.1 RIPA is the law which governs the use of a number of covert techniques for investigating crime and terrorism. Using covert techniques allows public authorities, which range from the police and security agencies to local authorities and organisations, such as the Office of Fair Trading, to investigate suspected offences without alerting an individual that they are part of that investigation.
- 1.2 Local authorities can use three techniques. They can obtain **Communications Data**, use **Directed Surveillance** and use **Covert Human Intelligence Sources (CHIS)**.
- 1.3 RIPA requires that an authorisation is needed for the use of these investigatory techniques and that they can only be used where it is considered proportionate and necessary to what is sought to be achieved.
- 1.4 Local authorities can only use these investigatory techniques if they are necessary to prevent or detect crime or prevent disorder.
- 1.5 These guidance notes provide a summary of the main points from the Home Office Covert Surveillance Code of Practice that are relevant to Swale Borough Council. They apply to authorisations for covert surveillance and access to communications data made by the Council.
- 1.6 To improve awareness, this guidance also briefly refers to activities that the Council has determined **should not** be undertaken.
- 1.7 Before undertaking any covert surveillance, these guidance notes should be read and if it is considered proportionate and necessary, further advice should be sought from the RIPA Co-ordinating officer. Members of the public who enquire about covert surveillance procedures should be referred to the Home Office Covert Surveillance Code of Practice. Officers employed by the Council and who are involved in covert surveillance should be made aware of these guidance notes and of the Code of Practice.
- 1.8 The use of the RIPA by the Council will be overseen by the Senior Responsible Officer supported by the Co-ordinating Officer. These positions are currently held by:
  - Senior Responsible Officer – Larissa Reed (Chief Executive)
  - Co-ordinating Officer – Gary Rowland (Senior Legal Advisor)

### Senior Responsible Officer

The Senior Responsible Officer will have overall responsibility for the integrity of the RIPA process within the Council. In addition they will:

1. be responsible for the Council's compliance with RIPA and its regulatory framework;
2. engage with the Commissioners and Inspectors when they conduct inspections;
3. oversee the implementation of any recommendations made by the Investigatory Powers Commissioner's Office (IPCO);
4. carry out periodic oversight of the authorisations; and

5. report annually to Members on the usage of RIPA within the Council.

#### Co-ordinating Officer

The Co-ordinating Officer will be responsible for overseeing the day to day RIPA process, in particular they will:

1. keep the Central Record and collate the documentation received;
2. exercise the day to day oversight over the RIPA process by ensuring the quality of the documents submitted;
3. to monitor the Council's use of its appointed S.P.O.C agent, the National Anti Fraud Network ('NAFN');
4. monitoring the timeliness of the officers in making returns, carrying out reviews and effecting renewals and cancellations;
5. keep a record of the RIPA training programme as part of the Central Record; and
6. raise general RIPA awareness within the Council whilst ensuring that detailed awareness and training is provided to applicants and Authorising Officers in accordance with the IPCO recommended timeframes.

*NB: applicants and Authorising Officers are required to undertake regular training at least once in every three year period.*

#### Definitions

- 1.9 **Covert surveillance** is any surveillance carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place.
- 1.10 General observation forms part of the duties of the Council's enforcement officers i.e. **overt surveillance**, and is not usually regulated by RIPA (for example observations during routine planning enforcement matters where the property owner has been 'put on notice' that inspections may be carried out). Such observation may involve the use of equipment to merely reinforce normal sensory perception, such as binoculars, or the use of cameras, where this does not involve systematic surveillance of an individual.
- 1.11 The use of noise monitoring equipment to measure noise audible in a complainant's premises does not amount to covert surveillance because the noise has been inflicted by the perpetrator who it is likely has forfeited any claim of privacy. The use will only become covert when sensitive equipment is used to discern speech or other noisy activity that is not discernible to the unaided ear.
- 1.12 Although the provisions of RIPA do not normally cover the use of overt CCTV surveillance systems, since members of the public are aware that such systems are in use, there may be occasions when the Council's overt CCTV system is used for the purpose of a specific investigation or operation. Such cases should be discussed with the Authorising Officer who will decide whether it is directed surveillance and whether authorisation is required.
- 1.13 The primary purpose of surveillance is to secure evidence to bring offenders before the courts. The proper authorisation of surveillance should ensure the admissibility of such evidence in criminal proceedings.
- 1.14 **Directed surveillance** is the type of covert surveillance that the Council's employees will be permitted to undertake on an exceptional basis and only within the Council's

responsibilities for the prevention and detection of crime, or for the prevention of disorder. Authorisation for directed surveillance **must** first be obtained.

- 1.15 Directed surveillance is defined as surveillance which is covert, but not intrusive, and undertaken:
- a) for the purpose of the prevention or detection of crime or to prevent disorder;
  - b) for the purpose of a specific investigation or specific operation;
  - c) in a manner that is likely to result in the obtaining of **private information** about a person (whether or not specifically identified for the purpose of the investigation or operation). Private information is defined at paragraph 1.19 below; and
  - d) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under Part II of the 2000 Act to be sought for the carrying out of the surveillance. For example, you may be in a Post Office obtaining information in relation to a particular customer when you observe a different person committing a benefit fraud. Officers acting in their line of duty are allowed to follow that person, if necessary, to establish their identification and any other information that may help with the subsequent investigation but you should not do so if you believe there is any possibility of a risk to your own safety.
- 1.16 A similar situation may occur whilst visiting an employer under section 110 powers, Social Security Administration Act 1992 (which requires separate authorisation). For example, if during a visit to an employer you recognise an individual benefit claimant, authorisation for watching the person working would not be required. This is because you have come across the information incidentally and in the course of your normal duties. However, if you visited an employer with the precise intention of observing an identified individual at work (whilst claiming benefit), written authorisation would be required before the visit.
- 1.17 Directed surveillance includes covert surveillance within office and business premises.
- 1.18 **Private information** includes:
- a) any information relating to a person's private or family life, or
  - b) information relating to aspects of a person's professional and business life.
- The concept of private information should be broadly interpreted to include an individual's private or personal relationship with others. Family life should be treated to extend beyond the formal relationships created by marriage.
- 1.19 **Intrusive surveillance** is defined as covert surveillance that:
- a) is carried out in relation to anything taking place within any residential premises or any private vehicle; and
  - b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device or involves premises where legal consultations take place.

**Under no circumstances** should this type of surveillance be undertaken. An alternative means of obtaining the information should be sought.



- 1.20 **Interception of post, e-mail and recording of telephone conversations.** The interception of communications sent by post or by means of public telecommunications systems or private telecommunications systems attached to the public network are outside of the remit of Council officers.
- 1.21 **Covert Human Intelligence Source (CHIS)** is the term used for a person who is tasked by the Council to establish or maintain a relationship with a person for the purpose of covertly obtaining or disclosing information i.e. it is someone working “under cover” who has been asked to obtain information, to provide access to information or to otherwise act, incidentally for the benefit of the Council.
- 1.22 A relationship is established or maintained for a covert purpose if and only if it is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose.
- 1.23 A person is considered to be a CHIS if:
- (a) they establish or maintain a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraphs (b) or (c) below;
  - (b) they covertly use such a relationship to obtain information or provide access to any information to another person; or
  - (c) they covertly disclose information obtained by the use of such a relationship, or as a consequence of the existence of such a relationship.
- 1.24 **The Council has taken a policy decision that it will be the general practice not to undertake this type of surveillance activity.** An alternative means of obtaining the information should be followed. However, it is necessary that the Council be equipped to deal with CHIS should the situation arise.
- 1.25 If it is necessary to request an authorisation under CHIS, advice should first be sought from the RIPA Senior Responsible Officer.
- 1.26 As with directed surveillance the Council may only make an authorisation permitting the use of CHIS on the ground that it is necessary for the purpose of the prevention or detection of crime or the prevention of disorder.
- 1.27 It should be noted that where members of the public volunteer information to council officers, either as a complaint or as part of their civic duties i.e. use contact numbers set up for the reporting of suspected benefit fraud or for whistle-blowing etc. they would not generally be regarded as a CHIS. In addition, if someone is keeping a diary record of nuisance, this will not amount by itself to use of a CHIS. With the exception of a diary record of nuisance, a Council officer **must never** ask a member of the public to routinely record information relating to specified individuals on the Council’s behalf.
- 1.28 In order for the Council to carry out surveillance using CHIS (should the need arise) it is necessary to have appropriately trained officers designated as Controllers and Handlers. These posts will carry out the following functions:
- Controller – will at all times have general oversight of the use made of the source.
  - Handler – will have day to day responsibility for dealing with the source on behalf of the authority, and for the source’s security and welfare.

In all cases the Controller will be the RIPA Senior Responsible Officer.

Handlers will include investigators and enforcement officers that have received the relevant CHIS training and have been authorised by the RIPA Senior Officer to undertake this role. A register of those authorised as handlers will be kept by the RIPA Co-ordinating Officer.

In addition to the above the RIPA Co-ordinating Officer will have responsibility for maintaining a record of the use made of the source.

#### 1.29 **Accessing Communications Data**

Local Authorities can obtain communications data for investigating crime under the Investigatory Powers Act 2016. Communications data includes land line and mobile telephone subscriber and billing data for telephone, web and postal customers.

1.30 Communications data can be obtained where it is necessary and proportionate to do so. Applications are primarily used to identify or locate suspects. Examples include applications to ascertain subscriber identity and address details of illegal fly tipping suspects from mobile phone number evidence.

1.31 The Council has appointed NAFN to provide a RIPA Single Point of Contact (SPoC) service to obtain communications data. NAFN is authorised to carry out requests to telecommunications service providers for category B and C data (see 1.32) for criminal investigations. This includes subscriber and billing information on telephone, web and postal services.

1.32 It should be noted that in order for Local Authorities to seek authority to acquire category B data, it must meet the new serious crime threshold. A serious crime is one which carries a prison sentence for a minimum of 12 months and meets the definition set out in section 81(3)(b) of the Act, i.e. conduct that involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose. Category C data can still be acquired for any crime where necessary and proportionate to do so.

#### Category Table

A Data – Not accessible to Local Authorities	B Data – Available if serious crime threshold met	C Data – Available
Cell site IEMI Incoming caller data	Itemised Billing Call Diversion Data Downloading Outgoing call data	Subscriber detail including: Name and Address Method of Payments Customer info.

*NB: Local Authorities are not able to obtain Category A data.*

## Social Networking Sites

- 1.33 **Social Networking Sites (SNS)** which include but are not limited to Facebook, Instagram, Twitter and TikTok can provide information that will aid an investigation. When using these sites to carry out surveillance it is essential to know how they work and officers should not assume that one service provider works in the same way as another.
- 1.34 In all cases it would be unwise to assume that the content came from an open source or was publically available, even where security settings are low, as the author would have some reasonable expectation of privacy where access controls are applied.
- 1.35 When conducting any surveillance of social media sites use of an officers personal account is prohibited and advice should be sought from the Communications Team with regards to setting up a Council account. It may pose a risk to an officers' personal safety when viewing social media profiles from a personal account, due to the potential for a 'digital footprint' to be left and therefore potentially identifying the officer to the account holder.
- 1.36 Where a site is being covertly accessed for monitoring purposes it may be necessary for an authorisation for directed surveillance to be obtained. As part of an investigation it is possible to take an initial look at an individuals social media activity, however, should there be a need to return to the site this may constitute surveillance. In such circumstances advice should be obtained from the RIPA Co-ordinating Officer before further surveillance is carried out.
- 1.37 When accessing an individuals' social media site, an officer of the Council must never establish or maintain a relationship with that individual without consulting with the SRO, as an authorisation for a CHIS may need to be obtained. See 1.23 above for full details of what constitutes a CHIS.
- 1.38 The Central Record will contain a register of any Council profiles utilised and a record of their use, where the Council decides to utilise Social Media for the purpose of investigation. The RIPA Co-ordinating officer must be involved prior to any social media being utilised for surveillance, to ensure appropriate records are being kept and stored.
- 1.39 A brief summary of the relevant legislation governing covert surveillance has been included at Appendix A.

## **2. GENERAL RULES ON AUTHORISATIONS**

- 2.1 Where an authorisation or renewal is sought for the use of Directed Surveillance, acquisition of Communications Data or the use of CHIS it will be necessary to obtain Judicial Approval, i.e approval from the Magistrates Court. It will still be necessary to go through the internal authorisation stage, detailed below, prior to an application for Judicial Approval. The procedure for obtaining Judicial Approval is detailed at paragraphs 4.12 to 4.14 below.

*NB: A flowchart produced by the Home Office showing the authorisation procedure is shown at Appendix B.*

## 2.2 Directed Surveillance and CHIS

- 2.2.1 You must seek an authorisation where the surveillance is likely to interfere with a person's rights to privacy (*Article 8 of the European Convention on Human Rights*) by obtaining private information about that person, whether or not that person is the subject of the investigation or operation. Obtaining an authorisation will ensure that the action is carried out in accordance with law.
- 2.2.2 In the event that the Council is required to conduct joint directed surveillance working with another agency, the tasking agency should obtain the authorisation. For example, in the event that the police require covert surveillance by the Councils' CCTV system the police would normally seek the authorisation. A copy of the Authorisation, Renewal and Cancellation forms should be sought from the tasking agency to provide a record and justification for the Councils involvement. This should be presented to the RIPA Co-ordinating officer for recording.

## 2.3 Accessing Communications Data

- 2.3.1 Only authorised officers are able to use the NAFN Single Point of Contact service to access communications data. NAFN provides Council officers with access to a secure online system for processing RIPA telecommunications requests. Authorised applicants and designated persons can submit, approve and track applications through one central secure website. NAFN review all applications for legal compliance prior to approval from Swale's designated person. NAFN is subject to inspection by the officers of the Interception Commission to ensure compliance with RIPA.

## 2.4 RIPA Authorising Officers

The Authorising Officers for the Council are:

- Chief Executive / RIPA Senior Responsible Officer (SRO)
- Director of Regeneration / Deputy SRO
- Director of Resources
- Head of Environment and Leisure
- Head of Housing and Community Services

No person designated as an Authorising Officer may act as an Authorising Officer unless they have undertaken appropriate training.

In addition to the above the following officers will be responsible for the authorisation of NAFN RIPA telecommunications requests:

- Chief Executive / RIPA Senior Responsible Officer (SRO)

## 2.5 Necessity and Proportionality

- 2.5.1 Obtaining an authorisation for surveillance will only ensure that there is a justifiable interference with an individual's Article 8 rights if it is **necessary and proportionate** for these activities to take place. RIPA first requires that the person granting an authorisation to believe that the authorisation is necessary for the purpose of preventing and detecting crime or of preventing disorder; therefore there is a requirement that applicants and Authorising Officers consider why the use of covert surveillance is necessary in the specific investigation and what it will achieve.

2.5.2 If the activities are necessary, the person granting the authorisation must believe that they are proportionate to what is sought to be achieved by carrying them out. This involves balancing the intrusiveness of the activity on the target and others who might be affected by it against the need for the activity in the operational terms. Both the officer making the application and the Authorising Officer should consider the following test when deciding that the proposed covert surveillance is proportionate:

- a) Is the proposed covert surveillance proportionate to the mischief under investigation;
- b) Is the proposed covert surveillance proportionate to the degree of anticipated intrusion on the target and others; and
- c) Is the proposed covert surveillance the only option and have other overt means been considered and discounted.

2.5.3 The activity will not be proportionate if it is excessive in the circumstances of the case or if the information which is sought could reasonably be obtained by other less intrusive means. For example it may be acceptable in a benefit “living together” case for surveillance over seven days but not extended over three months. All such activity should be carefully managed to meet the objective in question and must not be arbitrary or unfair.

## 2.6 Collateral Intrusion

2.6.1 Before authorising surveillance the Authorising Officer should take into account the risk of intrusion into the privacy of persons other than those who are directly the subjects of the investigation or operation (collateral intrusion). Measures should be taken, wherever practicable, to avoid or minimise unnecessary intrusion into the lives of those not directly connected with the investigation or operation.

2.6.2 An application for an authorisation should include an assessment of the risk of any collateral intrusion. The Authorising Officer should take this into account, when considering the proportionality of the surveillance.

2.6.3 Those carrying out the covert surveillance should inform the Authorising Officer if the operation or investigation unexpectedly interferes with the privacy of individuals who are not covered by the authorisation. When the original authorisation may not be sufficient, consideration should be given to whether the authorisation needs to be amended and re-authorised or a new authorisation is required.

2.6.4 Any person granting or applying for an authorisation will also need to be aware of particular sensitivities in the local community where the surveillance is taking place and of similar activities being undertaken by other public authorities which could impact on the deployment of surveillance.

## 2.7 Central Record of Authorisations

2.7.1 A central retrievable record of all authorisations is required to be kept by the Council and regularly updated. Whenever an authorisation is granted, renewed or cancelled the original signed document must be passed to the Co-ordinating Officer who maintains the Central Record of Authorisations. On receipt of the documentation the required information will be recorded in the central register.

2.7.2 The record is required to be made available to the relevant Commissioner or an Inspector from the Investigatory Powers Commissioner's Office, upon request.

2.7.3 These records should be retained for a period of five years from the ending of the authorisation and should contain the following information:

- the unique reference number (URN) – this will be provided by the Co-ordinating Officer when requested by the officer applying for the authorisation;
- the type of authorisation; (SBC officers can only conduct directed surveillance)
- the date the authorisation was given;
- the name of the Authorising Officer;
- the title of the investigation or operation, including a brief description and names of subjects, if known;
- the date for review;
- the date review was undertaken;
- if the authorisation is renewed, when it was renewed and who authorised the renewal, including the name of the Authorising Officer;
- whether the investigation is likely to result in obtaining confidential information; and
- the date the authorisation was cancelled.

2.7.4 In all cases, the officer responsible for the investigation (Investigation Manager) must maintain the following documentation which need not form part of the central retrievable record:

- copy of the application and a copy of the authorisation together with any supplementary documentation and notification of the approval given by the Authorising Officer;
- copy of any renewal of any authorisation together with supporting documents
- any authorisation which was granted or renewed orally (an urgent case) and the reason why the case was considered urgent
- record of the period over which the surveillance has taken place;
- any risk assessment raised in relation to a CHIS;
- the circumstances in which tasks were given to the CHIS;
- the value of the CHIS to the investigation;
- the frequency of reviews prescribed by the Authorising Officer, recommended monthly;
- record of the result of each review of the authorisation;
- copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested; and
- date and time when any instruction were given by the Authorising Officer since using CHIS.

## 2.8 Retention and Destruction

2.8.1 Where the product of surveillance could be relevant to pending or future criminal or civil proceedings, it should be retained in accordance with established disclosure requirements for a suitable further period, commensurate to any subsequent review.

2.8.2 There is nothing which prevents material obtained from properly authorised surveillance from being used in other investigations. Authorising Officers must ensure compliance with the appropriate data protection requirements and that arrangements for the handling, storage and destruction of material obtained through the use of covert surveillance are followed.

- 2.8.3 Investigating officers are expected to keep accurate and full records of investigations. All notebooks (including QB50 for relevant Officers), surveillance logs and other ancillary documentation that relate to surveillance must be maintained for five years and available for management or regulatory inspection on demand.

### **3. SPECIAL RULES ON AUTHORISATIONS** (Directed Surveillance and CHIS)

- 3.1 Care should be taken in cases where the subject of the investigation or operation might reasonably expect a high degree of privacy eg, where confidential information is involved. Confidential information consists of matters subject to legal privilege, confidential personal information or confidential journalistic material. For example, extra care should be given where, through the use of surveillance, it would be possible to acquire knowledge of discussions between a minister of religion and an individual relating to the latter's spiritual welfare, or where matters of medical or journalistic confidentiality or legal privilege may be involved.
- 3.2 In cases where through the use of surveillance it is likely that knowledge of confidential information will be acquired, the use of surveillance is subject to a higher level of authorisation, and must be authorised by the Chief Executive (who is designated the RIPA Senior Responsible Officer) or in their absence the deputy SRO.
- 3.3 Where a juvenile or vulnerable person is to be used as a CHIS the Investigating Officer must, when seeking an authorisation:
- (a) make a risk assessment to demonstrate that the physical and psychological risks have been identified, evaluated and explained to the CHIS, and
  - (b) that an appropriate adult will be present at meetings of any CHIS under the age of 18.
- 3.4 Where the authorisation is for the employment of a juvenile or vulnerable CHIS the authorisation **must** be obtained by the Chief Executive (who is designated the RIPA Senior Responsible Officer) or in their absence, the deputy SRO.

### **4. AUTHORISATION PROCEDURE FOR COVERT SURVEILLANCE** (Directed Surveillance and CHIS)

The appropriate RIPA forms are available from the Intranet, under Service Units; Legal; Shared Documents; Guidance, RIPA; Covert Surveillance Forms and Code of Practice.

#### **Application Forms:**

- Application for the use of Directed Surveillance form
- Application for the use of CHIS form
- Judicial Application / Order form

- 4.1 Before covert surveillance can be conducted, an application for the use of directed surveillance form and/or an application for the use of CHIS form must be completed and authorised in writing by the Authorising Officer.
- 4.2 Local Authorities cannot rely on the provision for urgent authorisation being given orally by the Authorising Officer as there is the requirement of obtaining judicial approval.

There are however guidelines for obtaining urgent judicial approval and these are detailed below at paragraph 4.15. It should be remembered that no RIPA authority is required in situations where surveillance is an immediate response to events i.e. where criminal activity is observed during routine duties and officers conceal themselves to observe what is happening.

4.3 The application should include:

- the reason why the authorisation is necessary i.e. for the purpose of preventing and detecting crime or of preventing disorder (*this is the only permitted ground open to Local Authorities*)
- an adequate explanation of the reason why the surveillance is considered proportionate to what it seeks to achieve;
- the nature of the surveillance including what surveillance equipment is to be used (the operation must be spelt out in sufficient detail on the application form for the Authorising Officer to have a clear idea of exactly what they are being asked to authorise);
- a map showing where the surveillance will take place;
- details of other methods considered and why they were deemed not to be appropriate;
- the identities, where known, of those to be the subject of the surveillance;
- an explanation of the information desired from the surveillance;
- the details of any potential collateral intrusion and why the intrusion is justified;
- the details of any confidential information that is likely to be obtained as a consequence of the surveillance;
- the level of authority required (or recommended where that is different) for the surveillance; and
- a subsequent record of whether authority was given or refused, by whom and the time and date.

**Good Practice Tips:**

- ensure all questions are answered properly and appropriate boxes ticked;
- prior to submitting the application review the case file and discuss the case with the Authorising Officer to tease out additional information required and to fill any gaps, provide adequate information on the application form for it to stand alone;
- Information must be clear and unambiguous;
- set out in full and explain any acryomns; and
- explain operational processes which may otherwise require service specific knowledge.

4.4 To enable application forms for directed surveillance to be completed with sufficient detail drive bys are permitted to identify whether a location is suitable for surveillance. However, the practice should not be abused and repeated and/or systematic use of drive bys may require application for surveillance forms to be completed and authorisation granted by an Authorising Officer. If surveillance is to commence immediately authorisation **must** be sought first.



### **Authorisation:**

- 4.5 Responsibility for authorising the carrying out of covert surveillance rests with the Authorising Officer and requires the personal authority of the Authorising Officer. **In no circumstances should an officer authorise until they have met the training standard stipulated by the Senior Responsible Officer.**
- 4.6 Authorising Officers must insist on the operation being described in sufficient detail *on the application form* for them to have a clear idea of exactly what they are being asked to authorise and so that they have a sufficient *aide-memoir* to be able to withstand cross-examination in Court, maybe after a lapse of some years. The application form must stand alone in supporting the authorisation. Only what is written on the form would be used in Court to justify authorisation of surveillance being granted, therefore Authorising Officers must clearly describe exactly what activities they are authorising.
- 4.7 An authorisation can only be granted by the authorising officer where they believe that the use of covert surveillance is **necessary** in the investigation for the purposes of preventing and detecting crime or of preventing disorder and that the surveillance is **proportionate** to what it seeks to achieve, i.e it satisfies the test set out at 2.5 above.
- 4.8 In completing their authorisation the Authorising Officer should include a statement detailing their reasons for considering that application is necessary and proportionate incorporating the 5 “W’s”; these being: “who”, “what”, “where”, “when”, “why” and “how”.
- 4.9 In addition, when an authorisation is sought for the use of CHIS, the Authorising Officer must be satisfied that:
- (a) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have day-to-day responsibility for dealing with the source on behalf of that authority, and for the source's security and welfare;
  - (b) that there will at all times be another person holding an office, rank or position with the relevant investigating authority who will have general oversight of the use made of the source;
  - (c) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have responsibility for maintaining a record of the use made of the source;
  - (d) that the records relating to the source that are maintained by the relevant investigating authority will always contain particulars of all such matters (if any) as may be specified for the purposes of this paragraph in regulations made by the Secretary of State;
  - (e) that records maintained by the relevant investigating authority that disclose the identity of the source will not be available to persons except to the extent that there is a need for access to them to be made available to those persons; and
  - (f) that a risk assessment has been carried out to determine the risk to the source of any tasking and the likely consequences should the role of the source become known. The ongoing security and welfare of the source, after the cancellation of the authorisation, should have also been considered at this stage.

For further information please refer to paragraphs 1.22 to 1.29 above.

- 4.10 Authorising Officers should, where possible, complete their authorisation by hand to avoid being challenged at a later date as to the authenticity of their authorisation.
- 4.11 Where a previously unidentified subject is identified or an additional subject is subsequently identified during the course of surveillance, the surveillance may continue in order to maintain contact. Thereafter, a revised authorisation will be required to cover the additional subject etc. New individuals **must not** be added to the original authorisation retrospectively.

**Judicial Approval:**

- 4.12 As soon as an authorisation has been granted through the internal procedure the following steps must be taken to obtain judicial approval:
  - 1. HMCTS administration at the magistrates' court should be contacted by calling 01622 671041 for a hearing to be arranged – such hearings will be held in private.
  - 2. A copy of the original RIPA authorisation and supporting documentation should be provided to the Magistrate and **should contain all information that is relied upon**. The authorisation can be considered by a single lay Magistrate (sometimes referred to as a Justice of the Peace) supported by a Legal Advisor to the Court or a District Judge.
  - 3. Two copies of the partially completed judicial approval/order form should be provided to the Magistrate – one for the Court to keep and one for the Council.
  - 4. Attend hearing.

Any officer that attends on behalf of the Council must be authorised to do so by the Head of Legal under section 223 of the Local Government Act 1972.

- 4.13 Consideration should be given as to who is the most appropriate person to attend the hearing to request judicial approval. As it is likely that the Magistrate will have questions for whoever attends it should be someone with a detailed knowledge of the case. It may be that the most appropriate person to attend is the Authorising Officer as only they can explain their reasoning on necessity, proportionality, collateral intrusion and risk. It is recognised that this is not always practicable, and in these cases it is likely that the investigating officer should attend and promptly report back any comments made by the Magistrate to the Authorising Officer.

*NB: All evidence of necessity and proportionality **must** be in the RIPA/CHIS application form as it is not sufficient to provide oral evidence at the hearing where this is not reflected or supported in the papers provided.*

- 4.14 Following consideration of the case the Magistrate will complete the order section of the judicial application / order form recording their decision to either approve or refuse the authorisation or to refuse and quash the original authorisation.
- 4.15 Whilst Home Office Guidance urges Local Authorities to make local arrangements to deal with out of hours access to a Magistrate for urgent cases our local HMCTS legal staff have advised that they do not envisage there to ever be a need for the authority to require urgent access, therefore all applications should be made in Court hours. The Senior Responsible Officer will continue to review the situation and if it is proven

that there is a need for local arrangements for urgent cases to be made we will contact the Court again.

*NB: It should be remembered that in most emergency situations it is likely that the police would have the power to act, and in such cases they would be able to authorise the activity without prior judicial approval.*

- 4.16 Authorising Officers should not be responsible for authorising investigations or operations in which they are directly involved, although it is recognised that this may sometimes be unavoidable, especially in the case of small organisations, or where it is necessary to act urgently

Directed surveillance conducted from premises  
(ref: R v Kenneth Johnson)

- 4.17 In the event that covert surveillance is required to be conducted from premises the following guidelines must be followed:

- Prior to covert surveillance being conducted from premises the line manager (or above) responsible for the investigation must visit the premises to ascertain the attitude of the occupiers to the surveillance activities and to the possible disclosure of information which might enable them to be identified.
- Immediately before trial the Head of Services (or above) must ascertain whether the occupiers of the premises are the same as when the surveillance took place and, whether they are or not, what their feelings are as to the disclosure of information which might cause them to be identified.

### **Reviews:**

Forms:

- Review of the use of Directed Surveillance form
- Review of the use of CHIS form

- 4.18 Written authorisations granted under RIPA for a CHIS cease to have effect twelve months after the date of granting of the authorisation. All other written authorisations under RIPA cease to have effect three months after the authorisation was granted.

- 4.19 Reviews of authorisations should be undertaken by the officer responsible for conducting the investigation (Investigation Manager), and approved by the Authorising Officer, to assess the need for the surveillance to continue. Reviews should take place at least monthly and immediately after the date the surveillance is due to end. The Authorising Officer may review the authorisation on a more frequent basis where it is considered necessary and practicable for example where the surveillance provides access to confidential information or involves collateral intrusion. *There is no requirement for the JP to consider internal reviews.* A copy of the review form should be retained by the officer responsible for conducting the investigation (Investigation Manager) and the original should be passed to the RIPA Co-ordinating Officer.

### **Renewals:**

Forms:

- Renewal of Directed Surveillance form
- Renewal of CHIS form

- 4.20 If at any time before an authorisation would cease to have effect, the Authorising Officer considers it necessary for the authorisation to continue for the purpose for which it was given, they may renew it in writing for a further period of **three months** for directed surveillance and **twelve months** for a CHIS.
- 4.21 A renewal takes effect at the time at which, or day on which the authorisation would have ceased to have effect but for the renewal. An application for renewal should not be made until shortly before the authorisation period is drawing to an end. Any person who would be entitled to grant a new authorisation can renew an authorisation.
- 4.22 Applications for renewal of an authorisation for covert surveillance should record:
- whether this is the first renewal or every occasion on which the authorisation has been renewed previously;
  - any significant changes to the information at paragraph 4.3;
  - the reasons why it is necessary to continue with the directed surveillance;
  - the content and value to the investigation or operation of the information so far obtained by the surveillance; and
  - the result of regular reviews of the investigation or operation.
- 4.23 Authorisations may be renewed more than once, provided they continue to meet the criteria for authorisations. A copy of the renewal forms should be retained by the officer responsible for conducting the investigation (Investigation Manager) and the original should be passed to the RIPA Co-ordinating Officer for the required information to be recorded in the Central Record of Authorisations (see paragraph 2.7).
- 4.24 **Following the internal authorisation for renewal process it will again be necessary to obtain judicial approval for the authorisation to be renewed and the same process detailed in 4.12 to 4.14 above should be followed.**

*NB: Where renewals are timetabled to fall outside of court hours it is for the investigating officer on behalf of the Local Authority to ensure that the renewal is completed ahead of the deadline.*

**Cancellations:**

Forms:

- Cancellation of Directed Surveillance form
- Cancellation of CHIS form

- 4.25 A written authorisation granted by an Authorising Officer will cease to have effect (unless renewed) at the end of a period of **three months in relation to Directed Surveillance** or **twelve months in relation to CHIS** beginning with the day on which it took effect, however the Authorising Officer who granted or last renewed the authorisation must promptly cancel the authorisation if he is satisfied that the covert surveillance no longer meets the criteria for authorisation, including, but not limited to, where during the investigation it becomes clear that the offence being investigated no longer meets the crime threshold.
- 4.26 As soon as the decision is taken that covert surveillance should be discontinued, the instruction must be given to those involved to stop all surveillance of the subject(s) and a record made of the date and time when the instruction was given. A cancellation of

the use of directed surveillance form must be completed by the officer responsible for conducting the investigation (Investigation Manager) and signed by the Authorising Officer. *There is no requirement for the Magistrate to consider cancellations.*

- 4.27 Cancellation forms should be retained by the Investigating Manager and the original should be passed to the RIPA Co-ordinating Officer for the required information to be recorded in the Central Record of Authorisations (see paragraph 2.7).

**To ensure prompt cancellation Investigation Managers should advise the Authorising Officer as soon as surveillance activity has ceased.**

## **5. AUTHORISATION PROCEDURES FOR COMMUNICATIONS DATA**

- 5.1 Only officers authorised by the Council's Designated Person can submit applications via the NAFN secure website facility. Authorised officers are assigned a website username and password to access the NAFN SPoC application system.
- 5.2 Applications should detail the necessity, purpose and proportionality of each request for information, in addition to consideration of collateral intrusion arising from the request for information. The level of detail should be as required for covert surveillance and CHIS applications – See 4.3.
- 5.3 Applications which do not provide adequate detail will be returned to applying officers for reworking prior to submission to the Council's Designated Person (DP) for consideration and approval. Applications will only be approved where the DP considers the application to be necessary and proportionate to the investigation.
- 5.4 As soon as an authorisation has been granted through the internal procedure it will be for the Council to obtain judicial approval following the procedure detailed above at paragraphs 4.12 to 4.14. The Magistrate will complete the order section of the judicial application / order form reflecting their decision after which the Council will then be required to upload a copy of this order to the NAFN SPoC system.

## **6. Authorisation Control Matrix/ Aide-memoire:**

- 6.1 To assist officers responsible for conducting investigations (Investigation Managers) to maintain appropriate records and comply fully with the Regulations a suitable Authorisation Control Matrix has been included at Appendix C. Dates of Reviews and when Authorisations cease should also be diarised as a further aid-memoire so that Reviews, Renewals and Cancellations are properly completed in a timely manner.

## **7. Complaints Relating to the use of RIPA**

- 7.1 The Investigatory Powers Tribunal is a court which investigates and determines complaints which allege that public authorities or law enforcement agencies have unlawfully used covert techniques and infringed an individual's right to privacy, as well as claims against the security and intelligence agencies for conduct which breaches a wider range of our human rights. Where a member of the public wishes to complain about the Council's use of, or conduct of these powers they should be directed towards the Tribunal's website at <http://www.ipt-uk.com/>.

## **8. Non-RIPA Surveillance**

Where the crime threshold for surveillance cannot be met, surveillance can still be considered as a last resort if it is deemed to be both necessary and proportionate. In such cases the same internal procedure used for the authorisation, renewal, review and cancellation of a RIPA application set out on pages 15 to 19 are to be followed, however the relevant non-RIPA form is to be used with all documentation being held centrally by the RIPA Co-ordinating Officer. For non RIPA applications there is no requirement to obtain Judicial Approval however all internal procedures must be followed to record the non-RIPA activity.

## **Relevant Legislation and Guidance**

### **The Data Protection Act 2018**

The Act provides six principles to be observed to ensure that the requirements are complied with. They provide that personal data (which includes personal data obtained from **covert surveillance techniques**) must:

- 1 be used fairly, lawfully and transparently;
- 2 be used for specified, explicit purposes;
- 3 be used in a way that is adequate, relevant and limited to only what is necessary;
- 4 be accurate and, where necessary, kept up to date;
- 5 be kept for no longer than is necessary; and
- 6 be handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage.

### **The Human Rights Act 1998**

**Article 8** of the European Convention on Human Rights is relevant in the context of **covert surveillance** in that it states:

- everyone has the right to respect for his private and family life, home and correspondence;
- there is to be no interference with the exercise of these rights by the local authority, except where such interference is in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others

**Article 6** of the Convention is also relevant in the context of **covert surveillance** in that everyone has the right to a fair trial, including internal procedures or hearings, and fairness extends to the way in which evidence is obtained.

### **The Regulation of Investigatory Powers Act 2000**

- The Act strikes a balance between community responsibilities, including effective law enforcement and individual rights and freedoms. The principles of RIPA are as follows:
- Surveillance is an intrusion into the privacy of the citizen. It should not be undertaken unless it is necessary, proportionate to the alleged offence and properly authorised. Where there is an alternative legal means of obtaining information that is less intrusive on the rights of the citizen, the alternative course rather than surveillance should be taken.
- Surveillance will be conducted within the constraints of the Council. It will cease when evidence sought has been obtained or when it becomes clear that the evidence is not going to be obtained by further surveillance. At that point authorisation must be cancelled.

- In every instance where surveillance is authorised the officer who conducts surveillance will consider and make plans to reduce the level of collateral intrusion into the privacy of third parties.
- All outstanding surveillance authorisations will be reviewed at regular intervals and cancelled where there is no further need for surveillance.
- All officers involved in applying for, authorising or undertaking surveillance will understand the legal requirements set out in RIPA and the Code of Practice. They will personally take responsibility of their involvement.
- All authorisations, notebooks, surveillance logs and other ancillary documentation that relates to surveillance will be maintained to the required standard for three years. All documentation will be volunteered for any management or regulatory inspection on demand.
- Any failure of any part of the process will be brought to the attention of the manager responsible for the investigation.
- Wilful disregard of any part of the Surveillance Code of Practice or of internal procedures will be dealt with in line with Council policy.

#### Protection of Freedoms Act 2012

The Act amended the Regulation of Investigatory Powers Act 2000 (RIPA) to make local authority authorisation subject to judicial approval. It also limited a Local Authority's use of RIPA so that authorisations could only be obtained for directed surveillance to prevent or detect criminal offences that are either punishable, whether on summary conviction or indictment, by a minimum term of at least six months imprisonment or are related to the underage sale of alcohol and tobacco.

#### Investigatory Powers Act 2016

The Act will provide a new framework to govern the use and oversight of investigatory powers by law enforcement and the security and intelligence agencies. The aim of the Act is to bring together all of the powers already available to law enforcement and the security and intelligence agencies to obtain communications and data about communications and will make these powers and the safeguards that apply to them clear and understandable. In addition it creates a powerful new Investigatory Powers Commissioner to oversee how these powers are used and ensures powers are fit for the digital age.

#### Criminal Procedures & Investigation Act 1996 (CPIA)

The Act sets out legal obligations concerning criminal investigations. The principles of the Act are as follows:-

- **Record** - Information must be recorded in a durable and retrievable form. It must be full & factual. File notes must be contemporaneous, dated & preferably timed. There should be no personal comments, biased opinions, and prejudiced observations.
- **Retain** - All material obtained in the course of an investigation must be retained in the investigation file. The origin, date & if appropriate the time it was obtained must be recorded. The reasons for action must be recorded, including any request for authorised surveillance, and details of the risk assessment.



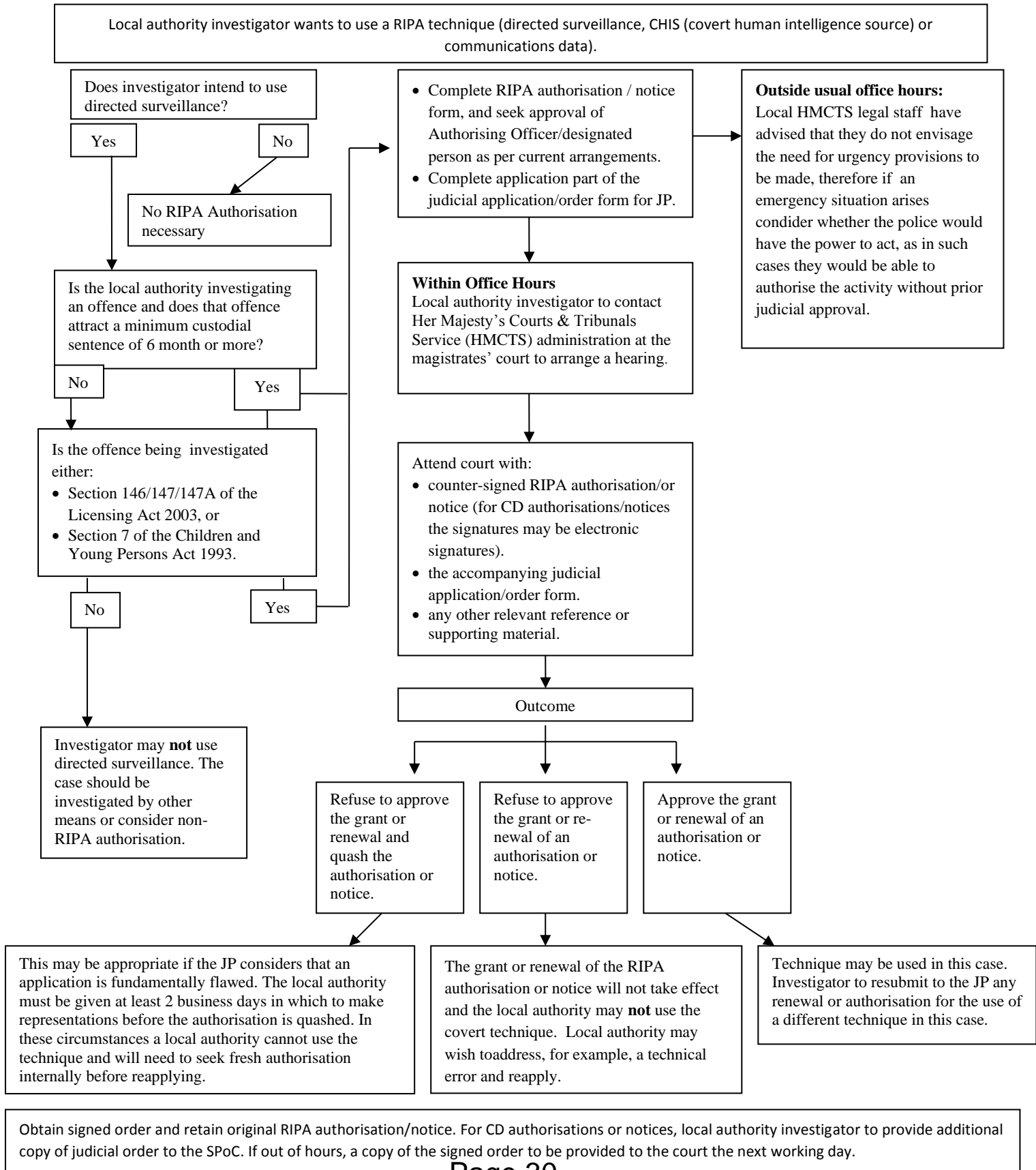
- **Reveal** - 3 clearly identifiable roles on all investigation files:-
  - Investigator
  - Officer in Charge of the Investigation
  - Disclosure Officer
- Unused material is listed on two schedules: -
  - Non-sensitive
  - Sensitive.

Guidance Notes and Codes of Practice:

- Covert Surveillance and Property Interference Code of Practice – Home Office  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/384975/Covert\\_Surveillance\\_Property\\_Interference\\_web\\_2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/384975/Covert_Surveillance_Property_Interference_web_2_.pdf)
- Covert Human Intelligent Source Code of Practice – Home Office  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1123687/Revised\\_CHIS\\_Code\\_of\\_Practice\\_December\\_2022\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1123687/Revised_CHIS_Code_of_Practice_December_2022_FINAL.pdf)
- Acquisition and Disclosure of Communications Data Code of Practice – Home Office  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/426248/Acquisition\\_and\\_Disclosure\\_of\\_Communications\\_Data\\_Code\\_of\\_Practice\\_March\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/426248/Acquisition_and_Disclosure_of_Communications_Data_Code_of_Practice_March_2015.pdf)
- Guidance to local authorities in England and Wales on the judicial approval process for RIPA and the crime threshold for directed surveillance – Home Office, October 2012  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/118173/local-authority-england-wales.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118173/local-authority-england-wales.pdf)

Information can also be obtained from the website of the Investigatory Powers Commissioner's Office at <https://www.ipco.org.uk/> who has absorbed the powers of the Office of Surveillance Commissioners and the Interception of Communications Commissioner's Office.

**LOCAL AUTHORITY PROCEDURE:  
APPLICATION TO A JUSTICE OF THE PEACE SEEKING AN ORDER TO APPROVE THE  
GRANT OF A RIPA AUTHORISATION OR NOTICE**



AUTHORISATION CONTROL MATRIX							
OP/INVESTIGATION NAME:			UNIQUE REFERENCE NUMBER:				
SUBJECT NO.	APPLICATION	AUTHORISATION		RENEW	REVIEW	CAN-CELLED	EXPIRY DATE
		ORAL	WRITTEN				

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<b>Policy and Resources Committee</b>	
<b>Meeting Date</b>	20 <sup>th</sup> March 2024
<b>Report Title</b>	Swale BC Street Trading Policy 2024 - 2027
<b>EMT Lead</b>	Emma Wiggins, Director of Regeneration and Neighbourhoods
<b>Head of Service</b>	Charlotte Hudson, Head of Housing and Community Services
<b>Lead Officer</b>	Christina Hills, Licensing Team Leader
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	1. Members are asked, following a recent consultation and consideration by the Licensing Committee, to adopt the Swale Street Trading Policy 2024 - 2027 attached as Appendix I, in order that it can be published and come into effect on 1 <sup>st</sup> April 2024

## 1 Purpose of Report and Executive Summary

- 1.1 To apprise Members of the steps taken in reviewing the current Swale Street Trading Policy 2021-2024.
- 1.2 A review of the existing Swale Street Trading Policy 2021-2024 and a new draft policy was presented to Licensing Committee at its meeting of 19<sup>th</sup> February 2023 where it was approved for public consultation.
- 1.3 Following the public consultation a further report was presented to Licensing Committee on 13<sup>th</sup> February 2024  
<https://services.swale.gov.uk/meetings/documents/s27536/Street%20Trading%20Draft%20report%20v0.3.pdf> where the draft policy was approved for formal adoption by Policy and Resources Committee.
- 1.4 Members are requested to endorse the revised draft Street Trading Policy under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) attached as **Appendix I** so that it can be published and can come into effect on 1<sup>st</sup> April 2024.

## 2 Background

- 2.1 Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, a local authority may regulate street trading in their area. Swale BC has adopted

these provisions for the whole of its area and on 23<sup>rd</sup> July 2010 designated all streets in the area as 'consent streets'.

- 2.2 The effect of this designation is that any street trading in any street is prohibited, subject to legal exemptions, without first obtaining a street trading consent from the Council. Swale BC has had a policy in place since 2013. There is no statutory requirement for a local authority to have a formal Street Trading policy; however, a Council can choose to adopt such a policy.
- 2.3 The adoption of a Policy benefits customers as well as reassuring the general public and other public bodies. It also reinforces effective practices and ensures proportionate, consistent and targeted regulator activity, whilst also developing a transparent and effective dialogue and understanding between regulators and those we regulate.
- 2.4 The current edition of the Swale BC Street Trading Policy was firstly adopted by full Council on 31<sup>st</sup> March 2021. This was then subject to some amendments which were approved by Licensing Committee on 15<sup>th</sup> February 2023 <https://services.swale.gov.uk/meetings/documents/s25130/Street%20Trading%20Report.pdf> and adopted by full Council on 5<sup>th</sup> April 2023. The amended policy is available to view at <https://swale.gov.uk/news-and-your-council/strategies-and-policies/street-trading-policy>
- 2.5 As the policy is subject to renewal at three yearly intervals it is now time for the policy to be reviewed to run for a period from 1<sup>st</sup> April 2024 – 1<sup>st</sup> April 2027.

### **3 Proposals**

- 3.1 As the current policy has been subject to scrutiny and amendment and is now working well, there are no proposed changes except for the following:
- New paragraph 7.17 to explain procedure for 'one-off' consents
  - Appendix I – 'documents to provide on application' where the following has been inserted:
    - Public Liability Insurance to the value of £5,000,000
    - Copy of food hygiene certificate where applicable

It is confirmed that these documents have always been included as requirements on the application form and have always been requested but were not included within the policy.

- 3.2 A consultation took place as described at paragraph 5 below. Despite the wide-ranging nature of the consultation, only one response was received. This is likely to be because the current Street Trading Policy had been subject to review and amendment and is now working well, and to the benefit of all applicants.

- 3.3 A grid showing the comment and the recommendation as to whether to amend the draft Street Trading Policy is attached at **Appendix II**.
- 3.4 Members of the Licensing Committee considered draft Street Trading Policy as well as the recommended amendment. Their decision was:

***Recommendations:***

- (1) That the draft Street Trading Policy, as set out in Appendix I of the report, including the addition as set out in Appendix II of the report, following the 8-week consultation be approved.***
- (2) That the draft Street Trading Policy be approved and published.***

- 3.5 The draft policy for 2024 - 2027 is shown attached as **Appendix I**.

## **4 Alternative Options Considered and Rejected**

- 4.1 Members could choose not to have a Street Trading Policy, however, to do so would be contrary to best practice and may lead to a lack of clarity on the application of the legislation.

## **5 Consultation Undertaken or Proposed**

- 5.1 An eight-week consultation ran between 1<sup>st</sup> November 2023 – 29<sup>th</sup> December 2023. Methods of consultation were by advertising of the Council's website, in local newspapers and where appropriate by emails and post.

- 5.2 Consultees were:

- Ward, Parish and Town Councillors
- Existing licence holders
- Event organisers for larger events such as Faversham Hop Festival and town Christmas Lights events
- The general public
- Kent Police
- KCC Highways
- Swale Safety Advisory Group (which includes various departments of the Council such as Environmental Health, Planning, Property Services, Economy and Regeneration, Green Spaces teams)

## 6 Implications

Issue	Implications
Corporate Plan	<p>The service is an important regulatory function undertaken to ensure the safety of the public consumers</p> <p>There are indirect links to:</p> <p>Priority 3:</p> <p>3.4 Ensure that the council plays a proactive role in reducing crime and antisocial behaviour.....</p> <p>3.5 Promote wellbeing and enjoyment of life by signposting and encouraging a wide range of sporting, cultural, leisure and development activities appropriate and accessible to each age group.</p>
Financial, Resource and Property	<p>There are no direct financial implications for Swale Borough Council concerning this draft Policy as the consultation is being carried out by officers. However, if at any time in the future the policy was subject to legal challenge, there could be costs associated with this process.</p>
Legal, Statutory and Procurement	<p>The relevant legislation in relation to street trading is contained within Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended).</p>
Crime and Disorder	<p>It is a criminal offence to trade in the street without an appropriate consent. The policy provides a framework for consistent decision-making.</p>
Environment and Climate/Ecological Emergency	<p>No implications</p>
Health and Wellbeing	<p>No implications</p>
Safeguarding of Children, Young People and Vulnerable Adults	<p>Licensing regimes are largely designed to protect public safety. DBS checks for Street Trading Consents are deemed to be necessary in some circumstances but not all to check that applicants are suitable to trade.</p>
Risk Management and Health and Safety	<p>It is important that Swale BC has a robust and accountable regulatory regime in relation to street trading in order to ensure fair trading, prevent crime and to protect consumers</p>
Equality and Diversity	<p>The Council has a legal obligation under section 149 of the Equality Act 2010 to have due regard to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.</p>



	When considering street trading consent applications, only issues provided for in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and provided for in the Street Trading policy for Swale BC will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits.
Privacy and Data Protection	Normal data protection and privacy rules will apply.

## 7 Appendices

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

- Appendix I: Draft revision of the current Swale BC Street Trading Policy 2024 – 2027
- Appendix II: Consultation Evaluation Grid

## 8 Background Papers

Local Government (Miscellaneous Provisions) Act 1982 – Schedule 4

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## Swale Borough Council



### Street Trading Policy

Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982

**Version 1.0**

**1 April 2024**

**Next Scheduled Review: 1 April 2027**

All enquiries relating to this document should be sent to:

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

[licensing@swale.gov.uk](mailto:licensing@swale.gov.uk)

## Issue & Review Register

<b>Summary of Changes</b>	<b>Issue Number &amp; Date</b>	<b>Approved by</b>

All changes to this document are tracked using a different colour and/or marked with a vertical line at the side of the page.

If amendments have been made, this will be redistributed to all named on the distribution list.

Compiled by: Christina Hills

Date:

Approved by:

Date:

### **Changes and Corrections**

Any changes or corrections required should be notified in writing to:

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

Or

[licensing@swale.gov.uk](mailto:licensing@swale.gov.uk)

## Street Trading Policy 2024 - 2027

### Local Government (Miscellaneous Provisions) Act 1982 Street Trading Local Policy Document

#### 1. Legislation & Policy

- 1.1 Local Authorities have a legal discretion to regulate street trading in their area. Street trading is covered by the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 – Street Trading, which Swale Borough Council adopted in 1993 and resolved to control within its boundaries.

On 23<sup>rd</sup> July 2010 the Council formally designated all streets within its boundaries as ‘Consent Streets’.

The effect of this designation is that if you want to sell goods on the street (see para 3.2. for definition), you are street trading (see para 3.1 for definition) and you will need to have the appropriate consent from the Council unless you are legally exempt (see para 3.5).

Trading without the required consent is a criminal offence.

- 1.2 Swale Borough Council adopted this policy on 31<sup>st</sup> March 2024 to become effective on 1<sup>st</sup> April 2024.

Every three years the Policy will undergo a full review involving widespread consultation with the existing traders, relevant authorities and the general public, any consultation will be in line with Government guidelines.

#### 2. Purpose & Objectives

- 2.1 Street trading can add variety and vibrancy to the character of this Borough as well as diversity of shopping opportunities. The aim of the Council is to give consent to traders who will help to create a vibrant street scene which complements retail activity, community events and activities.
- 2.2 The purpose of this policy is to provide a framework setting out the Council’s procedures which will be used to inform the various decision making processes to ensure a consistent approach and expectations of those engaged in street trading either from an individual pitch as a mobile trader or as part of a large scale event/festival
- 2.3. This policy aims to give clarity and transparency to potential and existing traders, explaining how the Council will promote its objectives and deliver compliance with imposed conditions.

The Council's key objectives are:

- 2.3.1 To protect the public through the control of street trading within Swale by improving standards of food safety, health and safety and environmental management to enhance the image of the area
- 2.3.2 To ensure that permitted street trading is properly regulated as to where, when and how it takes place.
- 2.3.3 To prevent public nuisance by the use of conditions designed to reduce the risk of nuisance from obstruction, noise, refuse, vermin, fumes and smells.
- 2.3.4 To ensure the suitability of the structures used for the sale of goods.
- 2.3.5 To ensure that traders and the people that they employ are 'fit and proper' in accordance with the Act. This will include a requirement for a basic Disclosure and Barring Service Criminal Records check for those applicants applying for a 6 month or yearly consent are ok.

### **3. Street Trading Definition and Exemptions**

- 3.1 Street Trading is defined under the Act as 'selling, exposing or offering for sale any article (including a living thing) in a street'.
- 3.2 A 'street' is broadly defined to include any road, footway, beach or other area to which the public have access without payment and a service area as defined in s.329 of the Highways Act 1980.
- 3.3. This can include areas adjacent to a street, car parks and privately owned land where the public have access, without payment, as a matter of fact.
- 3.4 Street trading includes the sale of food and beverages. It does not include the provision of services (such as face painting or hair braiding) even if payment is made.
- 3.5 The following activities are **exempt** from the need to obtain a street trading consent under the Act:
  - 3.5.1 Trading by a person acting as a pedlar under the grant of a Pedlar's Certificate granted under the Pedlars Act 1871 and issued by the police – see 3.7 below
  - 3.5.2 Anything done in a market or fair, the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of an enactment or order. This means markets that have a 'charter' or are permitted by other legislation e.g. The Food Act 1984. All other so called 'markets' will require a Street Trading Consent and for the purposes of this policy will be referred to as 'events' to avoid confusion.

- 3.5.3 Trading in a trunk road picnic area as defined in Section 112 of the Highways Act 1980.
- 3.5.4 Trading carried out as a news vendor selling newspapers or periodicals (only without a stall/receptacle) or one which is not over 1m long or wide or over 2m high.
- 3.5.5 Trading carried out at a petrol filling station.
- 3.5.6 Trading which is carried out at a premises used as a shop or in a street adjoining premises so used and as part of the business of the shop
- 3.5.7 Trading carried out by a 'roundsman' e.g. milk deliveries. However, this does not include ice cream sellers and mobile catering vehicles
- 3.5.8 Use for trading from an object or structure placed on, in or over the highway under Part VIIA of the Highways Act 1980
- 3.5.9 The operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980.
- 3.5.10 Doing anything authorised as a public charitable collection made under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 – see 11.4 below
- 3.6 Trading at the following events requires a Street Trading Consent but no fee will be charged:
- 3.6.1 Street Trading at Fetes and Carnivals – outdoor events for which no entry fee is charged staged mainly for public entertainment and benefiting charitable concerns. It is expected that at least some of the monies raised will be contributed to the beneficiary individual, organisation or charity.
- 3.6.2 Street Trading at non-commercial or charitable events for which no entry fee is charged organised by not-for-profit organisations and charitable trusts.
- 3.7 As detailed in 3.5 above pedlars acting under a certificate are exempt. However, a pedlars' certificate is not required to sell food, and such sales are not exempt, although some traders do have certificates. If the sale is in a street, then it will be street trading and require the appropriate consent.
- 4. Consideration of an application for a Street Trading Consent - location**
- 4.1 The Council does not designate pitches and applicants must therefore propose trading which is compatible with the location being applied for. When considering the proposal, the Council will have regard to other trading taking place in the immediate vicinity.

The aim of this policy is not to discourage competition, rather to ensure an appropriate mix of trading so as to avoid over saturation of any given area. Every application will be considered on its own merits.

Consent will not usually be given for any fixed locations where:

- 4.1.1. Road safety would be compromised either from the siting of the trading activity itself, or from customers visiting or leaving the site.
  - 4.1.2. There would be a significant loss of amenity to those in the area caused by additional traffic, or disturbance (e.g. noise, odour or fumes, etc.)
  - 4.1.3. There is already significant provision of similar goods in the immediate vicinity of the site to be used for street trading purposes.
  - 4.1.4. There is a conflict with Traffic Management Orders such as waiting restrictions.
  - 4.1.5. The trading obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger.
  - 4.1.6. The Consent Holder, staff and customers have no appropriate place to park in a safe manner, if required
  - 4.1.7. The pitch would be sited on the A249 or M2 as these locations are prohibited by Highways England. Layby's on any other road will be considered on a case by case basis.
  - 4.1.8. The pitch would be on a council owned carpark
- 4.2 The consent holder must be granted permission for the use of any land adjacent to the highway from the landowner and adjoining landowners where appropriate. The granting of a consent does not imply that landowners permission has been granted;

Consent to trade does not imply the grant of planning permission and applicants are strongly recommended to consult the Planning Department to check if permission is required prior to commencement of trading

## **5. Application Procedure**

- 5.1 Only persons aged eighteen or over may apply for consent. However, a person under eighteen may be employed as an assistant.
- 5.2 New applications for sole traders will be determined following a 28 consecutive day consultation period.
- 5.3 One - Off Consents. The Council will grant one-off consents up to a maximum of 12 times per calendar year. These types of consents include events that are not exempt from street trading requirements under separate legislation.



- 5.3.1 One-off consents can last for up to 4 days.
- 5.3.2 Each individual trader at an event must obtain their own consent. However, event organisers can co-ordinate the applications.
- 5.3.3 Applications for one-off consents must be submitted no later than 7 days before the event.
- 5.4 All applicants for the consents above will be required to provide documents as shown at Appendix I.
- 5.5 Renewal applications - For sole traders
- 5.5.1 Applicants should submit their renewal application at least 8 weeks prior to the expiry of their consent if they wish to continue to trade. The Council will normally send reminders of the expiry of consents three months before expiry. It does however, remain the responsibility of the trader to ensure that an application is submitted in time for the consent to be renewed.
- 5.5.2 At renewal, the Council will only consult if there are any concerns regarding the street trader or if there have been any complaints.
- 5.5.3 Where a renewal application has been made and there have been no justifiable complaints, no enforcement issues and all fees have been paid on time, the consent will normally be renewed.
- 5.5.4 Where a renewal application has been made and there have been complaints or enforcement issues which did not result in revocation then the application may be rejected. The council may choose to consult with such agencies and interested parties it considers relevant in this regard before making a decision.
- 5.5.5 Applicants will need to submit documents as shown in Appendix I.
- 5.5.6 Applicants will be expected to demonstrate how, as far possible, they will ensure that waste and rubbish generated from their customers is disposed of responsibly, not only at the area of trading but in the wider locality. This can be by ensuring an adequate number of waste bins are provided and by signage to ask individuals to consider the environment and behave responsibly.
- 6. Consent Fees**
- 6.1 The Council can charge such fees as it considers reasonable and will recover the cost of administration and compliance.

Payment will be required for the following street trading applications:

- a) An annual consent for a fixed location or non-fixed location (mobile traders)
- b) A six month consent for a fixed location or non-fixed location (mobile traders)
- c) A One-off consent for individual traders where there is no exemption applicable (an event)

The Council's adopted fees, for the above-mentioned applications, are shown in Appendix III of this Policy.

## **7. How the Council makes its decisions**

- 7.1. The Council is bound to act reasonably and consistently with its general obligations (e.g. those under the Human Rights Act and Equalities Act) but has a wide discretion when making a decision to give consent for Street Trading. The Council does not have to rely upon specific statutory grounds in order to refuse an application for Street Trading consent or whether or not to renew that consent.
- 7.2 The Licensing section will assess the proposed location, taking into consideration the concerns raised in Section 4 of this policy. The application will then be consulted with various public serving authorities and Council services. The consultees who will be consulted on all applications are:
- a) Kent Police
  - b) Kent Fire and Rescue Service
  - c) KCC Highways
  - d) Swale BC Environmental Health
  - e) Swale BC Environmental Response Team
  - f) Swale BC Planning
  - g) Swale BC Property Services
  - h) Swale BC Economy and Community Services
  - i) Swale BC Green Spaces team
  - j) Ward Councillors
  - k) Parish and Town Councils
  - l) KCC Safeguarding Unit

And in some cases:

- m) Other businesses/organisations if it is considered that they are likely to be affected by a successful application

The consultation will run for 28 consecutive days.

- 7.3. A representation will be considered to be relevant if it is made by a person, business or body that is likely to be directly affected by a successful application.
- 7.4 If the Licensing section receives a representation then it will be forwarded to the applicant for their comment. The name and address of the objector will be published unless the Council receive a request for this not to be done for a good reason. The Council will not accept anonymous representations.
- 7.5 Any comments that the applicant may wish to make should be received by the Licensing section within 10 working days of the applicant being notified of the representation.
- 7.6 If the representations cannot be mediated and remain unresolved the application will be referred to the Licensing Sub-Committee. The hearing will normally take place within 20 days from the end of the consultation period.
- 7.7 A Licensing Officer will be responsible for preparing a report for Licensing Sub-Committee, which will be made available to the applicant at least five working days before the date of the meeting. The applicant and the persons making representations will be invited to attend and will be advised in writing of the date, time and place when the application will be heard. Any party can be represented by a lawyer or supported by a representative of their choice.
- 7.8 The Committee may grant the consent as applied for or impose additional restrictions limiting the days and/or times when street trading is permitted. In some circumstances the Committee may restrict the goods which may be sold, the size of the trading pitch or any other relevant detail, depending on the specifics of the application. The Committee could also refuse the application.
- 7.9 If an application for consent is refused following a decision by a Licensing Officer, an applicant can make a written appeal to the Community Safety Manager, who will reconsider the case based on any new evidence given.
- 7.10 If an applicant's appeal is rejected, they will be made aware of the reasons for refusal and advised the only right of appeal against the Council's decision is by way of Judicial Review.
- 7.11 A Judicial Review is where a decision is made by a High Court Judge who will look at all aspects of the application and decide whether or not the Council has acted lawfully
- 7.12 The Council can revoke any street trading consent after it has been given.
- 7.13 In these circumstances, the Council will give notice of any intent to revoke a street trading consent, which will provide a detailed explanation as to why the

consent has been revoked. The Council reserves the right to put any contentious matters before the General Licensing Sub-Committee.

- 7.14 If an application is refused or renewal is refused or consent is revoked, following a decision made by the Licensing Sub-Committee applicants will be advised the only right of appeal against the Council's decision is by way of Judicial Review..
- 7.15 Applicants can also make a formal complaint to the Council at [www.swale.gov.uk/compliments-and-complaints](http://www.swale.gov.uk/compliments-and-complaints)
- 7.16 Where a consent is refused the Council may refund the fee, or a part of it as it considers appropriate. Refunds will be considered on a case by case basis.
- 7.17 All of the above relates to applications for 6 monthly or yearly consents. In respect of 'one-off' consents then no consultation will take place and provided the correct documentation is received as detailed at Appendix 1 the consent will normally be granted as these type of consents are intended to be 'light touch' and usually traders are participating in events which will have been through the Safety Advisory Group process.

## **8. Surrendering a Street Trading Consent**

- 8.1 The consent holder may at any time surrender in writing the consent issued to them. Where a consent is surrendered, the Council is under a duty to remit or refund the whole or part of the fee paid for the Consent as they consider appropriate as shown at para 9(5) of the Local Government (Miscellaneous Provisions) Act 1982.

## **9. Conditions**

- 9.1 The Council has adopted standard conditions, as shown in Appendix II, based on the objectives and expectations set out in this policy document as well as the responsibilities of each trader, which will be attached to each Street Trading Consent. Additional conditions may be imposed, or amendments made to the standard conditions, should specific circumstances make this reasonably necessary. Breach of conditions could ultimately lead to enforcement action, which may include, but is not limited to the revocation of a Consent.
- 9.2 The Council may amend the consent conditions at any time. Any substantial amendment to the standard conditions would involve consultation with all affected parties and the responses being presented before the Licensing Committee for formal adoption. Once adopted the amended conditions will be imposed on all existing consent holders immediately thereafter or as decided by Committee.

9.3 Failure to comply with our standard conditions may lead to enforcement action, which may include, but is not limited to consent being revoked by the Council. This may affect any future applications.

## **10. Enforcement**

10.1 A person engaging in street trading without consent, trading from a stationary van, barrow, other vehicle or portable stall without specific permission for that trading or who fails to comply with conditions at time of trading or location, will be guilty of an offence and may be liable to prosecution under paragraph 10 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

10.1.1 It is also an offence to make a false statement which you know to be false in any material respect or which you do not believe to be true in connection with an application for consent.

10.1.2 These offences are punishable on conviction with a fine up to £1,000.

10.2 The aim of enforcement within the borough of Swale, is to protect the health and safety and welfare of the public who may be exposed to risks from unauthorised or poorly run street trading. We aim to:

- a) Ensure that all street traders are fit and proper to trade
- b) Promote compliance with the law
- c) Ensure those who fail to abide by the Standard Conditions or relevant legislation (depending on the nature of the business) are held accountable, which may result in prosecution or revocation of their consent
- d) Be proportionate and consistent in our dealings with applicants and consent holders
- e) Be transparent, open and honest

10.3 Decisions regarding enforcement action will be made in accordance with this policy, the Swale BC Enforcement Policy, Licensing Enforcement Policy and on a case-by-case basis. The enforcement function for any breaches in legislation is currently delegated to the Community Safety Manager, supported by Licensing Officers.

10.4 In regard to ice cream traders, a 'Code of Conduct', issued by the Department for Environment Food and Rural Affairs ([www.defra.gov.uk](http://www.defra.gov.uk)) provides guidance to traders and Local Authorities on aspects of the trade such as the sounding of chimes. The Local Authority's Environmental Department may refer to this guidance when investigating allegations of noise nuisance.

10.5 The licensing team will only carry out enforcement on Ice Cream Sellers in the following circumstances:

- a) Trading without a consent

- b) Trading in an area not specified on the Street Trading Consent
  - c) Trading outside of the permitted hours
- 10.6 Enforcement of the following will be carried out by other departments of the Council:
- a) Incorrect disposal of waste
  - b) Health and Safety/ Food Hygiene and Environmental Issues
- 11. Other Legislative Requirements – This is not intended as an exhaustive list**
- 11.1 Any food traders would need to be compliant with food hygiene regulations. All food businesses that prepare, sell, store or cook foods and drinks need to register as a food business with Environmental Health.
- 11.2 Where food is sold the consent holder must comply at all times with ALL current hygiene legislation.
- 11.3 Exposing vehicles for sale on a road is regulated under Section 3 of the Clean Neighbourhoods and Environment Act 2005. Complaints relating to commercial sales, of two or more vehicles within 500 metres of each other should be reported to Swale BC Environmental Response Team.
- 11.4 Persons collecting money under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 require a Street Collection Permit from the Council but not a Street Trading Consent.
- 11.5 Some charities employ collectors who canvass the public in order to obtain a direct debit mandate to contribute to the charity (these collectors are sometimes known as ‘chuggers’). This type of collection requires neither a Street Collection Permit nor a Street Trading Consent. However, Swale Borough Council does have an expectation that all proposed collectors of this type will contact the relevant market manager or the licensing team to liaise over the location, days and times that this type of activity will take place, especially to ensure that they do not interfere with any markets or events taking place. It is expected that there will be no tables or structures such as gazebos erected by the collectors. Most important is the expectation that direct debit collectors will behave in a respectful and courteous manner toward members of the public and not harass them in any way.
- 11.6 Promotional stands are not covered under this legislation as no sale takes place. However, there is an expectation that anyone wishing to erect such a stand should, in the first instance contact the relevant market manager or

licensing team to check suitable locations so as not to interfere with any events or markets that may be taking place.

- 11.7 Any sale of alcohol will also require a Temporary Events Notice (TEN) under the Licensing Act 2003. The notice period for giving a standard TEN is statutory and is 10 clear working days between and not including serving the notice and the date of the event. A late TEN requires at least 5 clear working days' notice between and not including serving the notice and the date of the event.
- 11.8 There are limits on the number of standard TEN's and late TEN's that can be applied for within a year.
- 11.9 In respect of a consent issued to an Event Organiser, it is the responsibility of the organiser to ensure that any stall wishing to sell alcohol is aware of the requirement for a TEN.

## **12. Data Retention**

- 12.1 Under the General Data Protection Regulations the Council has set out the period of time that personal information shall be retained.
- 12.2 All personal information provided on an unsuccessful application, will be retained for a period of six months before being destroyed.
- 12.3 All personal information relating to the consent holder, irrespective of its level of sensitivity, will be retained for the period of consent; once the consent has expired or been revoked or the trader notifies the Council they no longer wish to have consent; the information shall be retained for a period of 24 months before being destroyed. DBS checks will not be retained by the Council

## Appendix 1 – Documents to provide on application

New Applications and Renewal Applications	One off consents
<p>A completed and signed street trading consent application form. Applications forms are available online at <a href="https://www.swale.gov.uk/street-trading-consent">https://www.swale.gov.uk/street-trading-consent</a> by email at <a href="mailto:licensing@swale.gov.uk">licensing@swale.gov.uk</a> or they can be sent by post on request from the licensing team</p>	<p>A completed and signed street trading consent application form. Applications forms are available online at <a href="https://www.swale.gov.uk/street-trading-consent">https://www.swale.gov.uk/street-trading-consent</a> by email at <a href="mailto:licensing@swale.gov.uk">licensing@swale.gov.uk</a> or they can be sent by post on request from the licensing team</p>
<p>The application form must be accompanied by the full fee (unless para 3.6 applies and no fee is due). Details of fees are shown at Appendix III</p>	<p>The application form must be accompanied by the full fee (unless para 3.6 applies and no fee is due). Details of fees are shown at Appendix III</p>
<p>Where the proposed street trading activity is from a fixed position, a plan showing the precise trading position and its proximity to other similar retail outlets within a 100 metre radius. The proposed position and orientation of the stall, van, barrow, cart etc. is to be shown on the plan. The plan shall also include any additional vehicles that will be parked on the site</p>	
<p>Ice Cream Vans and Mobile Food Vans are exempt from providing location plans unless the van is stationary. However, details should be given of the proposed route/streets/stopping places where it is intended street trading will take place as well as the proposed trading hours. This may vary from day to day.</p>	
<p>One colour photograph of the stall, van, barrow, cart that will be used for street trading activity. The photograph shall show any proposed awnings fully extended, whether integral or not.</p>	<p>Event organisers do not need to provide photographs of the individual pitches but must provide a numbered site plan of pitches together with a list giving the name of each individual trader</p>
<p>One passport size colour photograph of the applicant. If there are assistants, then they too must supply a photograph of themselves</p>	



If the land is privately owned, written permission from the land owner, this includes Kent County Council Highways.	If the land is privately owned, written permission from the land owner this includes Kent County Council Highways.
<p>Applicants and where applicable their assistants, must submit a Standard Disclosure and Barring Service criminal records check. This can be obtained as shown below:</p> <p>Email:  <a href="mailto:customerservices@db.s.gsi.gov.uk">customerservices@db.s.gsi.gov.uk</a>  Phone: 03000 200 190  Address: PO Box 165. Liverpool L69 3JD</p> <p>The original certificate must accompany the application form and must be submitted within one month of issue. .</p>	
Public Liability Insurance to the value of £5,000,000	Public Liability Insurance to the value of £5,000,000
Copy of food hygiene certificate where applicable	Copy of food hygiene certificate where applicable
Evidence of the right to work in the UK. Documents that demonstrate this are attached as Appendix IV.	Evidence of the right to work in the UK. Documents that demonstrate this are attached as Appendix IV.

**Appendix II: General Consent Conditions**

1. When consent is granted the consent holder will be issued with formal written consent which shall be available for inspection by authorised officers of the Council or the Police at any time that trading is taking place.
2. When consent is granted the Consent Holder and any assistants will be issued with a badge, which must be worn at all times while street trading.
3. The consent holder shall ensure their street trading activities subject to consent do not create any obstruction to the flow of pedestrians or other traffic using the street or part of the street to which their consent relates or create any danger to persons using it.
4. The consent holder shall ensure that their street trading activities subject to consent do not cause a nuisance or annoyance, to person(s) or residents using the street or part of the street or running a business within the vicinity of where their consent applies.
5. No signs advertising the trading shall be placed where it can cause an obstruction to vehicles or pedestrians using the street.
6. Where food is sold the consent holder must comply at all times with ALL current hygiene legislation.
7. No street trading will take place within 400 metres of a school.
8. Consent holders must identify their preferred method of waste disposal at the time of making their application, and keep records of their waste management, which must be available, upon request by Swale Borough Council's Licensing or Environmental Department or from the Environment Agency.
9. The consent holder shall not deposit trade refuse or litter of any kind on the street or part of the street to which their consent relates; (Note under the Environmental Protection Act 1990 everyone has a duty of care to dispose of any refuse in a correct manner.)
10. The consent holder shall at the end of each trading day or session, whichever is the shortest, clear around their permitted site.
11. It is recommended that a licence holder has a waste management plan in place, to ensure that:

- a) Suitable waste containers will be made available to customers, where it is appropriate, for any potential waste products generated by the sale of goods.
- b) No waste liquids shall be disposed of into any highway channel, gully or manhole or in any other manner which is likely to cause pollution of any surface water channel.
- c) All refuse generated by the business must be taken to a licensed waste disposal site.

**Appendix III: Current Fees and Charges**

Annual Consent	£143.00
6 Month Consent	£71.50
One-Off Consent	£10.00

Fees generally increase each 1<sup>st</sup> April and can be viewed at

<https://swale.gov.uk/news-and-your-council/performance-and-transparency/service-fees-and-charges>

**Appendix IV:****Documents which demonstrate entitlement to work in the UK**

1. A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
3. A Registration Certificate or Document Certifying Permanent Residence issued by the UKVI to a national of a European Economic Area country or Switzerland.
4. A Permanent Residence Card issued by the UKVI to the family member of a national of a European Economic Area country or Switzerland
5. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the UKVI to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6. A **current** Immigration Status Document issued by the UKVI to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or previous employer.
7. A birth (short or long) or adoption certificate issued by the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
8. A birth (short or long) or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
9. A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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## Swale Borough Council



### Street Trading Policy

Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982

**Version 1.0**

**1 April 2024**

**Next Scheduled Review: 1 April 2027**

All enquiries relating to this document should be sent to:

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

[licensing@swale.gov.uk](mailto:licensing@swale.gov.uk)

## Issue & Review Register

Summary of Changes	Issue Number & Date	Approved by

All changes to this document are tracked using a different colour and/or marked with a vertical line at the side of the page.

If amendments have been made, this will be redistributed to all named on the distribution list.

Compiled by: Christina Hills

Date:

Approved by:

Date:

### **Changes and Corrections**

Any changes or corrections required should be notified in writing to:

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

Or

[licensing@swale.gov.uk](mailto:licensing@swale.gov.uk)



## Street Trading Policy 2024 - 2027

### Local Government (Miscellaneous Provisions) Act 1982 Street Trading Local Policy Document

#### 1. Legislation & Policy

- 1.1 Local Authorities have a legal discretion to regulate street trading in their area. Street trading is covered by the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 – Street Trading, which Swale Borough Council adopted in 1993 and resolved to control within its boundaries.

On 23<sup>rd</sup> July 2010 the Council formally designated all streets within its boundaries as ‘Consent Streets’.

The effect of this designation is that if you want to sell goods on the street (see para 3.2. for definition), you are street trading (see para 3.1 for definition) and you will need to have the appropriate consent from the Council unless you are legally exempt (see para 3.5).

Trading without the required consent is a criminal offence.

- 1.2 Swale Borough Council adopted this policy on 31<sup>st</sup> March 2024 to become effective on 1<sup>st</sup> April 2024.

Every three years the Policy will undergo a full review involving widespread consultation with the existing traders, relevant authorities and the general public, any consultation will be in line with Government guidelines.

#### 2. Purpose & Objectives

- 2.1 Street trading can add variety and vibrancy to the character of this Borough as well as diversity of shopping opportunities. The aim of the Council is to give consent to traders who will help to create a vibrant street scene which complements retail activity, community events and activities.
- 2.2 The purpose of this policy is to provide a framework setting out the Council’s procedures which will be used to inform the various decision making processes to ensure a consistent approach and expectations of those engaged in street trading either from an individual pitch as a mobile trader or as part of a large scale event/festival
- 2.3. This policy aims to give clarity and transparency to potential and existing traders, explaining how the Council will promote its objectives and deliver compliance with imposed conditions.

The Council's key objectives are:

- 2.3.1 To protect the public through the control of street trading within Swale by improving standards of food safety, health and safety and environmental management to enhance the image of the area
- 2.3.2 To ensure that permitted street trading is properly regulated as to where, when and how it takes place.
- 2.3.3 To prevent public nuisance by the use of conditions designed to reduce the risk of nuisance from obstruction, noise, refuse, vermin, fumes and smells.
- 2.3.4 To ensure the suitability of the structures used for the sale of goods.
- 2.3.5 To ensure that traders and the people that they employ are 'fit and proper' in accordance with the Act. This will include a requirement for a basic Disclosure and Barring Service Criminal Records check for those applicants applying for a 6 month or yearly consent are ok.

### **3. Street Trading Definition and Exemptions**

- 3.1 Street Trading is defined under the Act as 'selling, exposing or offering for sale any article (including a living thing) in a street'.
- 3.2 A 'street' is broadly defined to include any road, footway, beach or other area to which the public have access without payment and a service area as defined in s.329 of the Highways Act 1980.
- 3.3. This can include areas adjacent to a street, car parks and privately owned land where the public have access, without payment, as a matter of fact.
- 3.4 Street trading includes the sale of food and beverages. It does not include the provision of services (such as face painting or hair braiding) even if payment is made.
- 3.5 The following activities are **exempt** from the need to obtain a street trading consent under the Act:
  - 3.5.1 Trading by a person acting as a pedlar under the grant of a Pedlar's Certificate granted under the Pedlars Act 1871 and issued by the police – see 3.7 below
  - 3.5.2 Anything done in a market or fair, the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of an enactment or order. This means markets that have a 'charter' or are permitted by other legislation e.g. The Food Act 1984. All other so called 'markets' will require a Street Trading Consent and for the purposes of this policy will be referred to as 'events' to avoid confusion.

- 3.5.3 Trading in a trunk road picnic area as defined in Section 112 of the Highways Act 1980.
- 3.5.4 Trading carried out as a news vendor selling newspapers or periodicals (only without a stall/receptacle) or one which is not over 1m long or wide or over 2m high.
- 3.5.5 Trading carried out at a petrol filling station.
- 3.5.6 Trading which is carried out at a premises used as a shop or in a street adjoining premises so used and as part of the business of the shop
- 3.5.7 Trading carried out by a 'roundsman' e.g. milk deliveries. However, this does not include ice cream sellers and mobile catering vehicles
- 3.5.8 Use for trading from an object or structure placed on, in or over the highway under Part VIIA of the Highways Act 1980
- 3.5.9 The operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980.
- 3.5.10 Doing anything authorised as a public charitable collection made under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 – see 11.4 below
- 3.6 Trading at the following events requires a Street Trading Consent but no fee will be charged:
  - 3.6.1 Street Trading at Fetes and Carnivals – outdoor events for which no entry fee is charged staged mainly for public entertainment and benefiting charitable concerns. It is expected that at least some of the monies raised will be contributed to the beneficiary individual, organisation or charity.
  - 3.6.2 Street Trading at non-commercial or charitable events for which no entry fee is charged organised by not-for-profit organisations and charitable trusts.
- 3.7 As detailed in 3.5 above pedlars acting under a certificate are exempt. However, a pedlars' certificate is not required to sell food, and such sales are not exempt, although some traders do have certificates. If the sale is in a street, then it will be street trading and require the appropriate consent.
- 4. Consideration of an application for a Street Trading Consent - location**
  - 4.1 The Council does not designate pitches and applicants must therefore propose trading which is compatible with the location being applied for. When considering the proposal, the Council will have regard to other trading taking place in the immediate vicinity.

The aim of this policy is not to discourage competition, rather to ensure an appropriate mix of trading so as to avoid over saturation of any given area. Every application will be considered on its own merits.

Consent will not usually be given for any fixed locations where:

- 4.1.1. Road safety would be compromised either from the siting of the trading activity itself, or from customers visiting or leaving the site.
  - 4.1.2. There would be a significant loss of amenity to those in the area caused by additional traffic, or disturbance (e.g. noise, odour or fumes, etc.)
  - 4.1.3. There is already significant provision of similar goods in the immediate vicinity of the site to be used for street trading purposes.
  - 4.1.4. There is a conflict with Traffic Management Orders such as waiting restrictions.
  - 4.1.5. The trading obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger.
  - 4.1.6. The Consent Holder, staff and customers have no appropriate place to park in a safe manner, if required
  - 4.1.7. The pitch would be sited on the A249 or M2 as these locations are prohibited by Highways England. Layby's on any other road will be considered on a case by case basis.
  - 4.1.8. The pitch would be on a council owned carpark
- 4.2 The consent holder must be granted permission for the use of any land adjacent to the highway from the landowner and adjoining landowners where appropriate. The granting of a consent does not imply that landowners permission has been granted;

Consent to trade does not imply the grant of planning permission and applicants are strongly recommended to consult the Planning Department to check if permission is required prior to commencement of trading

## **5. Application Procedure**

- 5.1 Only persons aged eighteen or over may apply for consent. However, a person under eighteen may be employed as an assistant.
- 5.2 New applications for sole traders will be determined following a 28 consecutive day consultation period.
- 5.3 One - Off Consents. The Council will grant one-off consents up to a maximum of 12 times per calendar year. These types of consents include events that are not exempt from street trading requirements under separate legislation.

- 5.3.1 One-off consents can last for up to 4 days.
- 5.3.2 Each individual trader at an event must obtain their own consent. However, event organisers can co-ordinate the applications.
- 5.3.3 Applications for one-off consents must be submitted no later than 7 days before the event.
- 5.4 All applicants for the consents above will be required to provide documents as shown at Appendix I.
- 5.5 Renewal applications - For sole traders
- 5.5.1 Applicants should submit their renewal application at least 8 weeks prior to the expiry of their consent if they wish to continue to trade. The Council will normally send reminders of the expiry of consents three months before expiry. It does however, remain the responsibility of the trader to ensure that an application is submitted in time for the consent to be renewed.
- 5.5.2 At renewal, the Council will only consult if there are any concerns regarding the street trader or if there have been any complaints.
- 5.5.3 Where a renewal application has been made and there have been no justifiable complaints, no enforcement issues and all fees have been paid on time, the consent will normally be renewed.
- 5.5.4 Where a renewal application has been made and there have been complaints or enforcement issues which did not result in revocation then the application may be rejected. The council may choose to consult with such agencies and interested parties it considers relevant in this regard before making a decision.
- 5.5.5 Applicants will need to submit documents as shown in Appendix I.
- 5.5.6 Applicants will be expected to demonstrate how, as far possible, they will ensure that waste and rubbish generated from their customers is disposed of responsibly, not only at the area of trading but in the wider locality. This can be by ensuring an adequate number of waste bins are provided and by signage to ask individuals to consider the environment and behave responsibly.
- 6. Consent Fees**
- 6.1 The Council can charge such fees as it considers reasonable and will recover the cost of administration and compliance.

Payment will be required for the following street trading applications:

- a) An annual consent for a fixed location or non-fixed location (mobile traders)
- b) A six month consent for a fixed location or non-fixed location (mobile traders)
- c) A One-off consent for individual traders where there is no exemption applicable (an event)

The Council's adopted fees, for the above-mentioned applications, are shown in Appendix III of this Policy.

## **7. How the Council makes its decisions**

- 7.1. The Council is bound to act reasonably and consistently with its general obligations (e.g. those under the Human Rights Act and Equalities Act) but has a wide discretion when making a decision to give consent for Street Trading. The Council does not have to rely upon specific statutory grounds in order to refuse an application for Street Trading consent or whether or not to renew that consent.
- 7.2 The Licensing section will assess the proposed location, taking into consideration the concerns raised in Section 4 of this policy. The application will then be consulted with various public serving authorities and Council services. The consultees who will be consulted on all applications are:
- a) Kent Police
  - b) Kent Fire and Rescue Service
  - c) KCC Highways
  - d) Swale BC Environmental Health
  - e) Swale BC Environmental Response Team
  - f) Swale BC Planning
  - g) Swale BC Property Services
  - h) Swale BC Economy and Community Services
  - i) Swale BC Green Spaces team
  - j) Ward Councillors
  - k) Parish and Town Councils
  - l) KCC Safeguarding Unit

And in some cases:

- m) Other businesses/organisations if it is considered that they are likely to be affected by a successful application

The consultation will run for 28 consecutive days.

- 7.3. A representation will be considered to be relevant if it is made by a person, business or body that is likely to be directly affected by a successful application.
- 7.4 If the Licensing section receives a representation then it will be forwarded to the applicant for their comment. The name and address of the objector will be published unless the Council receive a request for this not to be done for a good reason. The Council will not accept anonymous representations.
- 7.5 Any comments that the applicant may wish to make should be received by the Licensing section within 10 working days of the applicant being notified of the representation.
- 7.6 If the representations cannot be mediated and remain unresolved the application will be referred to the Licensing Sub-Committee. The hearing will normally take place within 20 days from the end of the consultation period.
- 7.7 A Licensing Officer will be responsible for preparing a report for Licensing Sub-Committee, which will be made available to the applicant at least five working days before the date of the meeting. The applicant and the persons making representations will be invited to attend and will be advised in writing of the date, time and place when the application will be heard. Any party can be represented by a lawyer or supported by a representative of their choice.
- 7.8 The Committee may grant the consent as applied for or impose additional restrictions limiting the days and/or times when street trading is permitted. In some circumstances the Committee may restrict the goods which may be sold, the size of the trading pitch or any other relevant detail, depending on the specifics of the application. The Committee could also refuse the application.
- 7.9 If an application for consent is refused following a decision by a Licensing Officer, an applicant can make a written appeal to the Community Safety Manager, who will reconsider the case based on any new evidence given.
- 7.10 If an applicant's appeal is rejected, they will be made aware of the reasons for refusal and advised the only right of appeal against the Council's decision is by way of Judicial Review.
- 7.11 A Judicial Review is where a decision is made by a High Court Judge who will look at all aspects of the application and decide whether or not the Council has acted lawfully
- 7.12 The Council can revoke any street trading consent after it has been given.
- 7.13 In these circumstances, the Council will give notice of any intent to revoke a street trading consent, which will provide a detailed explanation as to why the

consent has been revoked. The Council reserves the right to put any contentious matters before the General Licensing Sub-Committee.

- 7.14 If an application is refused or renewal is refused or consent is revoked, following a decision made by the Licensing Sub-Committee applicants will be advised the only right of appeal against the Council's decision is by way of Judicial Review..
- 7.15 Applicants can also make a formal complaint to the Council at [www.swale.gov.uk/compliments-and-complaints](http://www.swale.gov.uk/compliments-and-complaints)
- 7.16 Where a consent is refused the Council may refund the fee, or a part of it as it considers appropriate. Refunds will be considered on a case by case basis.
- 7.17 All of the above relates to applications for 6 monthly or yearly consents. In respect of 'one-off' consents then no consultation will take place and provided the correct documentation is received as detailed at Appendix 1 the consent will normally be granted as these type of consents are intended to be 'light touch' and usually traders are participating in events which will have been through the Safety Advisory Group process.

## **8. Surrendering a Street Trading Consent**

- 8.1 The consent holder may at any time surrender in writing the consent issued to them. Where a consent is surrendered, the Council is under a duty to remit or refund the whole or part of the fee paid for the Consent as they consider appropriate as shown at para 9(5) of the Local Government (Miscellaneous Provisions) Act 1982.

## **9. Conditions**

- 9.1 The Council has adopted standard conditions, as shown in Appendix II, based on the objectives and expectations set out in this policy document as well as the responsibilities of each trader, which will be attached to each Street Trading Consent. Additional conditions may be imposed, or amendments made to the standard conditions, should specific circumstances make this reasonably necessary. Breach of conditions could ultimately lead to enforcement action, which may include, but is not limited to the revocation of a Consent.
- 9.2 The Council may amend the consent conditions at any time. Any substantial amendment to the standard conditions would involve consultation with all affected parties and the responses being presented before the Licensing Committee for formal adoption. Once adopted the amended conditions will be imposed on all existing consent holders immediately thereafter or as decided by Committee.



- 9.3 Failure to comply with our standard conditions may lead to enforcement action, which may include, but is not limited to consent being revoked by the Council. This may affect any future applications.

## **10. Enforcement**

- 10.1 A person engaging in street trading without consent, trading from a stationary van, barrow, other vehicle or portable stall without specific permission for that trading or who fails to comply with conditions at time of trading or location, will be guilty of an offence and may be liable to prosecution under paragraph 10 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

- 10.1.1 It is also an offence to make a false statement which you know to be false in any material respect or which you do not believe to be true in connection with an application for consent.

- 10.1.2 These offences are punishable on conviction with a fine up to £1,000.

- 10.2 The aim of enforcement within the borough of Swale, is to protect the health and safety and welfare of the public who may be exposed to risks from unauthorised or poorly run street trading. We aim to:

- a) Ensure that all street traders are fit and proper to trade
- b) Promote compliance with the law
- c) Ensure those who fail to abide by the Standard Conditions or relevant legislation (depending on the nature of the business) are held accountable, which may result in prosecution or revocation of their consent
- d) Be proportionate and consistent in our dealings with applicants and consent holders
- e) Be transparent, open and honest

- 10.3 Decisions regarding enforcement action will be made in accordance with this policy, the Swale BC Enforcement Policy, Licensing Enforcement Policy and on a case-by-case basis. The enforcement function for any breaches in legislation is currently delegated to the Community Safety Manager, supported by Licensing Officers.

- 10.4 In regard to ice cream traders, a 'Code of Conduct', issued by the Department for Environment Food and Rural Affairs ([www.defra.gov.uk](http://www.defra.gov.uk)) provides guidance to traders and Local Authorities on aspects of the trade such as the sounding of chimes. The Local Authority's Environmental Department may refer to this guidance when investigating allegations of noise nuisance.

- 10.5 The licensing team will only carry out enforcement on Ice Cream Sellers in the following circumstances:

- a) Trading without a consent

- b) Trading in an area not specified on the Street Trading Consent
  - c) Trading outside of the permitted hours
- 10.6 Enforcement of the following will be carried out by other departments of the Council:
- a) Incorrect disposal of waste
  - b) Health and Safety/ Food Hygiene and Environmental Issues
- 11. Other Legislative Requirements – This is not intended as an exhaustive list**
- 11.1 Any food traders would need to be compliant with food hygiene regulations. All food businesses that prepare, sell, store or cook foods and drinks need to register as a food business with Environmental Health.
- 11.2 Where food is sold the consent holder must comply at all times with ALL current hygiene legislation.
- 11.3 Exposing vehicles for sale on a road is regulated under Section 3 of the Clean Neighbourhoods and Environment Act 2005. Complaints relating to commercial sales, of two or more vehicles within 500 metres of each other should be reported to Swale BC Environmental Response Team.
- 11.4 Persons collecting money under section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 require a Street Collection Permit from the Council but not a Street Trading Consent.
- 11.5 Some charities employ collectors who canvass the public in order to obtain a direct debit mandate to contribute to the charity (these collectors are sometimes known as ‘chuggers’). This type of collection requires neither a Street Collection Permit nor a Street Trading Consent. However, Swale Borough Council does have an expectation that all proposed collectors of this type will contact the relevant market manager or the licensing team to liaise over the location, days and times that this type of activity will take place, especially to ensure that they do not interfere with any markets or events taking place. It is expected that there will be no tables or structures such as gazebos erected by the collectors. Most important is the expectation that direct debit collectors will behave in a respectful and courteous manner toward members of the public and not harass them in any way.
- 11.6 Promotional stands are not covered under this legislation as no sale takes place. However, there is an expectation that anyone wishing to erect such a stand should, in the first instance contact the relevant market manager or

licensing team to check suitable locations so as not to interfere with any events or markets that may be taking place.

- 11.7 Any sale of alcohol will also require a Temporary Events Notice (TEN) under the Licensing Act 2003. The notice period for giving a standard TEN is statutory and is 10 clear working days between and not including serving the notice and the date of the event. A late TEN requires at least 5 clear working days' notice between and not including serving the notice and the date of the event.
- 11.8 There are limits on the number of standard TEN's and late TEN's that can be applied for within a year.
- 11.9 In respect of a consent issued to an Event Organiser, it is the responsibility of the organiser to ensure that any stall wishing to sell alcohol is aware of the requirement for a TEN.

## **12. Data Retention**

- 12.1 Under the General Data Protection Regulations the Council has set out the period of time that personal information shall be retained.
- 12.2 All personal information provided on an unsuccessful application, will be retained for a period of six months before being destroyed.
- 12.3 All personal information relating to the consent holder, irrespective of its level of sensitivity, will be retained for the period of consent; once the consent has expired or been revoked or the trader notifies the Council they no longer wish to have consent; the information shall be retained for a period of 24 months before being destroyed. DBS checks will not be retained by the Council

## Appendix 1 – Documents to provide on application

New Applications and Renewal Applications	One off consents
<p>A completed and signed street trading consent application form. Applications forms are available online at <a href="https://www.swale.gov.uk/street-trading-consent">https://www.swale.gov.uk/street-trading-consent</a> by email at <a href="mailto:licensing@swale.gov.uk">licensing@swale.gov.uk</a> or they can be sent by post on request from the licensing team</p>	<p>A completed and signed street trading consent application form. Applications forms are available online at <a href="https://www.swale.gov.uk/street-trading-consent">https://www.swale.gov.uk/street-trading-consent</a> by email at <a href="mailto:licensing@swale.gov.uk">licensing@swale.gov.uk</a> or they can be sent by post on request from the licensing team</p>
<p>The application form must be accompanied by the full fee (unless para 3.6 applies and no fee is due). Details of fees are shown at Appendix III</p>	<p>The application form must be accompanied by the full fee (unless para 3.6 applies and no fee is due). Details of fees are shown at Appendix III</p>
<p>Where the proposed street trading activity is from a fixed position, a plan showing the precise trading position and its proximity to other similar retail outlets within a 100 metre radius. The proposed position and orientation of the stall, van, barrow, cart etc. is to be shown on the plan. The plan shall also include any additional vehicles that will be parked on the site</p>	
<p>Ice Cream Vans and Mobile Food Vans are exempt from providing location plans unless the van is stationary. However, details should be given of the proposed route/streets/stopping places where it is intended street trading will take place as well as the proposed trading hours. This may vary from day to day.</p>	
<p>One colour photograph of the stall, van, barrow, cart that will be used for street trading activity. The photograph shall show any proposed awnings fully extended, whether integral or not.</p>	<p>Event organisers do not need to provide photographs of the individual pitches but must provide a numbered site plan of pitches together with a list giving the name of each individual trader</p>
<p>One passport size colour photograph of the applicant. If there are assistants, then they too must supply a photograph of themselves</p>	

If the land is privately owned, written permission from the land owner, this includes Kent County Council Highways.	If the land is privately owned, written permission from the land owner this includes Kent County Council Highways.
<p>Applicants and where applicable their assistants, must submit a Standard Disclosure and Barring Service criminal records check. This can be obtained as shown below:</p> <p>Email:  <a href="mailto:customerservices@dbs.gsi.gov.uk">customerservices@dbs.gsi.gov.uk</a>  Phone: 03000 200 190  Address: PO Box 165. Liverpool L69 3JD</p> <p>The original certificate must accompany the application form and must be submitted within one month of issue. .</p>	
Public Liability Insurance to the value of £5,000,000	Public Liability Insurance to the value of £5,000,000
Copy of food hygiene certificate where applicable	Copy of food hygiene certificate where applicable
Evidence of the right to work in the UK. Documents that demonstrate this are attached as Appendix IV.	Evidence of the right to work in the UK. Documents that demonstrate this are attached as Appendix IV.

**Appendix II: General Consent Conditions**

1. When consent is granted the consent holder will be issued with formal written consent which shall be available for inspection by authorised officers of the Council or the Police at any time that trading is taking place.
2. When consent is granted the Consent Holder and any assistants will be issued with a badge, which must be worn at all times while street trading.
3. The consent holder shall ensure their street trading activities subject to consent do not create any obstruction to the flow of pedestrians or other traffic using the street or part of the street to which their consent relates or create any danger to persons using it.
4. The consent holder shall ensure that their street trading activities subject to consent do not cause a nuisance or annoyance, to person(s) or residents using the street or part of the street or running a business within the vicinity of where their consent applies.
5. No signs advertising the trading shall be placed where it can cause an obstruction to vehicles or pedestrians using the street.
6. Where food is sold the consent holder must comply at all times with ALL current hygiene legislation.
7. No street trading will take place within 400 metres of a school.
8. Consent holders must identify their preferred method of waste disposal at the time of making their application, and keep records of their waste management, which must be available, upon request by Swale Borough Council's Licensing or Environmental Department or from the Environment Agency.
9. The consent holder shall not deposit trade refuse or litter of any kind on the street or part of the street to which their consent relates; (Note under the Environmental Protection Act 1990 everyone has a duty of care to dispose of any refuse in a correct manner.)
10. The consent holder shall at the end of each trading day or session, whichever is the shortest, clear around their permitted site.
11. It is recommended that a licence holder has a waste management plan in place, to ensure that:

- a) Suitable waste containers will be made available to customers, where it is appropriate, for any potential waste products generated by the sale of goods.
- b) No waste liquids shall be disposed of into any highway channel, gully or manhole or in any other manner which is likely to cause pollution of any surface water channel.
- c) All refuse generated by the business must be taken to a licensed waste disposal site.

**Appendix III: Current Fees and Charges**

Annual Consent	£143.00
6 Month Consent	£71.50
One-Off Consent	£10.00

Fees generally increase each 1<sup>st</sup> April and can be viewed at

<https://swale.gov.uk/news-and-your-council/performance-and-transparency/service-fees-and-charges>



**Appendix IV:****Documents which demonstrate entitlement to work in the UK**

1. A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
3. A Registration Certificate or Document Certifying Permanent Residence issued by the UKVI to a national of a European Economic Area country or Switzerland.
4. A Permanent Residence Card issued by the UKVI to the family member of a national of a European Economic Area country or Switzerland
5. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the UKVI to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6. A **current** Immigration Status Document issued by the UKVI to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or previous employer.
7. A birth (short or long) or adoption certificate issued by the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
8. A birth (short or long) or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
9. A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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<b>Policy &amp; Resources Committee Meeting</b>	
<b>Meeting Date</b>	20 March 2024
<b>Report Title</b>	Corporate Plan 2023-2027
<b>EMT Lead</b>	Larissa Reed – Chief Executive
<b>Head of Service</b>	Philip Sutcliffe – Communications & Policy Manager
<b>Lead Officer</b>	Janet Dart – Policy & Engagement Officer
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	1. To discuss, endorse and propose the Corporate Plan for adoption by Council.

## **1 Purpose of Report and Executive Summary**

- 1.1 Following the close of the public consultation on the draft corporate plan, this report seeks the Policy & Resources Committee endorsement of the final version of the Corporate Plan for recommendation to council.

## **2 Background**

- 2.1 Since the May 2023 borough election, the new administration have been meeting to discuss their vision and ambition for the borough and to consider what their priorities for the Council should be for the period 2023-2027. Committee chairs and vice-chairs have been working with senior officers to develop a new corporate plan which is a living document setting out the vision of the council and the strategic, corporate priorities.
- 2.2 The council's corporate plan establishes the political and managerial priorities on which the organisation will focus over a medium-term period. Without attempting to cover in any detail all of the objectives to be pursued by every department, it sets the tone for future resource allocation, establishing which activities and objectives are priorities.
- 2.3 In an era of constrained and diminishing resources, it is important to have a plan that is linked to the Medium-Term Financial Plan (MTFP) which should inform the key decisions of the council.
- 2.4 The plan is central to the strategic framework which links to departments' operational service plans and to individual officers' objectives. It establishes clear priorities while also providing a steer for all teams to link their work to the overall ambitions of the council.

### **3 Proposals**

- 3.1 The committee is asked to endorse the final version of corporate plan (appendix I), and the draft equality impact assessment (appendix II,).

### **4 Alternative Options Considered and Rejected**

- 4.1 Not have a corporate plan. There is a legal requirement for councils to have a definite policy framework, however there is no specific requirement for a corporate plan. However, the absence of a plan is likely to result in a lack of clarity about the organisation's priorities and less coherent decision-making by members, and is therefore not recommended.

### **5 Consultation Undertaken or Proposed**

- 5.1 Swale Borough Council members, town and parish councillors and members of the public were consulted at the September 2023 round of Area Committee meetings to seek feedback on the five priorities and their definitions.
- 5.2 The detailed objectives within each priority were taken to all-staff briefings and the staff engagement group in October 2023. A workshop was held with external partners to seek their feedback on the priorities and the proposed vision statement. Political group leaders were also consulted to seek their views.
- 5.3 The administration met to consider the feedback and used it to finalise the draft corporate plan.
- 5.4 An 8-week public consultation was conducted on the draft version of the corporate plan ending on 25 January 2024. This was predominantly by means of an online survey, but key stakeholders were written to individually, including all of Swale's parish councils. The consultation was advertised on social media and through channels such as the business bulletin, as well as internally through staff communications.
- 5.5 The consultation generated 29 responses. The first part of the consultation survey asked if responders agreed with each of objectives under the 5 priorities and the vision statement. The majority of responses were supportive of all (Appendix III).
- 5.6 The second part of the consultation was a free-text box for responders to provide any comments. The majority of responses included only general indications of support or the opposite, some included specific suggestions for changes. An analysis of responses has been carried out and classifying responses as supportive, unsupportive or neutral, six can be read as supportive, four as unsupportive and 23 as neutral.
- 5.7 Following discussions with the administration, the Chair of the Policy & Resources Committee has considered the consultation responses and is recommending the following amendments be made to the draft Corporate Plan.

- 5.7.1 Under the Economy priority, replace the last two bullet points with “*Support modal shift and partnership bases solutions to key issues countering sustainability and congestion.*” This change would allow for wider lobbying and advocacy activity.
- 5.7.2 Under Values and behaviours, change the text to read “*We are also developing a member/officer protocol to improve levels of collaboration, mutual understanding and tone of communication between members and staff.*” The removal of the words “*some elected*” better reflects that the member/officer protocol applies to all members and officers.
- 5.7.3 Under Challenges and achievements, the following text has been added “*Swale Borough Council has been awarded a Safer Streets grant from the Home Office, in partnership with the Kent Police and Crime Commissioner for Sittingbourne and Sheerness. Initiatives include CCTV; cutting back trees; installing extra lighting; bystander training; street marshalls during the school holidays; and additional sessions at the County Youth Club in Sheerness. We have also purchased advanced Hollie Guard Apps which will be available to the most vulnerable people in Swale.*”
- 5.7.4 Some photographs and graphics have been changed to better support the text.
- 5.8 The above recommended amendments have been incorporated in the draft Corporate Plan (Appendix I).

## 6 Implications

Issue	Implications
Corporate Plan	The draft plan at appendix I will replace the existing plan on adoption by council.
Financial, Resource and Property	The corporate plan complements the MTFP, in that it sets out in broad terms what the council aims to achieve given the resources established by the MTFP. It is anticipated that the activities required by the plan will generally be funded within the resourcing framework established in the MTFP.
Legal, Statutory and Procurement	The legal status of the corporate plan as a component of the statutory policy framework originates from the Local Government Act 2000 and regulations subsequently made under it. No specific procurement implications have been identified at this stage.
Crime and Disorder	The draft plan at appendix I includes some specific points of relevance to crime and disorder, particularly under priority 1 – Community.
Environment and Climate/Ecological Emergency	The draft plan at appendix I includes some specific points of relevance to the environment and to the climate and ecological emergencies, particularly under priority 3 - Environment.

Health and Wellbeing	The draft plan at appendix I includes some specific points of relevance to health and wellbeing, particularly under priority 4 – Health & Housing.
Safeguarding of Children, Young People and Vulnerable Adults	The draft plan at appendix I includes some specific points of relevance to safeguarding of children, young people and vulnerable adults, particularly under priority 1 – Community and priority 4 – Health & Housing.
Risk Management and Health and Safety	No specific implications have been identified at this stage.
Equality and Diversity	The public sector equality duty requires decision-makers to have due regard to the need to eliminate unlawful discrimination and advance equality of opportunity right throughout the decision-making process. A preliminary equality impact assessment is attached at appendix II. The corporate plan is in general at too high a level of abstraction for the aims of the equality duty to be relevant in any concrete way, although they are likely to be much more relevant to many of the pieces of work which will flow from it, which will all need to be subject to individual impact assessments. The impact of the plan itself on the aims of the equality duty, without reference to these more detailed pieces of work, is at this stage considered to be low, and nothing requiring the mitigation of adverse impacts has been identified. It is believed at this stage that the plan involves no unlawful discrimination.
Privacy and Data Protection	No specific implications have been 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 – Draft corporate plan 2023-2027*

*Appendix II – Equality impact assessment*

*Appendix III – Responses to draft Corporate Plan survey questions*

## 8 Background Papers

None.



# Corporate Plan

2023 - 2027



## Foreword by Leader

Welcome to Swale Borough Council's Corporate Plan, which sets out our ambitions and priorities up to 2027. It builds on what we have learnt over the last four years and sets out what we plan to focus on in the future. A great deal has been achieved over the last four years which is something our coalition administration is very proud of. Throughout the challenging times of the Covid-19 pandemic and the cost-of-living crisis, the council has delivered projects at the same time as providing support to the community.

This document's primary purpose is to ensure that the organisation's resources are coherently allocated in support of agreed priorities. The objectives established here will therefore be a significant factor in determining the focus of the council's activities over the next few years

Our plan has been developed following conversations with residents, town and parish councils and representatives from the public, private and voluntary sectors.

We believe the priorities in this plan, on homes, on jobs, on health, on social inclusion, on the environment and on our partnerships with the voluntary sector, are exactly the ones the council most needs to focus on if its efforts to improve the lives of residents in our borough are to be effective.



**Cllr Tim Gibson**  
Leader of the Council



## Introduction

The borough council is made up of 47 elected members representing 24 wards and employing 283 full-time equivalent staff. Of those 28 are working in a shared service. The all-out election held in May 2023 resulted in a change to the coalition administration which includes the Labour, Swale Independents Alliance and Green groups.

One of the objectives of the coalition administration, which was formed at SBC following the 2019 local elections, was to diffuse power among members and improve public engagement in decision-making. The council voted in October 2021 to move to a committee system of governance from the 2022/23 municipal year. A cross-party working group was set up to consider this governance change and to oversee the detail in the new governance model. At the February 2022 Council meeting members agreed a five-service committee model which was successfully implemented in May 2022.

As part of the objective to improve public engagement in decision-making, four area committees were established with their inaugural meetings taking place in September 2020. The purpose of the area committees is to enhance the quality of life and council services in the relevant area and to bring local insight to into council decision-making. The area committees have evolved over the last three years and have recently adapted due to them no longer having funding to allocate. They play an important role in developing new policies and projects as can provide local input at an early development stage.

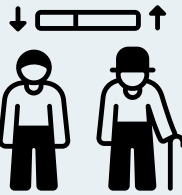
Mid Kent Services (MKS) is a partnership between Swale, Maidstone and Tunbridge Wells Borough councils. The partnership (originally Mid Kent Improvement Partnership) was formed in 2008, and means the councils work together to reduce costs and improve service delivery and resilience. The partnership delivers a number of different fully shared services, and the partner authorities work together on shared procurement exercises and contract monitoring arrangements (like waste and recycling services) and have some shared management arrangements eg in parking services. The partnership is flexible to meet the needs of each authority and not all the partners are part of every Mid Kent service, for example HR is shared between Maidstone and Swale only. Some services are provided to other authorities such as Ashford is a partner in the internal audit partnership and the HR service delivers payroll for Dartford Council. MKS is not a separate entity: all shared services staff are employed by one of the councils and deliver services to the councils who are partners in that service.

Swale is part of the following Mid Kent shared services:

- Internal Audit
- HR (including Payroll)
- Legal
- ICT
- Planning Support and land charges
- Fraud and compliance
- Debt Recovery
- Environmental Health

## Understanding Swale

### Swale population



**151,700**

### Area of Swale



**139 sq miles**

### Number of households in Temporary Accommodation in Swale

**317**

(figure as of February 2024)

**8.5%**

of Swale residents  
classified as disabled  
and limited a lot

### Cost of Living crisis



**14,800** households  
provided food support through  
Household Support Fund

### Levelling-Up Fund



**£20mil**

secured for the  
Sheerness Revival programme

## Understanding Swale

### Population

Swale is home to 151,700 people and the population grew by 11.7% between the 2011 and 2021 census - a higher rate than the South-East which grew 7.5% during the same period. It is anticipated that the population will grow to more than 180,000 by the year 2040. The largest age group is 55 to 59 years and there are slightly more females than males in the whole population.

In the 2021 census, around 137,400 Swale residents said they were born in England. This represented 90.6% of the local population. The figure has risen from around 125,600 in 2011, which at the time represented 92.5% of Swale's population. In 2021, 2.3% of Swale residents identified their ethnic group within the "Black, Black British, Black Welsh, Caribbean or African" category, up from 1.0% in 2011.

In 2021, 8.5% of Swale residents were identified as being disabled and limited a lot. This figure decreased from 9.4% in 2011. In 2021, just over one in nine people (11.3%) were identified as being disabled and limited a little, compared with 10.7% in 2011. The proportion of Swale residents who were not disabled increased from 79.9% to 80.1%.

### Economy and demographic make-up

Swale's demographic make-up includes a mix of affluent and less affluent communities. In general, the area is less well-off than is typical for the region, and there are some concentrated pockets of severe socioeconomic disadvantage to be found in locations across the borough.

While the causes of this are deep-rooted and complex,

the outcome is that a proportion of our residents suffer from entrenched inequality and a lack of opportunities which the council needs to do what it can to address.

The indices of multiple deprivation in 2019 showed Swale's overall position had deteriorated relative to other places, with the borough now the 69th most disadvantaged of 317 shire districts in England, and the second most disadvantaged in Kent.

Over recent decades, Swale has seen a successful diversification of its economy, which now has key strengths in manufacturing and distribution, as well as high-skilled activities including cutting-edge technology and life sciences.

However, it remains the case that much of the borough's employment is at the lower end of the skills spectrum and the average weekly earnings are significantly below regional and national averages.

### Geography

Swale is one of 12 districts which make up the county of Kent. Located on the county's northern coast, the borough sits between Medway, Maidstone and Canterbury, around 37 miles (60km) from central London in one direction and 25 miles (40km) from the Channel Tunnel in the other.

The borough covers an area of 139 square miles (360km<sup>2</sup>), roughly one-tenth of Kent and is a remarkably diverse place, including the historic market town of Faversham, the traditional seaside resort of Sheerness, the more industrial market town of Sittingbourne and rural villages. The urban centres are connected both physically and culturally by the borough's extensive and important rural areas, accounting for around a quarter of the population, which take in a number of protected wildlife habitats and part of the Kent Downs area of outstanding natural beauty.

## Challenges and achievements

### The Covid-19 Pandemic in Swale

SBC's members and officers showed high levels of adaptability and innovation responding to the Covid-19 pandemic and worked in collaboration with a wide range of partners to facilitate and enable recovery. The council managed in the order of £50m to businesses and other organisations, involving over 10,000 grants made under the range of direct support schemes that were set up over the period of March 2020 to March 2022. The government's 'Everyone in' scheme which was delivered by the Housing Team assisted over 60 potential rough sleepers into emergency accommodation. The small Rough Sleeper Initiative team provided regular outreach work throughout lockdown to provide support and ensure no-one was overlooked. The Community Support team made contact with approximately 7000 individuals identified by the Government as Shielding or Vulnerable to ensure that they had adequate access to food and other essential supplies. With the support of partner agencies and the voluntary community sector the team ensured that food parcels were made available to those that needed them and that signposting was undertaken for all other essential needs.

### Cost-of-Living crisis

The Swale Community & Partnership Team are currently working with Kent County Council (KCC) to deliver the Household Support Fund, this is government funding, to support vulnerable residents in need of help due to significantly rising living costs.

The scheme has been in place from 1 April 2022 and the current round ends 31 March 2024. So far, the scheme has provided food support awards to more than 14,800 households in the form of vouchers, food parcels, food shopping and hot meals.

Over 7,100 households have received energy and water support in the form of fuel vouchers, essentials linked to energy and/or water in the form of warm packs and hydro meters.

The Cost-of-Living Partnership Group was created in August 2022 to address issues impacting Swale residents and local organisations. The group now has a membership of over 40 organisations from across Swale including the Voluntary Community Sector (VCS) and statutory partners. The meetings have been attended by local members of parliament as well as regularly attended by SBC Councillors and has enabled a collaborative voice on behalf of the VCS, which has also stimulated project delivery and improved relationships

### Water emergency

In July 2022, water supplies to homes and businesses in the Isle of Sheppey were lost due to a major fault in the primary water main that carries water to storage reservoirs on the Island. Due to the hot weather at the time, demand for water was exceptionally high and the council put in place its Emergency Plan to work with Southern Water to keep the community informed and distribute bottled water to the community. Coinciding with this, there was a water emergency in the eastern end of the borough. This is a good example of the resilience of the council in times of crisis and demonstrates the dedication of staff who were redeployed from their day jobs so they could work shifts helping the efforts on the ground handing out water and delivering to vulnerable residents. There was also a team working behind the scenes co-ordinating logistics for both emergencies.





Safer Streets Scheme Street Marshalls

### Levelling-up funding

In 2022 the council secured £20 million of Government Levelling-Up Funding for the Sheerness Revival programme which will improve health, education, leisure and employment opportunities in Sheerness. The project will regenerate the Beachfields area which will include a new café, extend the healthy living centre to include an outdoor gym, soft-play and adventure golf areas. Funding will also expand Sheppey College to improve its further education offer and create workshop spaces at Masters House.

### Public realm improvements

The last Corporate Plan cycle facilitated a number of improvements to public realm, including Faversham recreation ground, various churchyards and war memorials, several play areas including Beachfields Sheerness, Manor Grove Sittingbourne and Millfield in Faversham, and new public toilet facilities at Minster Leas, Milton Creek Country Park and Beachfields.

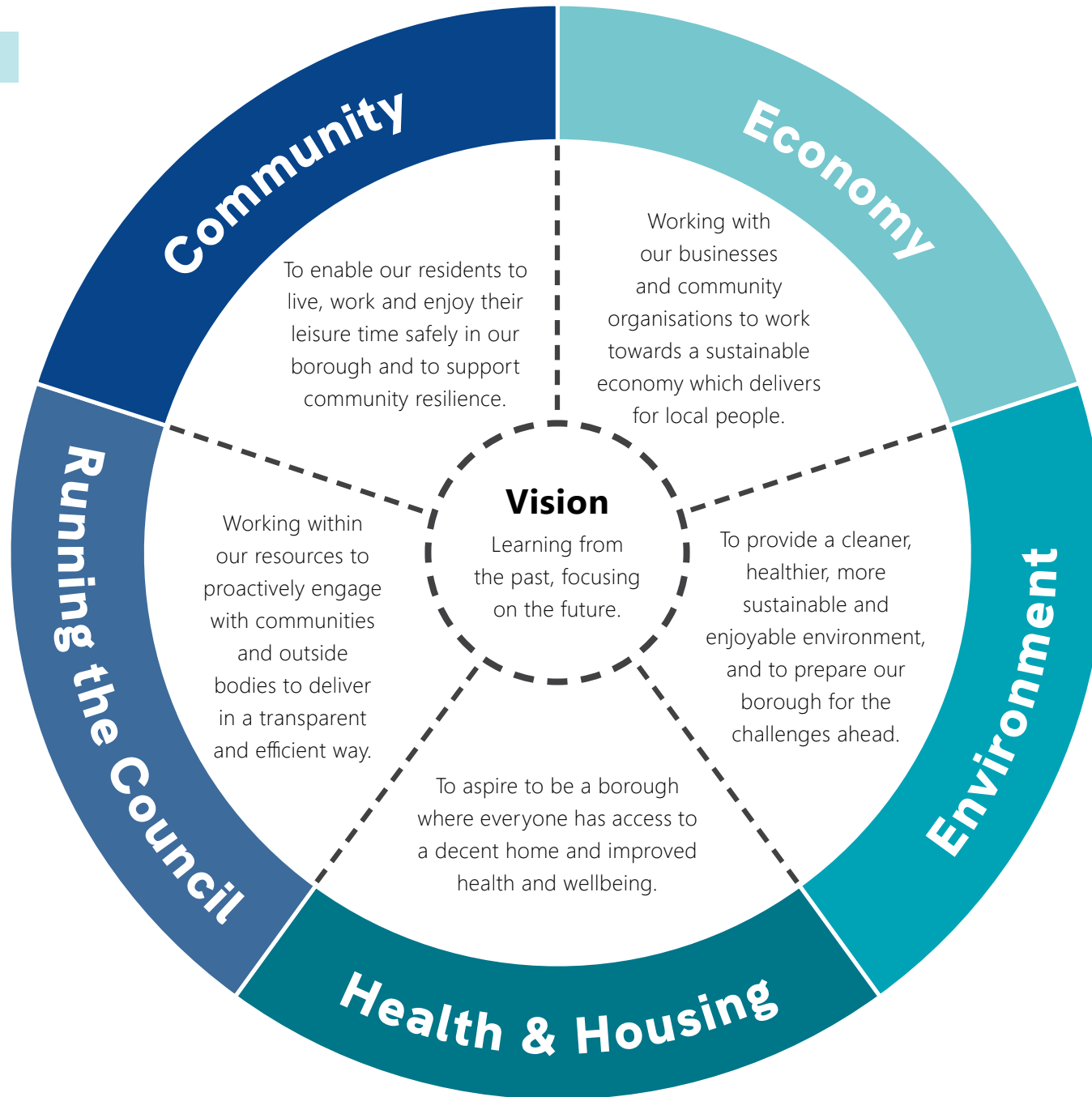
### Murston HeArt Project

SBC awarded £100,000 to Murston All Saints Trust for the restoration and development of Murston Old Church. The project included restoring the 14<sup>th</sup> century chancel as an art gallery and meeting space, studios for visual arts and crafts, plus a community and education space and café which were completed in December 2022. A pocket park was created in the surrounding churchyard including seating, pathways and parking facilities.

### Safer Streets

Swale Borough Council has been awarded a Safer Streets grant from the Home Office, in partnership with the Kent Police and Crime Commissioner for Sittingbourne and Sheerness. Initiatives include CCTV; cutting back trees; installing extra lighting; bystander training; street marshalls during the school holidays; and additional sessions at the County Youth Club in Sheerness. We have also purchased advanced Hollie Guard Apps which will be available to the most vulnerable people in Swale.

## Our priorities



## Community – the current picture

This priority is focused on creating a sense of community across the borough. We will do this by working in partnership with the voluntary and community sector, town and parish councils and in maximising our partnership within the public and private sector. We want our residents to be proud of the borough they live in and have opportunities to live, work and enjoy their leisure time safely in our borough. Our aim is for our communities to be resilient focusing our support towards the most vulnerable.

The ongoing recovery from the pandemic means that communities are more focused on what they can do in their leisure time and the benefits to health of either for formal or informal activity. We will deliver services that provide access to a range of leisure facilities and play opportunities both in the built and natural environment. These community assets are pivotal, and the plan identifies how we will look to work with a range of partners and volunteers across the community to achieve this.

Through the pandemic and other emergencies that Swale has faced we have seen our community come together to support each other, we want to build upon this working with Town and Parish Councils to develop more localised emergency plans.

Swale has a vibrant Voluntary and Community Sector who deliver a broad range of services to every part and demographic of the borough, we will play our part in working with the sector to develop and become stronger. Building on the work through the Cost of Living Partnership which has enabled us to support the most vulnerable in our community.

We have a strong Community Safety Partnership in the borough, together we tackle the most significant issues that are affecting our communities. Tackling crime, anti-social behaviour and violence is a key consideration for the partnership.

The Council will continue to play its part through using its powers under anti-social behaviour legislation, managing the town centre CCTV and using our licencing powers.

Parking, whether on or off-street, is an important consideration and links to a range of other functions such as safer streets, supporting the economy and regeneration and the encouraging environmental changes. This plan ensures we develop clear and transparent ways that we will manage this service moving forwards.

## Swale Community Safety Partnership priorities for 2024/25

### Domestic Abuse

- Focus on the development and delivery response of early intervention and support for children affected by Domestic Abuse
- Continued promotion of Perpetrator Services and ensuring adequate provision aimed at young people
  - Ongoing updates on local services and referral routes
- Enhanced Training for partners

### Crime and Serious Violence

- Support delivery of Kent Serious Violence Strategy and ensure localised delivery
- Continue to monitor localised crime trends and support response as needed, with a partnership focus on potential increased youth crime/violence
- Delivery of Safer Streets Project

### Swale CSP Priorities 2024/25

### Anti-Social Behaviour

- Continue to support high risk ASB victims and tackle perpetrators;
- Continue to tackle location based problems, focusing on a potential increase in youth related ASB
- Support to the implementation of the Kent Police Neighbourhood Policing model

### Supporting vulnerable people

- Continuation of Cost of Living work to support those most vulnerable in the community, with a wider focus on affects to young people
- Modern Slavery awareness, training and pilot of innovative approaches to engage possible victims
  - Continue to raise awareness of Prevent agenda

### Cross Cutting Themes

- Reducing Reoffending
- Communication and Training
- Young People



## Community – what we will do:

- Provide the evidence base for the Local Plan to ensure our built and outdoor sport and health facilities meet the demands of the current and future populations.
- Review the Leisure centre service in order to deliver a range of options for residents to improve their health and wellbeing.
- Inspect and maintain the playgrounds across the borough and seek external contributions to enhance them wherever possible.
- Complete the Parking Policy review and implement the principles to ensure traffic flow across the borough.
- Work in partnership with the local towns and parishes and voluntary sector on our community assets – e.g., playgrounds, sports pitches and pavilions, community halls.
- To support local groups and organisations in Swale through the delivery of the member grants programme and review the funding mechanism of a community lottery scheme.
- Enable and empower the existing voluntary and community sector in Swale to develop, strengthen, grow, and improve sustainability for the future.
- To consult with our residents on ways of devolving power and giving communities a greater say in what happens in their locale potentially through the establishment of new Parish, Town and Community Councils if there is community support to do it.
- To ensure active and effective engagement mechanisms are in place so that all residents and communities have the opportunity to engage with the Council.
- To support the voluntary and community sector to co-ordinate an effective response to the cost-of-living crisis, including effective distribution of the Household Support Fund.
- To work as part of the Community Safety Partnership to delivery priorities to address domestic abuse, crime, and disorder, ASB and support vulnerable people.
- To deliver the Safer Streets Programme in Sittingbourne and Sheerness town centres.
- To deliver an effective public space CCTV service and town centre radio scheme, and to grow wider service delivery by the control centre.
- To engage with schools to inform young people about democracy and the work of the council.



## Economy – the current picture

Many partners have a role to play in securing economic prosperity – from external funders recognising Swale’s significant potential, to local businesses and skills providers, to business advocacy and support groups.

The award of £20m Levelling-Up funding for the Sheerness Revival programme is major endorsement of this potential. Sheerness Revival will deliver not just short-term benefits but will pave the way, and set the scene, for a collaborative approach to Island regeneration.

The priorities in our Corporate Plan are set against a backdrop of difficult financial times for local authorities, and our objectives seek to maximise the impact of partnership working. Through this approach, our objectives support a wider array of corporate priorities, such as the climate change and ecological emergency agenda.

Limited resources highlight the importance of a clear and robust approach to delivery and our Property Asset Strategy and Economic Development Strategy will support the Corporate Plan in driving efficiencies and identifying opportunities to deliver for our residents and businesses.

The Local Plan is a key tool to deliver corporate priorities and we will seek to ensure Swale’s Local Plan supports the future of our borough as a sustainable, forward-looking place to live, work and enjoy.

### Employment history Swale (England)

Not in employment: Worked in the last 12 months  
**10.9%** (13.2%)



Not in employment: Not worked in the last 12 months  
**64.9%** (61.1%)



Not in employment: Never worked  
**24.1%** (25.6%)



% of people aged 16 years and over not in employment

### Economic activity status Swale (England)

Economically active: in employment  
**56.7%** (57.4%)



Economically active: Unemployment  
**3.2%** (3.5%)



Economically inactive  
**40.1%** (39.1%)



% of people aged 16 years and over



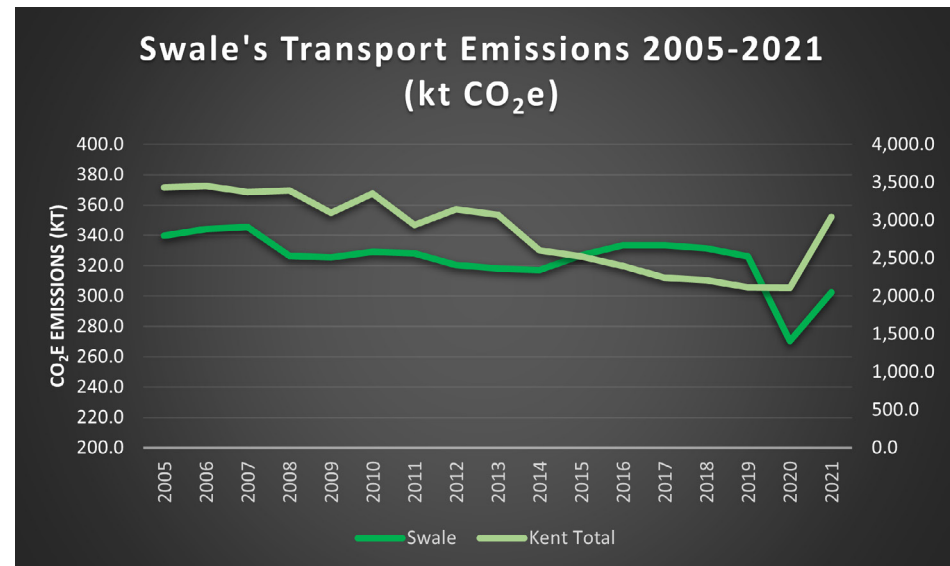
## Economy – What we will do:

- Use the Levelling-Up Fund as a catalyst for further regeneration on the Isle of Sheppey.
- Use the Sittingbourne Supplementary Planning Document as a model framework to support town centre regeneration.
- Implement the Property Asset Strategy to support best use of our assets and look to increase our income.
- Deliver economic development through the UK Shared Prosperity Fund (UKSPF) and the Rural England Prosperity Fund (REPF) (currently programmed to March 2025).
- Develop an Economic Development Strategy, building on the successes of the Economic Improvement Plan.
- Progress a Local Plan with local needs and capacity at its heart.
- Support skills development through advocacy and partnership working.
- Develop the borough's second Heritage Action Plan that reflects in-house and partnership capacity, to support and promote our outstanding assets.
- Support modal shift and partnership-based solutions to key issues countering sustainability and congestion.

The scale of the challenge that the climate and ecological emergency presents us with is unprecedented. The crisis is not something that any of us are immune from, and we will be seeing the impacts on every aspect of our lives. While of course it needs global entities to do much of the work, we can make a small difference across our borough. Our last plan set a pathway for us to be an exemplar environmental steward and this plan looks to continue that approach. This cannot be done just by the Council's actions, we need everyone across the borough to take a positive step forward, whether that be residents at home, businesses or other public sector organisations. This plan looks to review our own targets for reaching net zero following recent national changes. This will include looking at the benefits that renewable energy can bring to our assets, reviewing policies and services to see what more can be done within the budget footprint, as well as maximising external investment in active travel.

The council is about to embark on a new waste, recycling and street cleansing contract. This is vitally important on a number of fronts. Keeping with the environmental challenges, it is imperative that we work with residents to ensure that firstly, we reduce the waste of materials. Doing so will not only support the environment, it will also help residents reduce the ongoing costs of replacing items. Secondly, if an item does need to be thrown away, we need to collectively ensure it goes to the right place, ideally being recycled for future use. The new contract is an opportunity to reset what we have been doing and to try to improve recycling participation, particularly in food and garden waste. We also need to reduce the amount of contamination in our recycling as the hard work of many residents is spoilt by others putting the wrong items in the recycling bins.

Finally, we want to focus on our public realm and how it looks. We want to improve the cleanliness of our borough through a more effective street cleansing contract. We will also work harder to tackle the problem of littering and fly-tipping. We also control large parts of public open space such as our parks, country parks, seafront and residential greens. Whilst our ability to fund major improvements is greatly reduced, we will do what we can to lever in external funding to improve our public spaces. Making sure that there is a balanced approach to keeping well-maintained areas of grass for people to enjoy sports and leisure time, but also providing areas that could be allowed to grow differently to promote ecological improvements.







## Environment – What we will do:

- Refresh the Climate and Ecological Emergency Action Plan and continue to be a leader in our work towards net zero.
- Look at the feasibility of solar and renewable energy solutions for our estate, including council car parks.

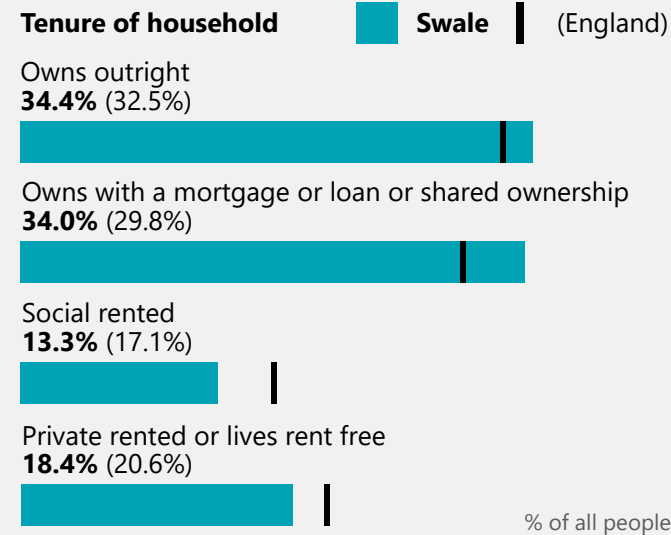
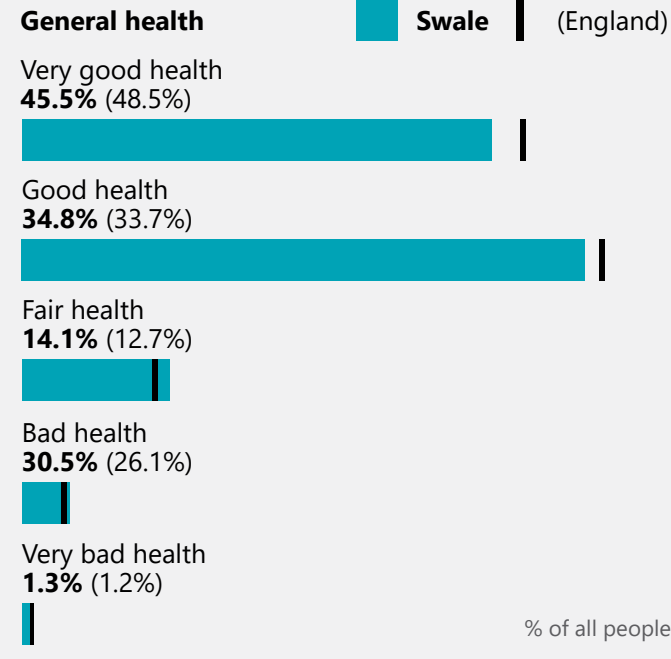
- Create an air quality policy that formalises what we can do to improve air quality for the benefit of our residents.
- Form partnerships with key stakeholders to ensure we champion active travel opportunities.
- Review the grounds maintenance service to ensure we maximise biodiversity gains, particularly with grass cutting, whilst continuing to provide places for residents to enjoy their leisure time.
- Ensure key policy documents such as the Local Plan and Open Spaces Strategy lever in improvements in the quantity and quality of open space to meet the needs of a growing population.
- Work with our partners and contractor to successfully deliver the new waste collection contract and undertake initiatives to deliver improved recycling participation.
- Promote the circular economy by raising awareness of how the materials residents put in their bins can be used for the benefit of the environment.
- Build on the benefits of an improved street cleansing service and work with residents to ensure they can take pride in their local community.
- Make best use of our resources alongside other enforcement agencies to investigate the most disruptive environmental crimes across the borough, in order to deliver the best environmental outcomes for residents.
- Lobby for the best possible standards in marine and coastal environments, protecting our habitats and reducing the impacts of pollution.

## Health & Housing – the current picture

We are currently in the midst of national housing crisis, and this is placing significant pressure on borough councils to keep up with increasing demand on those that find themselves homeless. We have made strong progress during the life of the last corporate plan to tackle the issue of homelessness and increase affordable housing. Yet still more needs to be done to tackle the ever-increasing demand on our services. The priorities within the corporate plan reflect how we intend to manage the service to make sure the service is as effective as possible and takes a long-term strategic approach to tackle homelessness and rough sleeping, we will also work with our partners to ensure that we reduce homelessness and enable affordable housing to be delivered and maintained in the borough.

Ensuring everyone has access to a decent home is a clear ambition of the council, during the life of this plan we will make steps towards this ambition through the use of our enforcement powers and looking at the introduction of new powers that will be introduced through the Renters Reform Bill.

Swale has significant health inequalities across the borough, these are more pronounced in our more deprived areas. As the borough council we have a significant place leadership role to ensure that health inequalities are addressed in everything we do. We will embed in the organisation through all our policies, consideration on the impacts of health and wellbeing of our residents and actively work with our partners through the Integrated Care System and Health and Care Partnership to make a step change in the health of our residents.







**Affordable Housing at  
Watling Gate, Sittingbourne**

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## Health & Housing – What we will do:

- Work with Breaking Barriers Innovation playbook programme, to develop a long-term programme to tackle health inequalities on the Isle of Sheppey.
- Actively play our role in the Health and Care Partnership to address health inequalities in the borough.
- Ensure we address health inequalities in all our policies ensuring a blueprint for a healthy borough.
- Deliver the Housing, Homelessness and Rough Sleeping Strategy 2023 -2027, to meet and build on our statutory obligations to tackle homelessness and improve the standards of homes.
- Purchase accommodation to use as temporary accommodation to enable us to control costs and provide improved quality and more local provision.
- Prepare for the introduction of the Renters Reform Bill 2023 and ensure we implement the requirements when it receives royal ascent.
- Work in partnership to maximise the number and range of affordable homes in the borough.
- Ensure we meet our safeguarding obligations to keep children and vulnerable adults safe.
- Achieve Domestic Abuse Housing Accreditation, demonstrating our commitment to identifying abuse, preventing it and provide help to those affected.





## Running the Council – the current picture

Like all councils, we are facing significant financial challenges at a time when the need for our services has never been greater. The council has worked hard to ensure that our main services have been protected and have worked to prioritise our spend to ensure that we protect the most vulnerable in our borough.

Our work in partnership with business and the voluntary sector has enable our money to go further and we need to continue this for the coming four years.

The way we provide services may need to look different but we will ensure that all our customers, residents and businesses will be able to access the help and support they need.

As one of the largest employers in Swale, we also are proud of our record for paying the real living wage to all staff including apprentices and providing high quality training and support to our staff. We need to continue to be the employer of choice for our staff to ensure we retain highly qualified and experienced people who share our values and share our passion for Swale and for providing high quality services.

Image was taken by and copyright of Alex Hare Photography

## Running the Council – What we will do:

### We seek to provide a caring, responsible and accountable Council

- Maintain fiscally sound and stable position.
- Seek to make best use of assets and staff resources.
- Effective partnership working.
- Maximising opportunities for external funding and income streams.

### We will focus on

- Reviewing our customer service options to enable better outcomes for customers.
- Ensuring inclusivity and equality for all residents.
- Improving communication with residents via all channels.
- Reviewing contract and partnership arrangements to ensure the most appropriate and efficient means of delivering services to our diverse communities and customers.
- Investing in projects which deliver financial returns and/or contribute to our wider objectives around Net Zero.
- Work towards maximising the rates of income on all commercial council properties.
- Maximising opportunities for external grant funding to deliver the Council's corporate objectives.
- Managing finances and having a sound culture of performance management robustly to ensure Value for Money.
- Provide services that meet the needs of residents.
- Create a culture that empowers and fosters an ambitious and motivated workforce.

### We will embed a positive culture by

- Welcoming fair and appropriate challenge.
- Instilling the values of integrity, dignity, respect and pride.

### We will have clear performance expectations by

- A sound culture of performance management.
- Ensuring core governance around corporate and financial planning, workforce planning, managing assets and sound and ethical procurement.
- Ensuring value for money is embedded in culture, service quality and social values.

### We will promote strong staff/member relations by

- Maintaining effective governance that allows sound decision making.
- Working together to ensure that staff and elected members codes of conduct are met and adhered to.
- Embedding well-being policy.
- Supporting and training for effective workforce development.
- Appropriate training and support to be provided to our councillors.
- Actively promoting fairness, equality and diversity.
- Work collaboratively to alleviate difficulties with recruitment and retention.

### In short, we will:

- Achieve a balanced budget.
- Demonstrate good governance.
- Develop and implement our Customer Access Strategy, ensuring customers can access our services in the most efficient and effective way.
- Provide value for money services.
- Support and develop staff.
- Ensure well managed assets.



**Tree planting at Oare Gunpowder Works for National Tree Week**



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## Values and behaviours

We are doing a piece of work to review our values and behaviours which will be complete by April 2024. We are also developing a member/officer protocol to improve levels of collaboration, mutual understanding and tone of communication between members and staff.

Our current values, which represent the beliefs and expected behaviour of everyone working for Swale which aim to support quality services, are;

**Fairness** - being objective to balance the needs of all those in our community

**Integrity** - being open, honest and taking responsibility

**Respect** - embracing and valuing the diversity of others

**Service** - delivering high quality, cost effective public service

**Trust** - delivering on our promises to each other, customers and our partners

## Monitoring

The priorities and objectives in this Corporate Plan will be monitored and reviewed annually at the Policy & Resources Committee.

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An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making.

### When to assess

An EIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

### Public sector equality duty

The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:

- 1) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These are known as the three aims of the general equality duty.

### Protected characteristics

The Equality Act 2010 sets out nine protected characteristics that apply to the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership\*
- Pregnancy and maternity
- Ethnicity
- Religion or belief
- Sex
- Sexual orientation

\*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

**We also ask you to consider other socially excluded groups**, which could include people who are geographically isolated from services, with low literacy skills or living in poverty or low incomes; this may impact on aspirations, health or other areas of their life which are not protected by the Equality Act, but should be considered when delivering services.

### Due regard

To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential



impact, the higher the regard required by the duty. The three aims of the duty may be more relevant to some functions than others; or they may be more relevant to some protected characteristics than others.

## Collecting and using equality information

[The Equalities and Human Rights Commission](#) (EHRC) states that 'Having due regard to the aims of the general equality duty requires public authorities to have an adequate evidence base for their decision making'. We need to make sure that we understand the potential impact of decisions on people with different protected characteristics. This will help us to reduce or remove unhelpful impacts. We need to consider this information before and as decisions are being made.

There are a number of publications and websites that may be useful in understanding the profile of users of a service, or those who may be affected.

- The Office for National Statistics Neighbourhoods website <https://www.ons.gov.uk/>
- Kent County Council Facts and Figures about Kent <http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent>
- Public health and social care data [http://www.kpho.org.uk/search?mode=results&queries\\_exclude\\_query=no&queries\\_excludefromsearch\\_query=yes&queries\\_keyword\\_query=Swale](http://www.kpho.org.uk/search?mode=results&queries_exclude_query=no&queries_excludefromsearch_query=yes&queries_keyword_query=Swale)

At this stage you may find that you need further information and will need to undertake engagement or consultation. Identify the gaps in your knowledge and take steps to fill these.

## Case law principles

A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The person completing the EIA should have knowledge and understanding of the service, policy, strategy, practice, plan.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- A public authority is responsible for ensuring that any contracted organisations which provide services on their behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice.
- The duty is a continuing one. It applies when a service, policy, strategy, practice or plan is developed or agreed, and when it is implemented or reviewed.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- The general equality duty is not a duty to achieve a result, it is a duty to have due regard to the need achieve the aims of the duty.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

<b>Lead officer:</b>	Janet Dart – Policy & Engagement Officer
<b>Decision maker:</b>	Policy & Resources Committee
<b>People involved:</b>	Larissa Reed – Chief Executive Phil Sutcliffe – Communications & Policy Manager Janet Dart – Policy & Engagement Officer
<b>Decision:</b> <ul style="list-style-type: none"> <li>Policy, project, service, contract</li> <li>Review, change, new, stop</li> </ul>	This is a high-level strategic plan which has been developed following the formation of the new political administration in May 2023.
<b>Date of decision:</b> The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	To review the consultation responses and consider any amendments – Policy & Resources Committee: March 2024.  To adopt the new corporate plan – Full Council: April 2024.
<b>Summary of the decision:</b> <ul style="list-style-type: none"> <li>Aims and objectives</li> <li>Key actions</li> <li>Expected outcomes</li> <li>Who will be affected and how?</li> <li>How many people will be affected?</li> </ul>	<p>The main purpose of the corporate plan is to set the council’s strategic direction over the medium term. It is intended to influence and guide future detailed decision-making about resource allocation and activities, rather than to set out the detail of that decision-making in advance. It is therefore very difficult to foresee equality-related issues at this stage, and separate EIAs will need to be conducted on individual decisions as they arise.</p> <p>Insofar as it provides guidance for the allocation of council resources over the medium term, the corporate plan potentially has an impact on everyone living in, working in or visiting the borough.</p> <p>The plan proposes five overarching priorities for the council to focus on over the period 2023-2027.</p> <p><b>Community</b> – to enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience.</p> <p><b>Economy</b> – working with our businesses and community organisations to work towards a sustainable economy which delivers for local people.</p> <p><b>Environment</b> – to provide a cleaner, healthier and more sustainable and enjoyable environment and to prepare our borough for the challenges ahead.</p> <p><b>Health &amp; Housing</b> – to aspire to be a borough where everyone has access to a decent home and improved health and wellbeing.</p> <p><b>Running the Council</b> – working within our resources to proactively engage with communities and outside bodies to deliver our priorities in a transparent and efficient way.</p> <p>Beneath each of these priorities sit a number of high-level objectives which are set out in detail in the draft corporate plan.</p>
<b>Information and research:</b> <ul style="list-style-type: none"> <li>Outline the information and research that has informed the decision.</li> <li>Include sources and key findings.</li> </ul>	The text of the plan contains some contextual demographic information about the borough and its residents. However, the plan is (intentionally) at too abstract a level to have a definite impact on people with particular protected characteristics. More detailed pieces of work which will sit under the objectives in the plan will

<ul style="list-style-type: none"> <li>• Include information on how the decision will affect people with different protected characteristics.</li> </ul>	need to be subject to impact assessments in their own right in due course.
<p><b>Consultation:</b></p> <ul style="list-style-type: none"> <li>• Has there been specific consultation on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul>	Significant internal and external consultation has taken place during the development of the plan, and public consultation has been undertaken and the results of that consultation factored in prior to final adoption of the plan. This will be described fully in the relevant section of the report to the Policy & Resources Committee.

**Is the decision relevant to the aims of the equality duty?**

Guidance on the aims can be found in the EHRC's PSED Technical Guidance -

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

Aim	Yes/No
1) Eliminate discrimination, harassment and victimisation	Yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	Yes

**Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.**

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Characteristic	Relevance to decision High/Medium/Low/None	Impact of decision Positive/Negative/Neutral
Age	Medium	Positive
Disability	Medium	Positive
Gender reassignment	Low	Neutral
Marriage and civil partnership	Low	Neutral
Pregnancy and maternity	Low	Neutral
Ethnicity	Low	Neutral
Religion or belief	Low	Neutral
Sex	Low	Neutral
Sexual orientation	Low	Neutral
Other socially excluded groups <sup>1</sup>	High	Positive

<sup>1</sup> Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes or people who are geographically isolated from services.

<p><b>Conclusion:</b></p> <ul style="list-style-type: none"> <li>• Consider how due regard has been had to the equality duty, from start to finish.</li> <li>• There should be no unlawful discrimination arising from the decision.</li> </ul> <p>Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.</p>	<p>The corporate plan is in general at too high a level of abstraction for the aims of the equality duty to be relevant in any concrete way, although they are likely to be much more relevant to many of the pieces of work which will flow from it. The impact of the plan itself on the aims of the equality duty, without reference to these more detailed pieces of work, is at this stage considered to be low, and nothing requiring the mitigation of adverse impacts has been identified. It is believed at this stage that the plan involves no unlawful discrimination.</p>
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### Timing

- Having ‘due regard’ is a state of mind. It should be considered at the inception of any decision.
- Due regard should be considered throughout the development of the decision. Notes should be taken on how due regard to the equality duty has been considered through research, meetings, project teams, committees and consultations.
- The completion of the EIA is a way of effectively summarising the due regard shown to the equality duty throughout the development of the decision. The completed EIA must inform the final decision-making process. The decision-maker must be aware of the duty and the completed EIA.

Full technical guidance on the public sector equality duty can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

Please send the EIA in draft to Janet Dart in the Comms and Policy Team ([janetdart@swale.gov.uk](mailto:janetdart@swale.gov.uk)) who will review it with colleagues and let you have any comments or suggested changes.

This Equality Impact Assessment should form an appendix to any EMT/SMT or committee report relating to the decision, and a summary should be included in the ‘Equality and Diversity’ section of the standard committee report template under ‘Section 6 – Implications’.

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**Draft Corporate Plan Consultation – responses to survey questions**

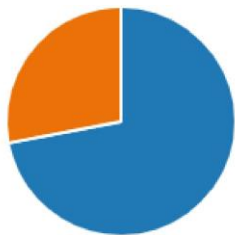
**Question 1** - Do you agree with the objectives in the Community priority - to enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience?



Yes 17

No 6

**Question 2** - Do you agree with the objectives in the Economy priority - working with our businesses and community organisations to work towards a sustainable economy which delivers for local people?



Yes 18

No 7

**Question 3** - Do you agree with the objectives in the Environment priority - to provide a cleaner, healthier, more sustainable and enjoyable environment, and to prepare our borough for the challenges ahead?



Yes 16

No 8

**Question 4** - Do you agree with the objectives in the Health & Housing priority - to aspire to be a borough where everyone has access to a decent home and improved health and wellbeing?



Yes 16

No 7

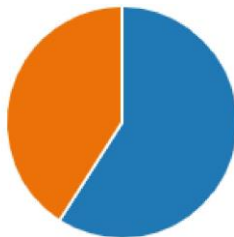
**Question 5** - Do you agree with the objectives in the Running the Council - working within our resources to proactively engage with communities and outside bodies to deliver in a transparent and efficient way?



Yes 18

No 4

**Question 6** - Do you agree with the council's vision statement - learning from the past, focusing on the future?



Yes 13

No 9

<b>Policy &amp; Resources Committee Meeting</b>	
<b>Meeting Date</b>	20 March 2024
<b>Report Title</b>	Parking Policy Report
<b>EMT Lead</b>	Emma Wiggins – Director of Regeneration & Neighbourhoods
<b>Head of Service</b>	Martyn Cassell – Head of Leisure & Environment Philip Sutcliffe – Communications & Policy Manager
<b>Lead Officer</b>	Janet Dart – Policy & Engagement Officer
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To adopt the Parking Policy at Appendix I.</li> <li>2. To note the £38k shortfall in income following the decision by Community Committee not to implement pay and display charges at the Library, Queenborough and Park Road, Queenborough, and Little Oyster in Minster, Isle of Sheppey car parks.</li> <li>3. To identify how the shortfall of £38k in revenue income should be addressed in order to balance the budget for 2024-2025.</li> <li>4. To balance any shortfall that cannot be recovered in other ways by the use of reserves.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report recommends the final Parking Policy to Policy & Resources Committee for adoption. The Policy was endorsed by the Community Committee on 6 March 2024.
  
- 1.2 Members are asked to note the £38k shortfall in income following the decision by Community Committee not to implement pay and display charges at the Library, Queenborough and Park Road, Queenborough, and Little Oyster in Minster Isle of Sheppey car parks. The Committee are also asked to identify how the £38k shortfall in revenue income, should be addressed in order to balance the budget for 2024-2025, and agree that officers dedicate time to investigating options.
  
- 1.3 To agree that any shortfall that cannot be recovered through increases in income or other savings be funded by a contribution from reserves, up to the value of £38k.

## 2 Background

- 2.1 At the Community Committee meeting on 27 June 2023, the Committee agreed that a Parking Policy Member Working Group (PPMWG) be set up. The PPMWG discussed and agreed the proposed scope of the Parking Policy and worked with officers to carry out a review of parking with a view to develop a draft policy to go out to public consultation.
- 2.2 The Community Committee agreed that the membership of the Working Group should be drawn from the Community Committee with one representative from each political group, plus the Chair. Following nominations from group leaders, the Working Group is made up of the following Members:
- Councillor Richard Palmer - Chair
  - Councillor Elliott Jayes
  - Councillor Pete Neal
  - Councillor Hannah Perkin
  - Councillor Terry Thompson
  - Councillor Tony Winckless
- 2.3 The Parking Policy Working Group met to agree the scope of the review and officers took a report to Community Committee on 6 September 2023 when the following scope was agreed:
- Review of our existing tariff compared to others in Kent;
  - Consider differential town centre and out of town centre parking charges;
  - Consider if we should be charging in all car parks;
  - Review evening parking – different models and tariffs;
  - Consider if we should be charging for motorcycle parking;
  - Consider if we should increase the times of Controlled Parking Zones (CPZ) to protect residential areas;
  - Set policy for use of range of payment types – cash/card/telephone/Apps;
  - Set out the principles we will follow for Enforcement and;
  - Consider links to climate emergency (cleaner vehicles/active travel).
- 2.4 The PPMWG met to consider the following data to assist with reviewing the parking service with a view to making recommendations for the draft policy:
- Income from evening charges;
  - the usage of all Swale Borough Council (SBC) car parks;
  - a list of all free and chargeable car parks in Swale;
  - benchmarking of non-SBC car parks in Swale; and
  - the charging times and charges of car parks in other Kent districts.
- 2.5 The Chair of the PPMWG attended each of the four Area Committee meetings in September 2023 and presented the scope of the review and asked if the scope was right and if anything was missing. The PPMWG met to review the feedback before making their recommendations for the draft Parking Policy.

- 2.6 Members of the Working Group met with their political groups to seek their feedback on options for evening charges, motorcycle charging, differential charging and links to the climate emergency.
- 2.7 The PPMWG met on 2 October 2023 to review all feedback and make final decisions for recommendations to be included in the draft Parking Policy.
- 2.8 The Community Committee agreed on 31 October 2023 that the draft Parking Policy should go out to public consultation for 8 weeks. The consultation was publicised using a variety of methods. There were regular posts on social media. Business and voluntary organisations newsletters included items on the consultation and details about how to view and respond. Parish/town council clerks were emailed direct with a link to the consultation. Partner organisations were also emailed direct.
- 2.9 The PPMWG met on Monday 15 January 2024 to consider the responses to the public consultation and recommended the following changes to the draft Parking Policy:
- Under the Active Travel and Environmental issues, bullet 2 should be amended to read “*civil enforcement officers have a low carbon footprint*”;
  - The section on Motorcycle parking will be amended to state that “*there will be no charge for motorcycles to use the dedicated bays in some car parks.*”
  - The typing error on page 8, under Controlled parking zones, will be corrected to read “*This process can take around 12 months.*”; and
  - The typing error on page 13, under Appeals will be corrected to read “*Although discretion cannot be considered by a CEO upon an observation of illegal parking, ...*”
- 2.10 As a large number of the responses to the public consultation were concerning charges, these were fed into the PPMWG.
- 2.11 The PPMWG were concerned how people using the car parks for short periods in the evenings could be worse off with the proposal that went out to consultation for the 2024/25 budget which was for a fixed charge of £3 between 7 pm and 7 am. There was also a view of wanting to resolve the need for people parking in a short stay car park in early evening needing to return and move their car due to the maximum stay period of 4 hours.
- 2.12 To solve both of these issues, an alternative proposal was put forward to keep the current system of hourly charges but instead of ending at midnight, the charging period should end at 10 pm. This proposal was agreed at the Community Committee meeting on 6 March 2024.
- 2.13 The PPMWG reviewed the list of free car parks as part of their work. Three car parks were recommended by the PPMWG to have pay and display charges added. Library, Queenborough and Park Road Queenborough to operate on the standard tariff set out in fees and charges and the time periods mentioned earlier. Little Oyster in Minster was proposed to start charging the standard tariff, in the time period discussed above but between 1st March and 31st October each year.

- 2.14 Once Members agreed the three free car parks listed in 2.13 to become pay and display, SBC went to consult on them between 2 February 2024 and 26 February 2024, as per the statutory off-street parking orders. This led to various responses and petitions which were presented at Community Committee on 6 March 2024. In addition, there were representations at the Sheppey Area Committee meeting on 20 February 2024.
- 2.15 An amendment to the proposal set out in para 2.13 was submitted at the Community Committee on 6 March 2024 as follows: *“Remove the charges proposed at the Little Oyster (Minster), Park Road and the Library (Queenborough). This income would be replaced with: £24k saved by not purchasing 3 parking machines; charging at Swale House during week days and evening as we only charge at weekends currently; charge for Motorhomes on the Shingle Bank and Shellness Road. Ideally there would be chargeable space at Barton’s point as it has most the facilities; charge from coach parking at the new coach parking facility agreed to be installed opposite the shingle bank by the community committee on 1st March 2023; use the money that would be saved from connecting Barton’s point to mains drainage and now not having to pay to empty the cesspit to fund this shortfall; and use any income from Barton’s point this year to fund the shortfall.”* The amendment was voted on by the Community Committee and it was agreed not to proceed with the proposal to implement charges at the three car parks.
- 2.16 Some of the proposals relate to projects that are not underway at the moment or need further exploratory work so officers would need to develop a business case on each of the points and therefore cannot quantify accurately the options set out in the amendment at this point.
- 2.17 The proposal not to purchase 3 parking machines would not produce an ongoing revenue saving, as these would be a one-off capital cost, and would be funded from the Civil Enforcement reserve.
- 2.18 The Community Committee noted the shortfall of £38k in revenue income and recommended that the Policy & Resources Committee identify how the shortfall should be addressed in order to balance the budget for 2024-2025.

### **3 Proposals**

- 3.1 To adopt the Parking Policy at Appendix I.
- 3.2 To note the £38k shortfall in income following the decision by Community Committee not to implement pay and display charges at the Library, Queenborough and Park Road, Queenborough, and Little Oyster in Minster Isle of Sheppey car parks.

- 3.3 To identify how the shortfall of £38k revenue income should be addressed in order to balance the budget for 2024-2025.
- 3.4 To balance any shortfall that cannot be recovered in other ways by the use of reserves.

## 4 Alternative Options Considered and Rejected

- 4.1 No alternative options were considered other than the ‘do nothing’ option. This was rejected because currently there is no Parking Policy and Members have requested that a review takes place, within the agreed scope, and a Policy agreed to give residents the reassurance that Swale Borough Council operate a fair parking service.

## 5 Consultation Undertaken or Proposed

- 5.1 SBC Members, Town and Parish Councillors and Members of the public were consulted at the September 2023 round of Area Committee meetings to seek feedback on what should be looked at as part of the Parking Policy review.
- 5.2 The PPMWG consulted with their political groups to seek their views on the options that were being considered.
- 5.3 An 8-week public consultation on the final draft of the Parking Policy was launched on 1 November 2023 and closed on 2 January 2024.

## 6 Implications

Issue	Implications
Corporate Plan	None identified at this stage. The Corporate Plan is currently being updated and if any implications are identified, the Community Committee will be advised.
Financial, Resource and Property	<p>The income received from car parking is a key element of the Council’s budget and any decisions need to consider the Council’s medium term financial strategy. Any implications will need to be reported to Policy and Resources followed by Full Council.</p> <p>The decision by the Community Committee on 6 March 2024 not to proceed with the proposal to charge at the three car parks listed in paragraph 2.13 will impact the revenue budget by an estimated £38k in 2024/25. Work is being carried out to identify potential alternative income streams.</p>

	Any shortfall in income not able to recovered by additional income or alternative savings will be met from reserves up to the value of £38k.
Legal, Statutory and Procurement	Decisions will need to ensure we meet statutory legislation and guidance as set out in the Road Traffic Act 1984 and Traffic Management Act 2004.
Crime and Disorder	<p>During the policy development stage, due consideration was given to the community safety of residents.</p> <p>This year's changes to parking charges have resulted in some cases of displacement and concerns were raised by the Community Safety Partnership.</p> <p>The proposal in paragraph 2.12 gives residents the choice of more car parks, providing safer options for evening parking.</p>
Environment and Climate/Ecological Emergency	Decisions will need to support the climate emergency agenda aiming to improve air quality by reducing congestion.
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	Consideration was given to parking outside schools to ensure the safety of children, young people and vulnerable adults.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	An Equality Impact Assessment has been carried out during the Policy Development stage (see Appendix II).
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 – Draft Parking Policy*

*Appendix II – Parking Policy Equality Impact Assessment*

## 8 Background Papers

None.



# Draft Parking Policy



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## **Introduction**

This document sets out our policy for the effective running of parking services across the borough.

The policy covers a range of matters relating to on and off-street parking, including provision of parking spaces, our approach to charging and parking enforcement.

## **Parking Policy Principles**

Our parking operations comply with national guidance and legislation, and the parking policy principles are aimed at tackling congestion and changing travel behaviour by:

- providing an efficient parking service which continually seeks to improve
- being fair, consistent and transparent
- improving safety for road users and assist in the smooth flow of traffic to reduce congestion
- balancing demand and supply for parking spaces across the borough
- encouraging the use of sustainable methods of transport
- safeguarding the needs and requirements of residents, businesses and visitors
- consulting appropriately on any substantial changes to parking permits and prices
- enforcing the Traffic Management Act 2004 fairly and in accordance with the regulations
- improving accessibility to the town centre for all members of the public
- reducing the impact of antisocial parking
- reducing peak time congestion in town centres

We will do this by;

- Regulating the use of vehicles in the busiest and most congested areas.
- Regulating parking, both on street and off street, and provide adequate Pay & Display facilities.
- Encouraging the use of public transport.
- Safeguarding the needs and requirements of local residents, visitors and businesses

The parking service operates under a range of legislation:

- Road Traffic Regulation Act 1984
- The Traffic Signs Regulations and General Directions 2002
- Traffic Management Act 2004
- The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022
- The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

On street parking enforcement is currently delegated from Kent County Council under an agency agreement and parking protocol.

Any change in legislation is closely monitored and any impact managed to ensure consistent and compliant services across Swale.

## **Active Travel and Environmental issues**

Like all council services, our parking service should aim to encourage active transport and reduce carbon emissions.

We seek to do this through measures such as:

- providing suitable space for free cycle parking in our car parks or high footfall locations where possible
- civil enforcement officers have a low carbon footprint
- providing electric vehicle charging points in areas where alternatives are limited
- exploring the feasibility of alternative energy provision through measures such as solar panels or canopies

## **Partnership Working**

We operate a parking partnership with Maidstone Borough Council. This allows each authority to have their own policies and principles, but also benefit from shared staff, joint contracts and sharing innovation. This approach brings additional expertise that may not be possible with individual councils and financial economies of scale.

## **Parking provision**

### **Background**

The council operates 46 car parks across the borough.

Our car parks currently provide:

- 2,588 parking bays
- 138 disabled bays
- 4 family and toddler bays
- 15 motorcycle bays
- 26 electric vehicle charging bays

Currently, 18 of the car parks are free to stay, and 28 are pay and display.

Of the chargeable car parks, 15 are short stay and 13 are long stay.

There are approximately 314 free car parking bays at parks and open spaces locations throughout the borough. These are not controlled by the parking team and not all the bays are marked. A list of locations is included in Appendix II of this policy.

## **Off-street parking**

### **Payment methods**

Pay units accept payments via:

- cash
- card (contactless payments)

Our chargeable car parks also have a cashless payment option through our cashless provider which allows payment via:

- telephone
- text
- app
- web

There is no charge in our car parks for drivers displaying a valid Blue Badge and they have a maximum stay of 8 hours in any surface car park.

Whilst most payments are made using alternative methods, it remains a key principle that where cash is suitable to be accepted, this should continue to be provided as an option.

There are a small number of sites where this is not possible as no cash machines are installed. This is due to either being in vulnerable remote locations, or the car parks are too small to justify the cost of installing a machine. In these locations payment can be made via app, telephone, text or online.

Change is not offered from pay and display machines due to the risk of theft as it requires much larger stock of coins to be left in the machines, and the cost of maintenance. Therefore, pay units that offer change are normally used only in large secure locations such as multi storey car parks.

### **Short stay car parks**

Short stay car parks support local businesses by providing turnover of parking spaces throughout the day to increase footfall and deter all day parking by users such as commuters.

Short stay car parks are located near high footfall areas and offer up to 4 hours of chargeable parking.

### **Long stay car parks**

Long stay car parks provide more time for drivers such as commuters and leisure visitors whose stay may exceed 4 hours.

They are located within a reasonable distance from local destinations such as train stations and leisure attractions.

### **Free car parks**

We provide a number of free car parks which generally are in more remote locations and serve local residents and visitors where there may be a shortage of other on or off-street parking. These are consistently reviewed as user habits change. We may also consider using seasonal charges where a car park is well used at certain times and not at other times of the year.



## **Bourne Place multi-storey car park**

Bourne Place multi-storey car park (MSCP) provides secure, monitored parking 24 hours a day, 7 days a week.

Unlike other car parks, the MSCP has a barrier on entry and exit system, with users paying on return when they leave.

The MSCP was built to service the neighbouring Bourne Place development, and with more spaces than were currently needed, in order to build future capacity for growth or to take the slack where we reduce car parking spaces elsewhere.

## **Off-street disabled parking**

There are 138 disabled spaces in council-operated car parks:

- Sittingbourne – 67
- Faversham – 30
- Sheppey – 41

Whilst there is no legal requirement under the Equalities Act 2010 to provide a specific number of disabled bays, the British Standards Institution provides some clear guidance which recommends disabled bays form at least 5% of the overall car park capacity. We will always strive to meet this guidance.

They are not chargeable for drivers who have and display a valid Blue Badge in the windscreen, apart from the multi-storey car park.

When parking in our car parks the Traffic Regulation Orders state: “The driver of a vehicle displaying a current Disabled Person’s Badge’ in accordance with the provisions of the Regulations of 2000 may wait or park the vehicle, free of charge in a parking place provided that the period of stay does not exceed the 8 hours maximum stay. A driver displaying a current disabled person’s valid badge may also wait or park in a standard bay under the same conditions”.

The Blue Badge is linked to holder rather than a vehicle, so it can be used with any car. This includes taxis and hire cars that the holder is driving or travelling in as a passenger.

## **Electric vehicle charging**

We have installed electric vehicle (EV) chargers in a number of car parks to encourage take up of more sustainable methods of travel and support our ambitious carbon reduction targets.

EV chargers are installed in areas where:

- Data suggests EV drivers use our parking facilities
- access to chargers is limited due to the nature of the built environment such as residential areas where driveway charging is unavailable
- long stay town centre car parks where they can charge all day without impacting on footfall

Our EV Strategy sets out our approach in more detail and can be found [here](#).

## **Motorcycle parking**

There will be no charge for motorcycles to use the dedicated bays in some car parks.

## **Coach parking**

The Council wants to encourage further use of the Borough by coach groups in order to boost local tourism and the wider economy. However, there is a shortage of suitable sites across our current parking assets. We have an initial site earmarked at Minster-on-Sea and will continue to look at potential opportunities but will also need to work with external organisations to try to develop and promote such sites.

## **Disposal of assets**

There may be occasions where we look to cease use of an area for car parking. Car Park usage is monitored and any that are poorly used, will be reviewed on a case-by-case basis. There may also be other occasions where the land can be used for a better purpose. In both situations the Property Asset Strategy would then be used to determine next steps regarding disposal options for the land.

## **On-street parking**

We manage on-street parking through:

- controlled parking zones
- disabled parking bays
- Blue Badge parking
- on street limited waiting bays
- loading bays for deliveries
- taxi ranks

The income from on-street charging and any penalty charge payments received (whether for on-street or off-street enforcement) must only be used in accordance with section 55 (as amended) of the Road Traffic Regulation Act 1984.

English authorities outside London must keep an account of all income and expenditure in respect of:

- on-street parking places which are not in a civil enforcement area
- on-street parking spaces which are in a civil enforcement area
- their functions as an enforcement authority

Kent districts must send a copy of the account annually to Kent County Council.

If an authority makes a surplus on any its on-street parking charges and on-street-and-off-street enforcement activities, it must use the surplus in accordance with the legislative restrictions in section 55 (as amended) of the Road Traffic Regulation Act 1984.

The council manages on-street parking through:

- Resident parking schemes across the borough (in Sittingbourne, Faversham and Bapchild)
- designated disabled bays
- on street limited waiting bays
- loading bays for deliveries
- taxi ranks

## Controlled parking zones

Controlled parking zones (often referred to as resident parking schemes) aim to:

- reduce the effects of antisocial and commuter parking on residents
- maintaining the free flow of traffic on the public highway
- preserve access for emergency and other essential services which use large vehicles

They are generally set up to protect parking in the daytime, but they do not provide a guaranteed space for residents. There are five zones across the Borough.

Each individual zone has its own rules including times of operation which are set out when the traffic regulation order is implemented. During this process residents of the proposed area are consulted widely and therefore can raise support or objections against the proposed times/details of the scheme.

To maximise the amount of available on-street parking the council uses runs of bays rather than individual marked bays.

Householders within the area of a resident parking scheme can apply for up to two annual permits which allows them to park vehicles registered to the address in the zone, during the times the scheme is operating. The charges for these are set by the council to cover the costs of administering and enforcing the scheme.

Residents can request a resident scheme is set up in their area by submitting a petition to the council.

We will then then assess the need for a scheme, and will consider whether:

- off-street parking is not available for the majority of the residents
- the request involves more than one road or small area
- there is no possibility that parking will be displaced unnecessarily to other locations in the borough
- any existing parking problems are not the result of residents parking on the road, as there is no point in introducing permit charges for residents who will then compete for the same number of parking spaces
- the majority of residents support the request

If we believe a resident parking scheme is necessary, it will then apply for the necessary traffic regulation order from Kent County Council to set up the scheme. This process can take around 12 months.

We will consider changing, including removal of an existing scheme if:

- the scheme is not working effectively
- changes within the area, such as new development, make the scheme unworkable
- residents feel the cost of the scheme outweigh the benefits
- there is a majority support from residents to remove the scheme



## **Disabled parking bays**

There are two types of disabled parking bay:

- enforceable which includes signage stating 'Disabled Badge Holders Only'
- advisory which doesn't include signage

Residents can apply for a disabled parking bay by applying to the council with details of their Blue Badge and relevant benefit payments, in accordance with the criteria set by Kent County Council. After receiving an application, we will carry out a three week public consultation which gives other residents an opportunity to provide comments, objections or support.

Applications will be assessed alongside the suitability of existing parking.

Advisory bays are usually installed to begin with. If there are continuous problems with drivers that don't hold a blue badge parking in the bay, it may be changed to an enforceable bay instead.

Changing a disabled parking bay from advisory to enforceable can take up to 12 months, due to the formal Traffic Regulation Order process. Once changed, a sign will be put up that allows enforcement of the bay. Anyone with a blue badge can use a disabled parking bay.

There is no charge for installing a disabled parking bay or removing an existing one.

Disabled bays can be removed by contacting us setting out the location of the bay and the reasons it should be removed.

Requests to move bays will be assessed by the council and a public consultation will take place for up to three weeks.

It can take up to three months to remove an advisory bay and up to 12 months to remove an enforceable one.

## **Blue Badge parking**

For on-street parking, the Blue Badge allows a maximum of 3 hours stay on single or double yellow line restrictions providing there are no loading restrictions identified by kerb markings and that it is safe to do so. The blue badge must be clearly displayed at all times.

## **On-Street Limited Waiting Bays**

Limited waiting bays are generally installed on-street where a high turnover of short-term parking is required. This tends to be adjacent to shops and town centre areas, allowing customers to commercial properties to park for short period of time (usually 30 minutes).

To ensure maximum availability of these spaces, a "no return within" time limit is specified, which is usually 2 hours, to prevent the same vehicles returning to the bays within a short timescale.

To maximise the amount of available on-street parking the council uses runs of bays rather than individual marked bays.

The council also specifies days and times when these restrictions apply, and outside of these times, parking in the bays is unrestricted.

## **Loading Bays for Deliveries**

Loading bays are installed outside of commercial premises to restrict on-street parking areas making it easier for vehicles delivering or collecting goods from the property. The restrictions can apply at all times or can be restricted to certain days and times, depending on the requirements of the premises.

Loading Bays are designated for use by good vehicles only, however areas of the carriageway can also be designated as loading places which limit parking for any vehicle loading or unloading.

## **Taxi Ranks**

On-street taxi ranks are installed in high footfall areas, such as outside railway stations and town centres, to designate certain areas of the carriageway for taxis to wait to collect passengers.

The bays are limited for use by Hackney Carriage vehicles only, and the restrictions can apply at all times, or can be designated on certain days between certain times. If timed restrictions apply, the bays are unrestricted for parking outside of these times.

## **Approach to charging**

We charge for the following parking services:

- off street parking in council car parks
- season tickets
- controlled parking zones (residential parking and visitor permits)
- electric vehicle charging
- bay suspensions
- dispensations and waivers

Parking charges are set annually by councillors within the fees and charges element of the budget-setting process. Time periods for the tariffs to be charged will be debated and agreed by the committee responsible for parking with any budget implications referred to Policy & Resources Committee. Any surplus income from off-street car parks forms part of our overall Council income and any surplus generated reduces the budget requirement, and therefore the level of council tax charged, along with supporting the delivery of other key council services.

### **Off-street parking charges**

When considering the charges to levy each year, the Council will consider usage data, compare with other local authority pricing and nearby competition and balance against the increasing costs of operating and maintaining the car parks and of course the nearby areas e.g. street cleansing of the high streets.

We will also monitor government guidance with the aim to provide more dynamic charging systems where appropriate.

We will set time periods for charging and make this clear to customers through clear signage and the set-up of our machines and payment methods.

Daytime charges are currently offered in period bands, but overnight, fixed priced charging can be considered, with rates set as part of the council's fees and charges review.

## **Differential car parking charges**

We currently apply the same short stay and long stay tariff to all paid car parks across the borough.

Where deemed appropriate, we may charge a different rate per hour depending on the type and location of the car park.

This approach is used elsewhere to incentivise parking where there is lower demand by charging a premium for the busiest car parks.

Any decision on which car parks this applies to would be undertaken at the annual fees and charges review.

## **Season tickets**

Some car parks provide the option of buying a quarterly season ticket.

These are suited to customers that use our car parks on a regular basis and provide a reduced cost when compared to paying for each day individually.

The locations and charges for these are set as part of the annual fees and charges review.

## **Electric vehicle payments**

The way we charge for electric vehicles is different to standard car parking fees. Electric vehicles wishing to use electricity from our dedicated charging units and bays will need to sign up to the relevant 'app'. This will then describe to customers how to connect to the units and how they will be charged. The current approach is to charge users a price per kilowatt hour used. This amount includes the cost of the electricity, parking fee and ongoing costs of providing the service.

## **Charging for special events**

There needs to be a balance between supporting our local events whilst maintaining adequate parking capacity to support those visiting and not disperse it to local residential streets. Therefore, all requests for use of a car park for something other than car parking will be considered on a case by case basis. Fees and charges will also set out the rates that events may be charged should usage be agreed.

## **On-street parking charges**

There are a couple of different ways we charge for on-street parking.

## **Controlled parking zones and visitor permits**

Eligible residents can purchase up to two permits. They are also able to purchase books of visitor permits that can be used by people visiting them. As stated above, the fees for controlled parking zones are set to cover the costs of operating the scheme. Any surplus made is reinvested back into transport infrastructure. The fee again is set annually by Councillors during the fees and charges process.

## **Bay suspensions, dispensations and waivers**

There may be occasions where residents need to use part of a controlled parking zones for a time limited period – such as to house a skip for building works or to guarantee space for a home removal van.

In these occasions we will levy an administration charge that will be included in our annual fees and charges document.

## Parking enforcement

Civil enforcement officers (CEO's) carry out 15,000 hours of patrols every year and more than 70% of the council's enforcement activity is carried out on-street.

This deployment reduces inconsiderate and illegal parking and helps maintain the free flow of traffic, which is essential for the emergency services and some of our own services like refuse and recycling collection.

Officers have the power to issue penalty charge notices (PCNs) to any vehicles observed parked in contravention of an active parking restriction under civil parking enforcement legislation.

All members of staff under this contract are salaried and not in receipt of a commission based rate of pay or any other enforcement performance related incentives.

Through membership of the British Parking Association, we are also committed to the Positive Parking Agenda which promotes the positive outcomes from parking management.

CEOs are fully carbon neutral using either foot patrols, bicycles and fully electric vehicles.

### Scope of enforcement

CEOs can legally enforce:

- Single and double yellow lines
- Taxi bays
- Loading restrictions
- Motorcycle bays
- Loading bays
- Disabled bays
- School keep clear markings
- Limited waiting bays
- Resident parking bays
- Crossing zig zag restrictions
- Off-street pay and display car parks

Yellow line restrictions are enforceable from the centre of the road to the nearest property boundary.

Where a vehicle is parked partially or fully blocking the footway and a yellow line restriction is in place, CEOs are able to issue a PCN. This is not against the obstruction but against the yellow line contravention.

Where a vehicle is observed as parked blocking the footway but where no yellow line restrictions apply, CEOs are unable to deal with the obstruction. Kent Police have retained the delegated authority to deal with such offences under highway obstruction powers.

### Penalty Charge Notices (PCNs)

Where illegal parking is observed, the CEO on patrol has a responsibility to record the relevant contravention and issue a PCN accordingly.

## **PCN charges**

Legislation states that PCNs can be issued at two different tiers, depending on the relevant parking contravention. The differential charges will change as legislation dictates so check our website for the latest information.

The higher-level charge is applicable if parking is observed in places where it is prohibited such as on yellow lines during prescribed hours of enforcement or in a disabled bay without displaying a valid blue badge.

The lower-level charge would be applicable where parking is permitted but a less serious contravention has occurred such as failing to display a valid pay & display ticket or parked outside the remit of a marked bay.

PCNs are reduced by 50% if paid within 14 days of issue.

## **Issuing PCN's**

A CEO will serve a PCN by either attaching it to the vehicle or placing it under the windscreen wiper, should the notice be issued during inclement weather.

The PCN will specify the contravention that has been observed, amount payable and the methods available for the recipient to informally challenge the notice.

Where loading or unloading needs to be established, the CEO will observe the vehicle for a period to determine activity and record any observation period in the case notes before PCN issue.

## **Appeals**

Although discretion cannot be considered by a CEO upon an observation of illegal parking, any mitigating circumstances relevant to the motorist at the time of receiving a PCN, remain a consideration of the Parking Services appeals officer as part of the statutory appeals process.

Information on the appeals process and all applicable parking contraventions can be viewed at [www.patrol-uk.info](http://www.patrol-uk.info)

Every appeal is exceptional and has no bearing on the outcome of any other cases. Appeals are considered on statutory ground and in accordance with the mitigation submitted as part of the legal process.

Cases appealed through the statutory legal process include the opportunity for a case review at an independent Traffic Penalty Tribunal when the local authority and the appellant fail to reach an agreed outcome.

More information can be found at [www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)

### **Body worn cameras**

Body-worn cameras ensure the health and safety of the officers by acting as a deterrent to verbally and physically abusive members of the public, as well as providing sufficient evidence to prosecute when required. They also allow officers to detect and identify crime and antisocial behaviour.

The cameras record for a full shift (all officer deployed hours) in 720p HD image quality with full colour and audio recording. All cameras are tamperproof by the officer.

Cameras are also used to investigate complaints made by members of the public, providing an impartial 'third witness'. However, footage cannot be used as supporting evidence when challenging a PCN.

### **Schools patrols**

CEOs undertake schools patrols every weekday during term time.

The main aim of the visits is to keep the traffic moving and improve safety around the schools to protect children.

Our CEO's cannot be at every school at every drop-off and pick up as problems persist at many locations at the same time each day.

Patrols are deployed to priority school locations and rotated to ensure that inconsiderate parking is reduced and that drivers comply to the regulations that are in place to ensure the safety of others

## **Review period of policy**

This Parking Policy will be reviewed as changes are required.

## **Appendices**

Appendix I – Resident Parking schemes

Appendix II – List of car Parks in Swale

## Appendix I

### Implementation Dates for Residential Permit Zones

<b>Zone</b>	<b>Area</b>	<b>Implementation Date</b>
FAA	Abbey Street, Faversham	Pre 1992
FAA	Abbey Place, Faversham	Pre 1992
FAA	Church Street, Faversham	Pre 2000
FAA	Vicarage Street, Faversham	Pre 2000
B	Aldred Road, Faversham	Pre 2002
B	Athelstan Road, Faversham (odd numbers up to 55, even numbers up to 48)	Pre 2002
B	Beaumont Terrace, Faversham	Pre 2002
B	Beckett Street, Faversham	Pre 1994
B	Briton Road, Faversham	Pre 2002
B	Caslocke Street, Faversham	Pre 1994
B	Chapel Street, Faversham	Pre 2002
B	Church Road, Faversham	Pre 2002
B	Court Street, Faversham	Pre 2002
B	Davington Hill, Faversham	Pre 2002
B	Edith Road, Faversham	2 <sup>nd</sup> September 2022
B	Fielding Street, Faversham	Pre 1994
B	Flood Lane, Faversham	Pre 2002
B	Garfield Place, Faversham	Pre 2002
B	Hatch Street, Faversham	Pre 1994
B	Mendfield Street, Faversham	Pre 1994
B	Napleton Road, Faversham	Pre 1994
B	Newton Road, Faversham	Pre 2002
B	Norman Road, Faversham	Pre 2002
B	Orchard Place, Faversham	Pre 2002
B	Park Road, Faversham	Pre 2002
B	Preston Street, Faversham	Pre 2002
B	Roman Road, Faversham	Pre 2002
B	Saxon Road, Faversham	Pre 2002
B	School Road, Faversham	3 <sup>rd</sup> April 2018
B	St John's Road, Faversham	Pre 2002
B	St Mary's Road, Faversham	Pre 2002
B	Station Road, Faversham	Pre 2002
B	Stone Street, Faversham	Pre 2002
B	Tanners Street, Faversham	Pre 1994
B	The Mall, Faversham	Pre 2002
B	Union Street, Faversham	Pre 2002
B	Victoria Street, Faversham	Pre 2002
B	West Street, Faversham	Pre 1994
B	William Street, Faversham	Pre 2002
SA	Arthur Street, Sittingbourne	Pre 2010

<b>Zone</b>	<b>Area</b>	<b>Implementation Date</b>
SA	Barker Court, Sittingbourne	Pre 2010
SA	Chalkwell Road, Sittingbourne (Nos.133-195 & 128-144)	Pre 2010
SA	Frederick Street, Sittingbourne	Pre 2010
SA	Gibson Street, Sittingbourne	Pre 2010
SA	Hawthorn Road, Sittingbourne	Pre 2010
SA	Laburnum Place, Sittingbourne	Pre 2010
SB	Addington Road, Sittingbourne	Pre 2010
SB	Albany Road, Sittingbourne (Nos.3-45 & 2-98)	Pre 2010
SB	Anselm Close, Sittingbourne	Pre 2010
SB	Belmont Road, Sittingbourne	Pre 2010
SB	Burley Road, Sittingbourne	Pre 2010
SB	Connaught Road, Sittingbourne	Pre 2010
SB	Epps Road, Sittingbourne	Pre 2010
SB	Park Road, Sittingbourne (Nos.5-165 & 2-176)	Pre 2010
SB	Rock Road, Sittingbourne	Pre 2010
SB	Ufton Lane, Sittingbourne (Even Nos. To 62, Odd Nos. To 155)	Pre 2010
SB	Unity Street, Sittingbourne	Pre 2010
SB	Valenciennes Road, Sittingbourne	Pre 2010
SB	William Street	Pre 2010
BA	Fox Hill, Bapchild (Nos.19 to 51 Odd)	14 <sup>th</sup> June 2021



## Appendix II

### List of Car Parks in Swale

SITTINGBOURNE Pay & Display	SPACES (inc EV bays)	Mini Bus bay	DISABLED	M/C	TOTAL	BICYCLE	Height Restriction	Term stay	P&D units	Card	CCTV	RingGo	EV Points
Albany Road	97	0	5	1	103	4	No	Short	2	Yes	Yes	YES	6
Bell Road	22	0	2	0	24	0	No	Long	1	Yes	No	YES	No
Central Avenue	59	0	5	1	65	4	No	Short	2	Yes	Yes	YES	No
Cockleshell Walk	69	0	8	0	77	0	No	Long	1	Yes	No	YES	No
Crown Quay Lane	39	0	3	1	43	1	No	Short	2	Yes	No	YES	No
Milton High Street	10	0	0	0	10	2	No	Short	1	Yes	Yes	YES	No
Spring Street	86	0	5	1	92	0	No	Long	1	Yes	Yes	YES	No
Swale House	59	0	1	0	60	0	No	*Short	1	Yes	No	YES	2
The Forum	84	0	6	1	91	0	No	Short	3	Yes	No	YES	No
The Swallows	124	2	6	0	132	20	No	Short	3	Yes	Yes	YES	2
East Street	16	0	0	0	16	0	0	Short	0	Yes	No	YES Only	No
Albany Road (Service Area)	16	0	0	0	16	0	0	Short	0	Yes	No	YES Only	No
Multi-storey car park	282	0	22	0	304	10	Yes	Long	3	Yes	Yes	No	4
<b>Total:</b>	<b>963</b>	<b>2</b>	<b>63</b>	<b>5</b>	<b>1033</b>	<b>41</b>			<b>20</b>				<b>14</b>
<b>Free Car Parks</b>	<b>SPACES</b>	<b>Mini Bus bay</b>	<b>DISABLED</b>	<b>M/C</b>	<b>TOTAL</b>	<b>BICYCLE</b>	<b>Height Restriction</b>	<b>Term stay</b>	<b>P&amp;D units</b>	<b>Card</b>	<b>CCTV</b>	<b>EV points</b>	
Grafton Road	10	0	4	0	14	0	No	Long	0		No	No	
Shortlands Road	NO BAY MARKINGS	0	0	0	0	0	No	Long	0		No	No	
<b>Total:</b>	<b>10</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>14</b>	<b>0</b>			<b>0</b>				

Faversham Pay & Display	SPACES (inc EV bays)	Mini Bus bay	DISABLED	M/C	TOTAL	BICYCLE	Height Restriction	Term stay	P&D units	Card	CCTV	RingGo	EV Points
Central	205	3	16	1	225	7	No	Short	3	Yes	Yes	YES	4
Institute Road	36	0	3	1	40	3	No	Short	1	Yes	No	YES	No
Partridge Lane	48	0	3	1	52	0	No	Long	2	Yes	No	YES	No
Queenshall	128	0	8	1	137	1	No	Long	2	Yes	Yes	YES	3
<b>Total:</b>	<b>417</b>	<b>3</b>	<b>30</b>	<b>4</b>	<b>454</b>	<b>11</b>			<b>8</b>				<b>7</b>
Free Car Parks	SPACES	Mini Bus bay	DISABLED	M/C	TOTAL	BICYCLE	Height Restriction	Term stay	P&D units	Card	CCTV	EV Points	
Front Brents	14	0	0	0	14	0	No	Long	0		No	No	
Ospringe	30	0	0	0	30	0	No	Long	0		No	No	
Park Road	NO BAY MARKINGS	0	0	0	0	0	No	Long	0		No	No	
<b>Total:</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>0</b>			<b>0</b>				

Sheppey Pay & Display	SPACES (inc EV bays)	Mini Bus bay	DISABLED	M/C	TOTAL	BICYCLE	Height Restriction	Term stay	P&D units	Card	CCTV	RingGo	EV Points
Beachfields	62	0	2	0	64	12	NO	Short	2	Yes	Yes	YES	No
Rose street	153	0	6	3	162	2	NO	Short	2	Yes	Yes	YES	5
Hope street	8	0	1	0	9	0	NO	Short	1	Yes	No	YES	No
Trinity Place	51	0	5	1	57	1	NO	Short	2	Yes	No	YES	No
Bridge Road	47	0	0	0	47	0	NO	Long	1	Yes	Yes	YES	No
Beach Street	92	0	2	0	94	1	NO	Long	1	Yes	Yes	YES	No
Cross Street	76	0	5	1	82	1	NO	Long	2	Yes	yes	YES	No
Trinity Road	59	2	2	1	64	0	NO	Long	1	Yes	No	YES	No
Albion Place	14	0	2	0	16	0	NO	Long	1	Yes	Yes	YES	No
Leysdown Promenade	246	0	7	0	253	0	NO	Long	2	Yes	No	YES	No
Ship on Shore	No bay markings	0	0	0	0	0	NO	Long	1		No	No	YES
<b>Total:</b>	<b>808</b>	<b>2</b>	<b>32</b>	<b>6</b>	<b>848</b>	<b>17</b>			<b>16</b>				<b>5</b>

Sheppey Free Car Parks	SPACES	Mini Bus bay	DISABLED	M/C	TOTAL	BICYCLE	Height Restriction	Term stay	P&D units	Card	CCTV	EV Points
Shellness	NO BAY MARKINGS	0	0	0	0	0	Yes	Long	0	No	No	No
Halfway	41	0	0	0	41	0	NO	Long	0	No	No	No
Beachfields (Disabled only)	5	0	5	0	10	0	NO	Long	0	No	No	No
Library, Queenborough	41	0	2	0	43	0	NO	Long	0	No	No	No
Guildhall, Queenborough	10	0	0	0	10	0	NO	Long	0	No	No	No
Park Road, Queenborough	25	0	0	0	25	0	NO	Long	0	No	No	No
Old House at Home, Queenborough	8	0	0	0	8	0	NO	Long	0	No	No	No
Little Oyster	30	0	2	0	32	0	NO	Long	0	No	No	No
Seathorpe Avenue	20	0	0	0	20	0	NO	Long	0	No	No	No
Abbey	NO BAY MARKINGS	0	0	0	0	0	NO	Long	0	No	No	No
Cliff Drive, Warden	NO BAY MARKINGS	0	0	0	0	0	NO	Long	0	No	No	No
Jetty Neptune Terrace	6	0	0	0	6	0	NO	Long	0	No	No	No
Leysdown Coastal	NO BAY MARKINGS	0	0	0	0	0	Yes	Long	0	No	No	No
<b>Total:</b>	<b>186</b>	<b>0</b>	<b>9</b>	<b>0</b>	<b>195</b>	<b>0</b>			<b>0</b>			

Pay & Display totals for Borough	M/C	Free of charge	DISABLED	BICYCLE	P&D MACHINE S	EV Points
2195	15	240	138	69	44	26

TOTAL BAYS FOR BOROUGH:
2588

Open spaces parking (not controlled by the Parking Team)	Estimated number of spaces (not all marked)
Barton's Point Coastal Park	42
Dicksons Field, Eastchurch	6
Thistle Hill Community Woodland (Thistle Way)	16
Kingsborough Manor Community Woodland (Plough Road)	13
Scrapsgate Road Field	12
Perry Wood Main Car Park (Beeches Road)	25
Perry Wood (Rear of Rose & Crown PH)	4
Oare Gunpowder Works Country Park (off Bysingwood Road)	18
King George's Playing Field (The Mount), Faversham	18
Milton Creek Country Park	55
Milton Recreation Ground (Vicarage Road)	42
Grove Park (Sanford Road)	28
King George's Playing Field Sittingbourne	35

## Contacting Swale Borough Council

The customer Service Centre deals with all enquiries across the Council, it should be your first stop when contacting us.

Call 01795 417850.

Copies of this report are available on the council website.

# Equality Impact Assessment

<b>Lead officer:</b>	<b>Janet Dart – Policy &amp; Engagement Officer</b>
<b>Decision maker:</b>	<b>Policy &amp; Resources Committee</b>
<b>People involved:</b>	<b>Emma Wiggins – Director of Regeneration &amp; Neighbourhoods Martyn Cassell – Head of Environment &amp; Leisure Phil Sutcliffe – Communications &amp; Policy Manager Jeff Kitson – Parking Services Manager</b>
<b>Decision:</b> <ul style="list-style-type: none"> <li>Policy, project, service, contract</li> <li>Review, change, new, stop</li> </ul>	<ul style="list-style-type: none"> <li><b>Parking Policy.</b></li> <li><b>This is a new policy.</b></li> </ul>
<b>Date of decision:</b> The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	<b>The draft Parking Policy will be going to Policy &amp; Resources Committee on 20 March 2024 for adoption following endorsement by the Community Committee on 6 March 2024.</b>
<b>Summary of the decision:</b> <ul style="list-style-type: none"> <li>Aims and objectives</li> <li>Key actions</li> <li>Expected outcomes</li> <li>Who will be affected and how?</li> <li>How many people will be affected?</li> </ul>	<ul style="list-style-type: none"> <li><b>The aim and objective is to develop a Parking Policy, pulling together all procedures and processes so that residents, members, officers and visitors to the borough have clarity on the Swale Borough Council (SBC) parking service. It will also ensure the free flow of traffic and to maintain highway safety for both drivers and pedestrians.</b></li> <li><b>To carry out a review in line with the agreed scope agreed by the Community Committee.</b></li> <li><b>There will be a policy document that provides clarity on all aspects of the SBC parking service.</b></li> <li><b>Potentially all vehicle users residing or visiting the borough will be affected as they will need to either park overnight and/or move about the borough on their day-to-day business.</b></li> </ul>
<b>Information and research:</b> <ul style="list-style-type: none"> <li>Outline the information and research that has informed the decision.</li> <li>Include sources and key findings.</li> <li>Include information on how the decision will affect people with different protected characteristics.</li> </ul>	<p><b>A great deal of information was already available within the Parking Service Team via various systems including Imperial, PowerBi, Metric, Podpoint, RingGo and APCOA. Data is input into these systems and they can produce detailed reports which were used to inform the Parking Policy Working Groups decisions.</b></p> <p><b>Data from other local authorities in Kent were obtained on charges and charging periods as this was a useful reference for fair decision making.</b></p> <p><b>People with different characteristics were considered during the review and development of the policy, in particular:</b></p> <p><b>Disability – parking is made available at most car parks for the disabled, there are also various methods of payment available.</b></p> <p><b>Pregnancy and maternity – there are parent/toddler bays available as the multi-storey car park.</b></p> <p><b>Age – the preference for a variety of methods of payments is acknowledged and made available in car parks.</b></p>

<p><b>Consultation:</b></p> <ul style="list-style-type: none"> <li>• Has there been specific consultation on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul>	<p><b>For the draft Parking Policy, Area Committees were consulted during September 2023. Borough Council Members, Town and Parish Councillors and members of the public were able to provide early input into the development of the Policy before it was drafted and put out to public consultation.</b></p> <p><b>The Parking Policy Member Working Group had conversations with their political groups to seek views on the following options:</b></p> <ul style="list-style-type: none"> <li>• <b>Evening charges</b></li> <li>• <b>Motorcycle charging</b></li> <li>• <b>Differential charging</b></li> <li>• <b>Links to climate emergency</b></li> </ul> <p><b>The draft Parking Policy went out to an 8-week public consultation which closed on 2 January 2024.</b></p>
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<b>Is the decision relevant to the aims of the equality duty?</b>	
Guidance on the aims can be found in the EHRC's PSED Technical Guidance - <a href="https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance">https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance</a>	
<b>Aim</b>	<b>Yes/No</b>
1) Eliminate discrimination, harassment and victimisation	<b>Yes</b>
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	<b>Yes</b>
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	<b>Yes</b>

<b>Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.</b>		
When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.		
<b>Characteristic</b>	<b>Relevance to decision</b> High/Medium/Low/None	<b>Impact of decision</b> Positive/Negative/Neutral
Age	<b>Medium</b>	<b>Positive</b>
Disability	<b>Medium</b>	<b>Positive</b>
Gender reassignment	<b>Low</b>	<b>Positive</b>
Marriage and civil partnership	<b>Low</b>	<b>Positive</b>
Pregnancy and maternity	<b>Medium</b>	<b>Positive</b>
Ethnicity	<b>Low</b>	<b>Positive</b>
Religion or belief	<b>Low</b>	<b>Positive</b>
Sex	<b>Low</b>	<b>Positive</b>
Sexual orientation	<b>Low</b>	<b>Positive</b>
Other socially excluded groups <sup>1</sup>	<b>Low</b>	<b>Positive</b>

<p><b>Conclusion:</b></p> <ul style="list-style-type: none"> <li>• Consider how due regard has been had to the equality duty, from start to finish.</li> <li>• There should be no unlawful discrimination arising from the decision.</li> </ul>	<p><b>Consideration has been given to the impact the new Policy may have on people with different protected characteristics.</b></p> <p><b>There are a variety of payment types available to use in car parks which are of benefit to people with disabilities and all age groups. There are also dedicated bays for the disabled and parents with toddlers.</b></p>
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<sup>1</sup> Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes or people who are geographically isolated from services



<p>Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.</p>	<p><b>Blue badge parking permits allow disabled drivers and passengers to park nearer to where they are going and may park in disabled bays within SBC car parks free of charge for the maximum stay allowed by the car park. If a disabled bay is not available then blue badge holders may park in a standard bay also free of charge.</b></p> <p><b>The impact of the introduction of the new Parking Policy on the aims of the equality duty is considered to be low and nothing requiring the mitigation of adverse impacts has been identified.</b></p> <p><b>It is believed that the proposal involves no unlawful discrimination.</b></p>
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<b>Planning and Resources Committee Meeting</b>	
<b>Meeting Date</b>	20th March 2024
<b>Report Title</b>	Faversham Town Conservation Area review
<b>EMT Lead</b>	Emma Wiggins - Director of Regeneration & Neighbourhoods
<b>Head of Service</b>	Joanne Johnson – Head of Regeneration, Economic Development and Property and Interim Head of Planning
<b>Lead Officer</b>	Jhilmil Kishore - Senior Conservation & Design Officer (Projects)
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To note the content of the public consultation draft of the character appraisal and management strategy document produced for the review, and the representations made on this by interested parties, the details of which are set out in the report appendices.</li> <li>2. To agree the changes to the review document proposed by officers in response to the representations received during the course of the public consultation.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Policy & Resources Committee aware of updated appraisal to the Faversham Town Conservation Area and to recommend that the conservation area be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The proposals include a detailed character appraisal and associated management strategy in line with current good practice for the management of conservation areas. Officers recommend that the Policy & Resources Committee supports and agrees the changes to the review document set out in **Appendix i** and as reflected in **Appendix ii**).

## 2 Background

- 2.1 Faversham Town Conservation Area was originally designated by Kent County Council in 1971. It was reviewed by Swale Borough Council in 2004 when it was formally re-designated in 2004. A brief character appraisal accompanied the re-designation in 2004. There is a formal requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 for Conservation Areas to be reviewed from 'time to time'.

- 2.2 The Swale Heritage Strategy, adopted in March 2020, has resulted in a stronger commitment by the Council to ensure its conservation areas are reviewed more regularly and possible new conservation areas also given consideration. The review of Faversham Town Conservation Area is part of the work programme of the initial 3-year action plan forming part of the adopted Swale Heritage Strategy 2020 – 2032. As the existing level of officer resource did not allow for this review work to be carried out in-house, Urban Vision were appointed to carry out the work.

### **3 Proposals**

- 3.1 The proposal is to re-designate and amend the boundary of the conservation area and to equip it with a detailed character appraisal and a complementary management strategy which will assist with development management and heritage conservation purposes over the next decade or more. It will be a matter for the Policy & Resources Committee to decide whether to formally adopt the Faversham Town Conservation Area Character Appraisal and Management Strategy (as recommended and set out in **Appendix ii**, following consultation feedback, or otherwise).
- 3.2 Part of the review process involved an assessment of whether the area should be extended or reduced in size. Three separate areas have been identified that are proposed to be included within the Faversham Town Conservation Area:

#### **A. Gordon Square**

The small Gordon housing estate was constructed by the Borough Council in the 1920's to provide public housing for local workers. The special architectural or historic interest is derived from them being an early example of municipal or public housing construction. They are distinctive and economic in construction, using simple local stock brick and externally exposed concrete lintels over the doors and windows. They are generous for their time in terms of spatial standards.

#### **B. Macknade Avenue**

Macknade Avenue is the late reference to the Garden City Movement and garden suburbs, and this is apparent in the housing design, layout, gardens, planting, and the inclusion of a landscaped island halfway along the Avenue.

#### **C. Athelstan Road, Ethelbert Road, Canute Road, Kingsnorth Road**

A boundary is suggested which selects parts only of these roads. The housing included are of varied character and includes terraces, semi-detached properties, and individual dwellings. These have common characteristics with some housing already in the Conservation Area boundary. Inclusion within the Conservation Area creates consistency.

### 3.3 The recommendation is:

- Members note the content of the public consultation draft of the character appraisal and management strategy document produced for the review, and the representations made on this by interested parties, the details of which are set out in the report appendices; and
- Support and agree the changes to the review document proposed by officers in response to the representations received during the course of the public consultation.

## **4 Alternative Options Considered and Rejected**

4.1 One option would be to not take this review work any further. This is not recommended because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the conservation area and its wider setting moving forward.

4.2 A second possible option would be to disregard some elements, or all of the feedback received, in terms of the suggested boundary change(s). However, whilst it is considered that the appraisal and management plan (to support the redesignation of the conservation area) is essentially sound, the feedback provided from the local community is valuable and to ignore any of this feedback without sound reasons would call the value of the consultation process into question and potentially deliver reputational damage to the Council.

4.3 A third possible option would be to suspend the work on this review until some point in the future. Whilst this option would not result in wasted officer time, it could still lead to (a) the designation being challenged, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the Faversham Town Conservation Area.

## **5 Consultation Undertaken or Proposed**

5.1 A 6-week public consultation for both the documents commenced on 23rd October 2023 and was due to be concluded on 4th December 2023, however, on request of Historic England it was extended to conclude on Friday 15th December 2023.

5.2 All those parties with property within or overlapping the current conservation area boundary were notified in writing of the review and were invited to comment on it, as were key relevant organisations including Kent County Council and Historic England.

- 5.3 Hard copies of the review document were made available at the Faversham Library and was also available to view/download on-line via the Council's website for the duration of the 6-week (including the extended) public consultation period,
- 5.4 A total of 19 consultation responses have been received. 13 from local residents, and the remaining from Historic England, Faversham Town Council, Faversham Society, Shepherd Neame, St. Mary of Charity and Faversham Footpaths Group. The officer's response to these responses (as summarised) is attached as appendix i.
- 5.5 Kent County Council in its function as the Highway Authority was consulted on the conservation area review but provided no feedback.
- 5.6 A written update was sent to Eastern Area Committee on 20th December 2023, highlighting the main aspects of the Faversham Town Conservation Area Review process.

## 6 Implications

Issue	Implications
Corporate Plan	<p>Priority 2 of the Plan is: 'Investing in our environment and responding positively to global challenges'. Objectives 2.1, 2.4 and 2.5 of this priority are respectively to:</p> <p>(2.1) 'Develop a coherent strategy to address the climate and ecological emergencies, aiming for carbon neutrality in the council's own operations by 2025 and in the whole borough by 2020, and pursue all opportunities to enhance biodiversity across the borough'.</p> <p>(2.4) 'Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.'</p> <p>(2.5) 'Work towards a cleaner borough where recycling remains a focus and ensure that the council acts as an exemplar environmental steward, making space for nature wherever possible'.</p> <p>The character appraisal and management strategy document, once amended as appropriate and subsequently adopted would support all 3 of the above-stated objectives from the Corporate Plan.</p>
Financial, Resource and Property	<p>Implementing some aspects of the proposed Management Plan may have financial and resource implications for the council, particularly if it is decided to proceed with an Article 4 Direction review or/and signage review. These costs are not yet budgeted for and may need to be considered within any future Heritage Strategy Action Plans.</p>

Legal, Statutory and Procurement	The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on every local planning authority to “ <i>determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance</i> ” and, from time to time, to review the functioning existing conservation areas.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment.
Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Heritage Strategy which underpins this review work.
Safeguarding of Children, Young People and Vulnerable Adults	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

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

- Appendix i: Public consultation – table of representations (in summary form), and the council’s response to them.
- Appendix ii: Public consultation version of the 2023 draft Faversham Town character appraisal and management plan document.

## 8 Background Papers

A Heritage Strategy for Swale 2020-2032 Adopted March 2020


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**APPENDIX i: TABLE OF REPRESENTATIONS, AND THE COUNCIL'S RESPONSE AND RECOMMENDATIONS FOR ANY CHANGES TO THE ASSESSMENT DOCUMENT IN RELATION TO THEM – FOR RE-DESIGNATING FAVERSHAM TOWN C.A.**

<b>Rep. No(s).</b>	<b>Representation By</b>	<b>Summary of Representation</b>	<b>Officer Response</b>	<b>Recommendation</b>
1	Local resident	On page 51, there is a reference to Belvedere Mill. To which building does this refer?	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.
2	St Mary of Charity	Tanners Street has an 's' at the end of Tanner, and St Mary of Charity has Saxon origins - the parish boundaries were drawn up in 635 and oldest parts of the existing church date to 1070. Unfortunately, whoever created the Wikipedia entry used a Canterbury newspaper article as a source, and it's incorrect.	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.
3	Local Resident	Objection received for inclusion of the following property in the new area [ <i>Faversham Conservation Area Character Appraisal &amp; Management Plan Public Consultation Draft August 2023 (V3.1), Appendix 1 – Boundary Changes, p.82 Athelstan Road, Ethelbert Road, Canute Road, Kingsnorth Road</i> ]. Corner House Forbes Road Faversham ME13 8QF		

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		 <p>Figure 1 – Extract from p. 82 The property is on Forbes Road, ME13 8QF not Athelstan Road and therefore the map should be amended with the proposed blue boundary drawn omitting the property on Forbes road from the new conservation area. As shown marked up in red dotted line above in figure 1.</p>		
4	Historic England	<p><b>Historic England advice</b></p> <p>We note there is a summary of significance within the document, but we recommend you consider placing a copy of this at the beginning of the appraisal, so that readers get an instant idea of what is special about the conservation area.</p> <p>As an overall observation, we consider that the appraisal would benefit from better historic mapping to help illustrate points raised in the appraisal about the area’s historic development and throughout the document. For example, in section 3.2, which describes the town’s historic development, only 19th century mapping is used, by which point the town was well developed. Introducing earlier maps, would better illustrate the towns overall development, including how it grew dramatically across the 19th century around a medieval core which remained largely intact.</p> <p>Using maps to illustrate key features of the conservation area, such as the creek or green spaces, would also help draw out their spatial contribution to the conservation area’s historic character.</p>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>We also note that the text is not as extensive or descriptive as the previous appraisal which is appended to the updated conservation area appraisal. We understand you need to strike a balance, but it would be useful to know if the appended appraisal, and the detail it contains, would still carry any weight in the planning process?</p> <p>We note that the structure of the appraisal does not seem to follow the guidance set out in Historic England’s guidance, Conservation Area Appraisal, Designation and Management. We recommend you review the structure of the document to ensure that it includes all relevant sections as recommended in our guidance.</p> <p>For example, the appraisal is not very strong on spatial analysis, an important component of any appraisal which sets out the conservation area’s spatial character. We also cannot see a section on views, which is always helpful in any appraisal and is included as a recommended sub-section in Historic England’s guidance.</p> <p>We also question whether a summary of each character area would be a useful addition, so that any reader can instantly understand what is special about the character area and why.</p> <p>Management plans are often underpinned by a condition survey of the conservation area or a SWOT analysis. We cannot see any detailed analysis on conditions, threats and opportunities within the management plan section and we recommend that you consider whether to add such a section, in order to provide an evidence base for your management recommendations. Perhaps some of the detail in the section on harm, could be used?</p> <p>We also note that some of the recommendations in the Design Principles section (5.2) include recommendations which are often within a management plan and we wonder whether some or all of this section would better sit within the management plan section?</p> <p>We welcome the inclusion of an action plan in the management plan and particularly on reference to individual stakeholders involved in the action. We would encourage you to work closely with the local</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		community, including key stakeholders along with the wider community, to ensure that delivery of the actions involved as wide an audience as possible and is therefore inclusive.		
5	Local Resident	<p>I have just read through the two Faversham Conservation Area Reviews.</p> <p>I purchased my property four years ago and was disappointed by the decaying wood sash windows I had, I was quoted £2400 for one window, I have five very large windows and a bay window consisting of three seperate windows, I obviously could not afford to replace these all at that sort of price, so I contacted the planning department at Swale Council and was told my property would need planning permission for new windows (as I lived in a conservation area), my neighbours "apparently" have an Article 4 Direction (which I couldn't find on the interactive map), they ALL have UPVC windows but I was told that I could pay £50 for pre planning advice!!! I presume this would be put into the Christmas bonus pot!!! So I was meant to live with my blinds being blown about due to the rotting wood and having to pack my windows with cling film and on a daily basis, through the colder weather, have so much condensation.</p> <p>I really don't understand the time wasted on putting together these reviews when the majority of Victorian houses in Faversham have uPVC windows, the roads are atrocious, especially West Street which is particularly bad and uneven, graffiti everywhere, I don't know who thought it was a good idea a few years back to leave a spray painted person who had been shot on the wall and stairs by Faversham Swimming Pool, maybe someone thought it was "art" (I use the word art loosely). The litter and dogs mess around the streets in Faversham is also horrifying, how can you expect people to want</p>	Noted.	No Change to the assessment document.

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>to live in a conservation area and abide by the rules of such an area when it's a tip.</p> <p>The planning committee is a joke, the councillors that also agree with the ridiculous plans that I have seen online are embarrassing, they should be ashamed of themselves. I will never vote again for any Faversham councillors, who have openly admitted they have no idea and no interest in planning applications, it's obviously been worth their while (and the planning department) to agree on certain plans (plenty of brown envelopes floating around).</p>		
6	Local Resident	<p>I am writing to express my concerns and share my opinion regarding the recent conservation area review being conducted by Swale Borough Council. Specifically, I would like to address the inclusion of Spillett Close in the conservation area designation.</p> <p>As a lifelong resident of Faversham and someone who has either lived at or near Spillett Close for many years, I have a deep appreciation for the historical significance of our town. However, I believe that in the case of Spillett Close, the conservation area designation may not be entirely warranted.</p> <p>While I understand that the immediate area surrounding Spillett Close holds historic memories, it is important to consider the physical evidence that supports the need for conservation measures. In this regard, I find it challenging to reconcile the inclusion of Spillett Close within the conservation area. There are no remaining archaeological remains of the original grammar school or air raid shelter, which were once located in the area. The presence of certain structures, such as a 9 ft boundary wall between Spillett Close and Nightingale Road alley, also does not appear to hold any significant historical value.</p>	Noted	No Change to the assessment document.


**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>Given the absence of these significant historical structures and the lack of tangible historical value, I strongly advocate for the removal of Spillett Close from the future conservation area plan. Instead, I propose that the focus be redirected towards preserving areas that possess more substantial and visible historical features, ensuring that our efforts align with the preservation of our town's heritage.</p> <p>I believe that alternative measures should be considered to enhance the environmental friendliness of the area and maintain a connection to the historical context. For instance, promoting the growth of hedges and flowers would not only provide an aesthetically pleasing boundary but also preserve the essence of the conservation area.</p> <p>I kindly request that the Swale Borough Council reevaluates the conservation area designation for Spillett Close, taking into account the points I have raised. It is crucial to strike a balance between preserving our town's genuine historical treasures and facilitating sustainable development that aligns with the evolving needs of the community.</p>		
7	Abbey Neighbourhood Association	<p>As Secretary of the Abbey Neighbourhood Association I have been tasked with responding to the document entitled Faversham Town Council Area Review.</p> <p>By way of introduction, the Abbey Neighbourhood Association is the community group which represents all of the residents north of the Market Place in Faversham, some 350 dwellings. The area is encompassed within the Town Centre Conservation Area.</p> <p>The Association wishes to record the following comments</p>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>1) Page 62 The Association welcomes the clarification on the installation of roof mounted photovoltaic panels. It notes that their provision should be supported for unlisted houses in a conservation area, subject to certain specific conditions.</p> <p>2) Page 68 Connectivity and permeability is rightly emphasised. However, this aspiration has been sadly overlooked with regard to the continuous east creekside footpath, whereby the walkway, at the new Abbey Wharf development, is closed and requires a detour onto Belvedere Road.</p> <p>3) Page 70 The Association is particularly concerned at the following statement “ The main loss of windows and doors is in the late 19th and early 20th century terrace streets. These changes do harm character, but it could be argued that the more important aspect of character is the urban form of the terraces”.</p> <p>The Association fundamentally disagrees with this assessment and firmly believes that authenticity of the design and choice of material (in respect of doors and windows) is essential in maintaining the heritage integrity of the late Victorian terraces in the Conservation Area. This comment, if allowed to remain, gives the Planning Authorities reduced validity in refusing consent where traditional timber elements are being proposed to be substituted with UPVC alternatives.</p> <p>Page 74 Under the section entitled Enforcement, there is, correctly, an emphasis on the powers under Article 4 Directive on unauthorised work. However there is no reference to enforcement regarding elements of a planning consent not being implemented by the Applicant. This is illustrated by the numerous aspects of the Abbey Wharf development, completed some 2 years ago, still outstanding.</p>		
8	Local Resident	<p>I wanted to express my comments on the consultation.</p> <p>I'd like to see if we can expand the conservation area</p>		

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>And include the current area that's oddly not incorporated in red.</p> <p>These roads have a unique character. Have similar historical value as roads on the other side of the railway track. And should be preserved that way.</p> 		
9	Local Resident	<p>P8 Faversham Neighbourhood Plan is at Regulation 16 stage not reg 14</p> <p>P21 Where is Brents banks community garden?</p> <p>P33 St John the Evangelist the Brents is now a house.</p> <p>P61 photo of Waterside Close is out of date. Footpath is ZF43 and land is spreading room for the England Coast Path.</p> <p>P62 support para re pedestrian permeability and connectivity</p> <p>P68 support bullet point re . connectivity and permeability</p> <p>P75 why is 2004 appraisal relied on instead of updating as it is 20 years old?</p> <p>P83 onwards. If the conservation area appraisal is being updated why not this?</p>	<p>These corrections relate to 2004 appraisal included as an appendix in the proposed document. The 2004 appraisal is now being included in the main document.</p> <p>Noted and the proposed corrections can be largely</p>	<p>To make changes to the assessment document as per the schedule of corrections.</p>



**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>P87 need update on buildings at Abbey Farm                      P90 Bedlington Square no Beddington                      P91 former Barclays bank building                      P92 former Lloyds TSB building                      Omit sentence about raised kerb and flower boxes- they have been removed.                      P93 often being (omit gap)                      P93 sixty five years on not 45                      P94 brewery training centre now a house                      P94 Pyramidal street trees                      P94. The Maltings built in the 1980's not 1880's                      P94 church in Abbey Place now converted into flats, omit phrase re brutal doors                      P98 Purifier Building now restored and in use by a boatbuilder                      P98 Home Bargains no longer the Co-op                      P98 omit bracket. Shepherd Neame has owned for 20 years                      P99 creek bridge now temporary bridge with parallel footbridge and no sluices. Hydraulic equipment now redundant.                      P100. No longer any land used for brick making-this land being developed for housing                      P100 Include elms in trees on Front Brents                      P100schollroom in use as a nursery                      P101. Other new housing built in the late 1990's                      p.102. is TS Hazard still used, if not say so                      p103 hotel/restaurant The Quay ex public house                      p103 Two Brewers now 2 flats                      p103 Sites have been redeveloped not being                      p104 Belvedere Mill has been a restaurant and flats for 20 years                      p.104 corrugated roofs no longer battered and 17<sup>th</sup> century warehouse now converted to shops with associated signage.                      P105 barges and houseboats including Greta.                      P106 Oyster Bay Warehouse now a house.</p>	<p>accommodated without fundamentally altering the shape of the document.</p>	

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>P106 Disturbed land to the South west now used for arable crops.                      P109. No longer any colour coded parking bays                      P110 Former Gullivers Building 1697 and no flower troughs                      P113 Alexander Centre now used for hired rooms and offices                      P113 Assembly Rooms now back in use as a meeting hall                      p.114 ex Geerings now a clothes shop                      p115 They also needed (omit gap)                      p124 Part of the main traffic route (omit gap)                      p124 Railings of Rec have been reinstated to East Street and Park Road                      p127 South Road. These front boundaries (omit gap)                      p129 Public gardens now containing memorial plaques and railings have been replaced                      p129 excuses the presence of a disused filling station and repair garage                      p.134 Recreation ground now has railings                      p135 Flint House now converted to housing                      p136 has ceased (omit gap)                      p138 This open space (omit gap)                      p139 Upper St Ann's Road                      p139 and each is set (omit gap)                      p143 heights in excess of four metres (omit gap)                      motor- cycle shop is no longer there.                      P146 Orchard now a group of new houses finished in the 2010's</p>		
10	Local Resident	<p>I have read with interest the Faversham Town Conservation Area Appraisal and fully commend its comprehensive and thorough examination of the historic landscape of the town's conservation areas. Having such a document is an important buffer to unsatisfactory and inappropriate development in an historic town.</p>	<p>Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.</p>	<p>To make changes to the assessment document as per the schedule of corrections.</p>

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>However, one comment and minor criticism I would make is that Appendix 2 is somewhat out of date in places. Whilst I appreciate that it is clearly cited as a 2004 Character Appraisal I would question the value of having an out of date document supporting a forward looking conservation plan. Many of the changes that have taken place are small and easily rectified (there are numerous examples – the reference to the Co-Op supermarket in West Street; the former motorcycle shop and Crown and Anchor pub, now residential, in the Mall; the lack of railings outside the police station, are just a few examples), and I do think that it is unhelpful and detrimental to the strength and import of a document such as this to include material that is already out of date.</p> <p>Perhaps it would be better to spend a little time updating this appraisal to reflect changes that have taken place since 2004; changes which I am glad to say are largely minor and do not significantly impact the heritage to which they allude.</p> <p>Otherwise, may I commend all involved in producing this invaluable document.</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
11	Faversham Footpaths Group	<p><b>'Faversham Town CA Review feedback' (23.10.23 to 04.12.23)</b></p> <p>These comments are made on behalf of the Faversham Footpaths Group (FFG), a local organization that seeks to protect and extend the public footpath network in Faversham and the surrounding area. As such we only wish to comment on the footpath and public access issues raised of this review.</p> <p><b>Chapter 5 Design – Page 61</b></p> <p>The paragraph that starts 'Some housing development along the Faversham Creek has caused problems of limited or no public access to the waterfront.' needs to be revised to take into account the following recent changes:</p> <ul style="list-style-type: none"> <li>• The King Charles III England Coast Path (KCIII ECP) where the section of this path through Faversham opened in late 2022. In the area of the Faversham Reach Waterside Close developments the KCIII ECP follows the existing footpaths around the Brents Industrial Estate. This has the effect of creating 'spreading room' which allows access for the public on the seaward side of the ECP. This includes the parts of both estates that were not in the curtilage of residential properties.</li> <li>• Following a series of public enquiries, a public footpath along the Creek in Waterside Close and Faversham Reach was created by an Order made by the County Council, confirmed by the Secretary of State. This is now public footpath ZF43, which is shown on the KCC PROW Definitive Map. This cannot be removed except by an order made by the County Council and approved by the Secretary of State. The most recent KCC PROW, that came into force 21/10/23, makes it clear that this footpath is to be made accessible by joining up to the existing creek-side route. There are several notices on file by residents indicating that there is no right of way on the path, one of which is shown in a photo on page 61 of the review, and steps should be taken to remove them.</li> </ul> <p>The effect of the above is that the Creekside of both estates is fully open for public access and this should be made clear in the revised Conservation Area appraisal.</p>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p><b>Appendix 2 - 2004 Character Appraisal.</b></p> <p>It is disappointing that SBC has not taken the opportunity to update this section. There many changes since this was written twenty years ago, and it would not be that oner update the character appraisal to reflect these.</p> <p>An example of this is Flood Lane, where the 2004 description bears little resemblance current state of public access through the area.</p> <p>In view of the above, it is our hope that the Council will further review this Conservation Documentation.</p>		
12	Faversham Society	<p><b>Introduction</b></p> <p>This 147 page document is presented as an ambitious well-crafted product but unfortunately is a repetitive meander through well documented territory that shows little analysis, partial and subjective opinion, with very scant practical awareness of problems or solutions. It serves up a series of clichés and assertions that attempt to become rational policy drivers. Frankly it is a flawed report. There is no rationale for defining the existing conservation area or analysing whether it should remain, increase or contract.</p> <p><b>Statutory Policies</b></p> <p>Questions that should be answered include when was the Faversham Conservation Area agreed and have there been any subsequent modifications? Throughout the report pictures seem to be chosen at random, none of which are named. For example what is the significance of the picture on page 10?</p> <p><b>Heritage Assets</b></p> <p>On Page 12 whilst Article 4 directions are in force, how are the monitored and regulated? Where is the definitive list of listed buildings? On page 13 no rationale for the high correlation between</p>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>the environment and historic environment. Oare Creek is not within the Conservation Area</p> <p><b>Special interest and character</b>                      Page 15 surely from Roman rather than Saxon times? A number of significant centuries of development seem to be missing in the descriptions. No mention of railway expansion. Page 17 no inclusion of historical maps before 1864. Page20 omission of Queen Elizabeth School playing fields. Page 25 81 Abbey Street has a very modern extension c 2000 added. Page 28 is Chart Mills Medieval or restored in 1971? Page 28 in many ways Georgian architecture could not... etc., so could Victorian be modern? Page 29 is the Anchor Inn Georgian? Page31 Omission of a number of interesting Victorian and Edwardian houses. Page 34 The Macknade Avenue Housing Estate is an interesting late pre-war development and unique Page 39 which post boxes are listed? In the paragraph about Harm, this list simply shows the changes required for 21<sup>st</sup> century living, together with numerous attempts to synchronise public design. On page40 no evidence is produced to show that buildings are “in reasonably good condition” or a definition of what that is.                      The late 20<sup>th</sup> century did hasten the decline of port related industries but rather than a growth in tourism that remains small scale, it saw a large increase in infill new development.</p> <p><b>Character areas</b>                      Whittles Timber Yard                      Regarding Ordnance Wharf, scant evidence of the features described that may be non-existent. Page 51 Surprisingly there is no mention of the Old Gate in the wall of Old Gate Road Davington...Page 57 re Love Lane Cemetery, omission of Commonwealth War Graves                      Whether trees and hedges are of special character is not evidenced.</p> <p><b>Recent Developments</b></p>		

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>Within this paragraph there is an omission of “Pagoda” apartments on London Road that are unique. Presumably The Morrison’s Building was agreed by Swale Planners operating within existing heritage guidance. The recently agreed National Coastal walk has enabled walkers access to Creek-side housing development hence there is now pedestrian access to the waterfront.</p> <p><b>Development and Design Principles</b> Regarding creativity, a number of new buildings seem to be at odds with this ambition. The issue of Photovoltaics skirts around the practical problems of implementation on historic buildings and the affect that may have on the eye.</p> <p><b>Management Plan</b> The statement that “research shows that historic environments support a higher proportion of independent businesses” is questionable, and dependent on a variety of factors unrelated to that environment.</p> <p><b>Heritage led Economy</b> This is the most contentious paragraph in the report that again goes over well-trodden ground. The current planning application to develop the old Woolworths site points to the flaw as does the long established key planning policy concerning maintaining a vibrant town centre that goes against this potential “Disneyfication”. A small town centre should have a mix of shops that serve the needs of the local population and are economically viable with a regular footfall. Despite large recent growth, Faversham is still small and its tourist offer enables on average a half or a one day visit to the three or four key sites that often include the Shepherd Neame Brewery. Whilst tourism as an economic driver has been encouraged for 20 years, the size, scope and limitations of Faversham prevent its significant</p>		

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Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>expansion that is shown by for example the decline in visitor numbers to the Faversham Society museum.</p> <p>The single approach that would support historic Faversham would be more resources placed into the inspection and management of historic buildings and small grants, as previously given, to owners for maintenance, design and colour coordination of buildings. Looking at the many current shopfronts and signage, little is done to ensure historic authenticity.</p> <p>The chimera of uniform approach to public realm has in my long time in Faversham been attempted at least on four occasions with scant result and a large waste of public money.</p> <p><b>Enforcement</b> For some time this has been a considerable area of weakness</p> <p><b>Listed Buildings</b> 26 Buildings are listed including Queens Court in Ospringe. This part of the stated 349 buildings described in paragraph 2.2.1, but why are not the others included?</p> <p><b>Boundary Changes</b> Some useful points for expansion are included but without clear criteria.</p> <p><b>High Street Task Force</b> Frankly of little value</p> <p><b>Character Appraisal</b> This is really a very lengthy expanded repeat of much of the earlier descriptions.</p> <p><b>Conclusion</b> Whilst a conclusion is absent it would seem that an inherent dilemma exists for this report in that whilst there are considerable historic and</p>		



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		<p>character aspects of Faversham within the conservation area, their protection, preservation and enforcement is less than adequate in an era when huge pressure for infill development throughout the town is on the increase. Faversham Town Council with its growing precept spends very little on these issues, although whilst not being the statutory planning authority, it could assist. Swale Borough Council finances are declining, and planning staff are in very short supply.. A heritage led local economy appears at odds with economic drivers that have increased local hairdressers, nail bars, tattoo parlours, estate agents and fast food outfits. Thus a much more rigorous analysis of priorities and how these can be achieved should be actioned.</p>		
13	Local Resident	<ol style="list-style-type: none"> <li>1. <b>Origin.</b> The concept of conservation areas was the idea of Jim Doak chairman of the Faversham Society in the early 1960s, when the Society was a campaigning organisation. It was incorporated by Duncan Sands, who was chairman of the Civic Trust, into his private members bill named the Civic Amenities Act 1967 on the suggestion of Arthur Percival secretary of the Faversham Society. It was not intended that designation as a Conservation should be used to obstruct good appropriate development</li>   <li>2. <b>Generally.</b> The document is an interesting description of the buildings and character of Faversham, but it is out of date in several areas some of which I will list together with several inaccuracies. The author needs to take the document onto the ground and ensure that what it contains is accurate and up to date. It would be helpful if the pages of chapter 2 to 11 were numbered. I feel that the document is rather long,</li> </ol>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.

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		<p>covering a large area and range of subjects and may become a rich source of information on which to base objections by the usual NIMBYS. None of the photographs have a caption to inform strangers to the town what they show or where they are taken.</p> <p>3. <b>Page 17 item 3.2.3.</b> The Brents was incorporated into Faversham Borough in 1935</p> <p>4. The maps on pages 18 and 19 are too small to be readable.</p> <p>5. Page 21 3.3.3 The open spaces between the Front Brents and the creek together with Crab Island at the north end of the Front Brents, are Registered Town Greens not Village greens and are protected by special legislation. The Abbey Physic Community Garden is not a public open space. The garden is owned by the Old Grammar School Charity and is on a short lease to the current management.</p> <p>6. The correct postal address of what has been called the “Masonic Hall” is the Old Grammar School Faversham.</p> <p>7. There is no key to the maps on pages 50, 52 &amp; 54. To explain what they are illustrating.</p> <p>8. <b>Page 21</b> There is not a problem with housing limiting access to the creek at Faversham Reach and Waterside estates. There is a footpath registered on the County Council Definitive map of footpaths shown running from Crab Island to Ham marshes along the creekside. Currently it is open except for three short lengths which are closed awaiting the carrying out of works to make them safe. In the meantime the</p>		

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Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>creekside path can be accessed through the industrial estate which is open to the public under the coastal margin provisions attached to King Charles III coastal trail. The private notices are misleading.</p> <p>9. <b>Page 80</b> Gordon Square was built in the late 20s and early 30s, I can just remember it being completed. It was designed by the then Borough Surveyor the late Percy Andrews M.I.Mun E. IT is not of sufficient architectural or historic interest to warrant inclusion in the Faversham conservation area and its inclusion would only serve to further de-value the coinage. Council housing continued with the building of Macknade Avenue, building in Whitstable Road, Lower Road, Priory Place and Willow Avenue, constructed before the second world war. Council house building recommenced after the War with the building of Millfield Estate, North Preston Estate and Lion Field estate, completed in the late 60s</p> <p>10. <b>Page 82</b> The map does not have a key.</p> <p><b>Chapter 4 Creekside</b>  <b>The Creek above the Bridge.</b> The Purifier Building is now in active use.                      The 1976 swing bridge has been removed and replaced by what is thought to be a temporary fixed bridge which obstructs the waterway and prevents the enjoyment of the free right of navigation of the tidal creek. The hydraulic ram for raising the original bridge is now operated by electricity, rather than a hand pump.</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p><b>North Lane,, Conduit Street and Quay Lane</b> The Swan and Harlequin public house is now called The Quay. The buildings on Swan Quay except for Whittle’s office building now described as a chandlery, are modern, the originals having been mainly destroyed in the 1953 flood. The large modern building on the quayside has been built with the long side to the creek contrary to the normal custom of waterside buildings where buildings are erected with the short side to the water to save valuable waterside frontage</p> <p><b>Standard Quay and Iron Wharf</b> Standard Quay was never used for ship building, but for the storage of grain and fertiliser. I attach a cutting from the Faversham News which explains the history of the Standard and Hucksteps Quays. The traditional smells on the quay were of hot train oil and rats’ urine and the sound of shunting trains, not the smell of old rope and Stockholm tar and the sound of timber being sawn. Chambers Dock is now occupied by houseboats. There is no mention of the Charles III Coastal Trail that is routed around the creek in Faversham.</p> <p><b>Chapter 6 Davington and Stonebridge Pond</b> Davington Priory and Church was purchased by the Central Board of Finance of the Church of England in 1932 on the instigation of Rev J. A. Osborne vicar of the Brents. It is the only church the Board ever owned. Both properties were transferred to the diocese of Canterbury in 1972 who sold the Priory and retained the Church to serve the Parish of the Brents and Davington.</p> <p><b>Conclusion</b> There are several other inaccuracies in the document, but I have tried to highlight the worst. It would help users of the Report if it were reduced in length and better indexed.</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>The document seems to be directed at telling potential developers what not to do rather adopting a more positive and creative stance to encourage good design. It is unlikely that the various studies mentioned on pages 72 &amp; 73 will be undertaken.</p>		
14	Local Resident	<p><b>General comments</b></p> <ol style="list-style-type: none"> <li>11. The photographs in the document are very good and generally serve to illustrate points well. They enhance the document.</li> <li>12. I like the aspiration that going forward design should be creative.</li> <li>13. Paragraph numbers, photographs, maps etc aren't numbered – this makes document difficult to use and reference.</li> <li>14. Under 3.4 Townscape Character – the first photo references Tanner Street – this is a spelling error. It should read Tanners Street as is used elsewhere in the document.</li> <li>15. There are typos and the document needs proof reading eg page 47 'Abbey farm' and 'intertest'</li> <li>16. There is an inconsistency in whether the document uses capitals letters or not for 'Conservation Area'.</li> </ol> <p><b>More specific comments</b></p> <ol style="list-style-type: none"> <li>17. 1.1 Purpose of the Document – the text sets out 'the document may be used to inform planning decisions, planning policy-making and proposals to enhance or regenerate the conservation area'. 1.2 sets out that Chapter 3 'seeks to describe the special architectural or historic interest and character of the Conservation Area. This is of key importance in informing planning decisions....' Indeed,</li> </ol>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.

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		<p>Chapter 3 and Chapter 4 (which augments it) are key elements of the Conservation Area appraisal (CAA) and yet seem to be lacking in the necessary detail. When I heard about the refresh of the CAA for Faversham I imagined it would be an update on the excellent (detailed, historically accurate and beautifully written) CAA of 2004 and would document changes to the CA – good and bad – to inform the Management Plan. I was therefore a bit disappointed to read Chapters 3 and 4 and the lack of detail included – which I think will make informing planning decision (its purpose) tricky. Usefully, the 2004 CA has been included as an Appendix, but whilst the element makes up almost half of the 2023 report it is unclear what the status of this Appendix is.</p> <p>18. A few minor points to illustrate the lack of detail/accuracy mentioned above:</p> <ul style="list-style-type: none"> <li>a. 4.3 ‘Faversham Creek’ makes no mention of Stonebridge Pond and its history and present uses – which are fundamental to the story of the town. It also doesn’t seem to mention the basin or the boat yard which feels like an omission. I know Stonebridge Pond is mentioned elsewhere, but the piecemeal approach doesn’t make the document easy to use – especially for readers unfamiliar with the town. Also, there is an inconsistency is whether a capital letter is used for ‘pond’ or not. I think it should be when it’s used as a proper noun.</li> <li>b. Page 48 talks of West Street’s ‘unbroken rear-of-pavement building frontages’ but elsewhere in the document the fact that Morrisons breaks the rear-of-pavement frontage is listed as a detracting feature. So maybe the description of West Street needs to be</li> </ul>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>amended to say something like '<u>near</u> unbroken rear-of-pavement....'</p> <ul style="list-style-type: none"> <li>c. The description of the Post Office on page 48 as having 'its own merits' is a bit vague. Not everyone will read the whole document and know it's mentioned elsewhere.</li> <li>d. Page 55 – where is Angelo Terrace? Be good to have a street name here.</li> <li>e. Page 55 – Preston Church is briefly mentioned (does it deserve more detail?), however elsewhere Preston Church is called St Catherine's. I realise that in the 2004 study it is called Preston church but can this inconsistency be ironed out?</li> </ul> <p>19. Section 3.7.1 is very short on 'common forms of harm' – only listing 2 elements. The photographs illustrate more, including street clutter/poorly sited utility infrastructure, low quality boundary treatments and graffiti. Harm also includes poorly designed and fabricated fascias, degrading and unrepaired street surfaces (unsightly and dangerous), unconsented development, litter, unmaintained planted areas (eg intersection of South Road/North Lane/West Street) etc. Whilst some of these harms are included in the next section of the document (3.7.2) I think this section should be tidied up and would be more effective. A full analysis of harm and the reasons behind it (including lack of enforcement/resource pressures) should be included.</p> <p>20. I like Chapter 5 and the focus on recent development and design principles for future development and the positive view of 'creative' rather than 'imitative' responses. However, this aspiration is not followed through strongly enough in the design principles. Eg under 'Creative and green design' the second sentence could be amended to read 'Conservation</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>area status <u>should not be a barrier to innovation and should encourage creativity, rather than imitative design'</u></p> <p>21. Chapter 5 also needs a bit of tidying up as some of the important text is made up of descriptions of the photographs (which are useful) but not integrated into the body of the text. Also, I think it would be useful to name the locations shown in the photos – in case people not familiar with Faversham want to know where they are. The paragraph on Morrisons is a bit random (a photograph here would help) and the text 'the more important consideration' should be amended as there has been no previous reference to any other considerations.</p> <p>22. The Management Plan seems to be a list of 'nice to haves' with no prioritisation of actions, lead partner identified, costings, timeframes, resource planning, identification of easy, medium and difficult actions etc. Many of the actions are already being implemented in various forms – with varying success, but some very well. Current good practice needs to be identified, rather than giving the impression that nothing has been done. The Management Plan should build on current good practice and clearly set out a positive roadmap going forward. In its current form, I'm not sure how it is going to be implemented. (Furthermore, terms such a 'place leadership' mean nothing to the average reader.)</p> <p>23. Minor points:</p> <ul style="list-style-type: none"> <li>a. Eg Action 4 – Regeneration Policies – talks about policies in the Neighbourhood Plan – does this mean this action is already being implemented....?</li> <li>b. Eg Action 5 – please include a hyperlink to section 7.3 as without understanding this, this section is impossible to understand.</li> </ul>		



PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>c. 6.5.2 The sentence ‘The main loss of windows and doors is in the later 19<sup>th</sup> and early 20<sup>th</sup> century terraced street’ is not clear – presumably this is referencing the removal of original timber windows and doors and replacement with non-traditional designs and UPVC/metal as a material?                      Furthermore, whilst it cannot be disputed that ‘the urban form of terraces’ is more significant than the loss of original doors and windows the loss of original doors and windows does have a significant detrimental impact on the quality of the historic environment. The quality of fascia boards has also become poorer in recent years, which has had a degrading effect. Enforcement has clearly not been effective in preventing instances from happening and Faversham’s heritage has suffered as a result.</p>		
15	Faversham Town Council	<p><b>RESOLVED to Support the Conservation Area Review with comments:</b>                      1) <b>The Character Appraisal should be updated</b>                      2) <b>Brent Banks Community Garden does not exist (p21)</b>                      3) <b>There is presently not a Faversham Youth Council (p69)</b></p>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.
16	Local resident	<p><b>Legislative Background and Relevant Policy Guidance</b>                      The Town &amp; Country Planning (Listed Buildings &amp; Conservation Areas) Act 1990 (as amended) provides a statutory requirement for Local Planning Authorities to undertake periodic appraisals of their Conservation Areas; particularly where development proposals</p>	Noted and the proposed corrections can be largely accommodated without fundamentally altering	To make changes to the assessment document as per the schedule of corrections.

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>may have the potential to impact upon, or affect, the relevant designation or significance. Given that the existing Conservation Area Appraisal (2004) is now out-of-date – a fact acknowledged by both Faversham Town Council and the Local Planning Authority<sup>1</sup>, Swan Quay LLP welcomes the decision of the Borough Planning Authority to review the Faversham Conservation Area Appraisal.</p> <p>1 Forming background evidence to the Faversham Neighbourhood Plan preparation process</p> <p>The statutory requirement for Local Planning Authorities to review Conservation Areas is acknowledged by Historic England in its guidance – <i>Historic England: 2019 Conservation Area Appraisal, Designation and Management, second edition, Historic England Advice Note 1</i>. This advice note sets out, in considerable detail, how to appraise Conservation Areas, what Conservation Area Appraisals should contain together with details of how to manage proposals in Conservation Areas as part of Management Plans. It is, therefore, surprising that the Draft Conservation Area Appraisal &amp; Management Plan makes no reference whatsoever, to this pertinent guidance note.</p> <p>In acknowledging that, once finalised, the Character Appraisal &amp; Management Plan will form a <i>Supplementary Planning Document (SPD)</i> (Section 1.1), the following comments are made. 2 RS/0850 Representation – Swale BC Conservation Area Appraisal &amp; Management Plan – 4th December 2023</p> <p><b>Section 1.3 Statutory &amp; Policy Context</b></p> <p>It is evident that the Draft Appraisal &amp; Management Plan requires an update in section 1.3 given the references made to the Regulation 14 Consultation Draft of the Faversham Neighbourhood Plan (which has long been superseded) and the fact that the emerging Plan will supersede the Faversham Creek Neighbourhood Plan.</p>	<p>the shape of the document.</p>	

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>Notwithstanding the fact that the Draft Appraisal &amp; Management Plan should, perhaps, have been updated prior to this current consultation, it is surprising that the Regulation 16 Consultation version of the Neighbourhood Plan was not delayed until such a time that it could be informed by an Adopted Conservation Character Appraisal and Management Plan (for both the Faversham &amp; Preston Conservation Areas) given the importance placed upon the protection of the historic environment by the NPPF and the fact that an extremely large area within Faversham (extending to Preston and Ospringe) are within designated Heritage Assets. This is, perhaps, an observation better reserved for any future Examination into the Faversham Neighbourhood Plan.</p> <p><b>Section 2.4 – Non-Statutory Heritage Designations</b></p> <p>It is noted that the Appraisal &amp; Management Plan refers to the fact that Swale Borough Council maintains a “local list” of non-designated Heritage Assets which will provide for a ‘material consideration’ when considering planning applications. This is, however, not the case given that the link inserted at Section 2.4 simply refers the reader to relevant heritage-related documentation which clearly states, (page 36) that there is no local list.</p> <p>In this regard, the Council may wish to delay the adoption the Character Appraisal &amp; Management Plan until such a time that (i) further consideration and public consultation has been undertaken in devising a local list (particularly as such a list will form a material consideration in planning decisions) and (ii) that the recognition, by the Maritime Heritage Trust, National Historic Ships UK and Historic England, that Faversham and Oare Creeks have been recognised as ‘Heritage Harbours’ may require assessment as part of any local list (because they can only be categorised as non-designated Heritage Assets).</p> <p><b>Section 3 – Special Interest and Character</b></p>		

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>Historic England, in the afore-mentioned Policy Advice Note, advises that in assessing the special character of the subject Conservation Area, an Appraisal document will normally set out <i>inter alia</i> :</p> <ul style="list-style-type: none"> <li>• A concise statement defining the special historic or architectural interest of the area and the character of appearance that it is desirable to preserve or enhance so that this can be taken into account in decision making;</li> <li>• bullet points or a table to identify any individual features or characteristics that contribute positively to the Conservation Area’s character or appearance and that,</li> <li>• It is helpful to set out separate lists or tables detailing issues or vulnerabilities identified as affecting the area’s character or appearance, as well as any management proposals that are recommended.</li> </ul> <p>In this regard, it is submitted that there are missed opportunities in so far as the analysis, and proposed future management, of the Faversham Creek Area is concerned. 3 RS/0850 Representation – Swale BC Conservation Area Appraisal &amp; Management Plan – 4th December 2023</p> <p><i>Section 3.6 Materials &amp; Detailing</i>                      Whilst it is acknowledged that clay tiles and slate are the common local vernacular materials and have been used on/in many historic buildings, this material is not the only roof covering prevalent in the area. Many industrial buildings in and around the Creekside, and within streets close to the Creek, have been finished with metaled roofs and, indeed, this is a traditional material characteristic of many industrial buildings associated with the historic development</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>of the Creek (particularly the brewing industry). Latterly, the Council has consented a number of developments in the Conservation Area (close to the Creek) finished in zinc.</p> <p>A recognition later in the Management Plan that ‘design codes’ should not be so prescriptive as to suggest that only plain tiles and slate would be acceptable would meet with the relevant provisions of NPPF 128.</p> <p><i>Section 3.7 – Harm</i></p> <p>Harm to a Designated Heritage Asset is not necessarily confined to the loss of historic detail and fabric. Harm to the public realm can include the retention of inappropriate forms of development (particularly some of the more contemporary forms). There is a general absence, within the Appraisal document, to acknowledge that the replacement of harmful built-forms with more sensitively designed and sited developments can offer the potential for enhancements to the character and appearance of conservation areas – NPPF 207.</p> <p><i>Section 3.8 – Summary of Special Interest and Character</i></p> <p>It is of note that the document acknowledges that the historic development of Faversham includes evidence of surviving fabric from the industrial development of the town, listing historic trades and occupations, including gunpowder manufacture. The list fails, however, to mention timber importation or the later associated joinery/milling uses.</p> <p><i>Section 4.3 – Faversham Creek</i></p> <p>It is noted at Section 3.4 “<i>Townscape Character</i>” that mention is made of surviving industrial buildings flanking the Creek and “<i>whilst some industrial buildings have their ends to the Creek, with main elevations facing along the Creek, more recent housing development encloses and faces directly onto the Creek</i>”.</p> <p>In appreciating that this is simply a factual observation, and one that is well documented in background evidence to the Faversham</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>Neighbourhood Plan and in Heritage Appraisals accompanying historic planning applications<sup>2</sup> this modern ‘erosion’ of the Creekside character should be acknowledged in the site-specific character appraisal.</p> <p>2 Character Appraisals as undertaken by Mr Ray Harrison and Lee Evans Partnership LLP</p> <p>Given that buildings at Whittle’s Wharf are highlighted in Section 3.5.4 as providing a significant contribution to the Conservation Area, and in consideration of the fact that Swan Quay retains, in part, historic and traditional built-forms (associated with timber exportation and milling, as opposed to the more traditional maritime uses and brewing), the ‘rounding-up’ of these historic elements with Town Quay and the Training Ship hazard does not, it is submitted, acknowledge the individual characteristics of these very separate quays and land parcels. 4 RS/0850 Representation – Swale BC Conservation Area Appraisal &amp; Management Plan – 4th December 2023</p> <p>In acknowledging that, in combination, the buildings at Town Quay and some of the buildings at Swan Quay/Whittle’s Wharf reflect the more historic industrial areas in general terms, there should be a clear acknowledgment of the different characteristics between the two sites and a recognition that not every building forming part of Whittle’s Wharf contributes to the special character of the Conservation Area.</p> <p>It is, therefore, suggested that “Town Quay” and its assets be separated from “Swan Quay/Whittle’s Wharf” with a recognition that timber importation and milling played a historic role in the evolution of this part of the Creek (including Belvedere Road) and that more contemporary forms of development have affected, to the detriment, the interpretation of historic built form in this area. As a</p>		

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>consequence, opportunities exist to enhance this part of the Conservation Area.</p> <p>Again, in having regard to the 2004 Conservation Area Appraisal (attached to the Draft document at Appendix 2), there appears to be a missed opportunity to highlight those important features and characteristics that contribute to the character area and importantly; those that do not!</p> <p><b>Section 5 – Design</b></p> <p>The recognition that the Conservation Area status should encourage creativity rather than presenting itself as a barrier (Section 5.2) is welcomed.</p> <p><b>Section 6 – Management Plan</b></p> <p>The 9th bullet point in Section 6.1.1 advises of research that shows that historic environments support a higher proportion of independent businesses. There is, however, no evidence to support this research nor any information as to what type of “independent businesses” may benefit from historic environments. Given that many modern SMEs may find historic environments (particularly historic buildings) constraining, it is assumed that this research relates to hospitality/tourist uses as opposed to traditional B Class uses (or many E Class uses).</p> <p><i>Section 6.2.2 – Town Centre Regeneration</i></p> <p>It is recommended, at “Action 4” that the emerging Faversham Neighbourhood Plan identifies a “Maritime Gateway Heritage Regeneration Area”. While the Regulation 16 Draft of the Neighbourhood Plan was the subject of public consultation some time ago, it is suggested that this suggestion is a case of “tail-wagging dog”. It really should be the Appraisal and Management Plan’s role (as a supplementary planning document) to inform the Faversham Neighbourhood Plan, not the other way around.</p> <p>At “Action 8” the redevelopment or remodelling of poor quality buildings and sites should be encouraged and the</p>		

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>acknowledgement that such buildings and sites exist, is welcomed. However, it is not known what is meant “<i>meanwhile uses</i>” and with no definition, this Supplementary Policy guidance is neither clear nor precise.</p> <p><i>Section 6.6.2 – Positive Planning and Design</i></p> <p>It is evident that there is a clear emphasis in Section 6.6.2 on heritage preservation, community provision, master planning in general terms and training, but little or no mention of positive planning for economic development. Given that a large proportion of the Conservation Area encompasses the majority of Faversham’s Town Centre and the industrial sector of the Creekside, the ‘Actions’ identified 5 RS/0850 Representation – Swale BC Conservation Area Appraisal &amp; Management Plan – 4th December 2023</p> <p>to support positive planning may well seek to conserve economic potential planning but ignore the creation of economic potential. It is again submitted that an update to the Conservation Area Appraisal and Management Plan is welcomed but that there does need to be a more prominent understanding and recognition that not every site, building, space or feature in the conservation area contributes to its special character:</p> <p><i>“Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.”</i></p> <p>NPPF Paragraph 206</p> <p>We trust that these comments will be taken into consideration in the further preparation of the Council’s Conservation Area Appraisal and Management Plan for Faversham Town.</p>		



**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
17	Local resident	<p>As I'm sure with many people I was keen to see how the town will address the opportunities and take advantage of the lower carbon future and how this fits in with conserving the town. What I see is mainly in the section on sustainability section 6.4 on pages 68 and 69. Overall the section is very wide ranging in terms of what sustainability might mean, and not really specific. What I am concerned about is in the identified Action related to this section i.e 16. This action uses the adjectives, good and safe. Surely these are subjective, safe compared to what? Good compared to what?</p> <p>My concern is that unless these adjectives can be rationally defined, then initiatives could be put forward that run entirely contrary to the towns history and character, but are deemed somehow safer or better than what exists at the moment?</p> <p>Surely these 2 subjective words should be removed.</p>		
18	Local Resident	<p><b>SUGGESTED BOUNDARY CHANGES</b> I welcome the proposed CA extension in Athelstan Road, etc, especially inclusion of the run of well-preserved Victorian properties on the south side of Athelstan Road between Forbes Road and Canute Road.</p> <p>This proposed extension could also be usefully enlarged to include the Victorian houses near the sharp bend in Forbes Road (both sides), which are largely unspoilt.</p> <p><b>ACTIONS</b> <b>Action 25</b> (guidance). I think that the Council needs to remember, in Article 4 applications relating to windows and doors, that before</p>	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per the schedule of corrections.

PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>about 2016 it received planning inspectorate decisions that were very supportive of the strict line that the Council had been taking, with the inspectors' rulings emphasising that each case centres on the property in question and that inappropriate alterations to neighbouring properties do not somehow justify further harm to a road's appearance.</p> <p><b>Action 28</b> (unauthorised works). The proposed action is important, but needs to be actually carried out, including in so far as possible against unauthorised replacement of windows and doors. Is the Council's IT able to include in correspondence (council tax notices etc) a reminder that a property is within the CA / Article 4 area?</p> <p><b>Action 29</b> (deterioration). This could be worthwhile if carried out.</p>		
19	Shepherd Neame	<p>Shepherd Neame welcomes and is pleased to see the work going into the new Faversham Conservation Area Character Appraisal &amp; Management Plan. As a significant part of Faversham's history, and current owner of many buildings within the town, Shepherd Neame is keen to work with the Council to ensure that the brewery's presence continues to enhance the town's significance.</p> <p>In relation to the Draft document, Shepherd Neame supports the general description of significance in relation to the brewery's collection of buildings. Shepherd Neame would be happy to assist with any queries relating to the history of the brewery and influence on the town.</p> <p>For Shepherd Neame to continue to positively contribute to the town, understanding the status of its assets is essential. Clarity is therefore sought in relation to Action 21 – Listing, where it is stated that there may be scope for additional listing of buildings or</p>	Noted	No change to the assessment document.

**PROPOSED FAVERSHAM TOWN C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)**

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		upgrading of existing listings, including the “Shepherd Neame buildings in Conduit Street”.		

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# Faversham Conservation Area

## Character Appraisal & Management Plan

### Post Public Consultation Draft

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August 2023 February 2024 (V3.1)

# Faversham Conservation Area Appraisal & Management Plan

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# Faversham Conservation Area Appraisal & Management Plan

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## Faversham Conservation Area Appraisal & Management Plan

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## Faversham Conservation Area Appraisal & Management Plan

### Forward

Historic buildings and places add to the quality of people's lives and help to create a sense of place that we all identify with.

As a community and as a local authority, we have a responsibility to safeguard our historic assets for future generations and to make sure that they are not compromised by unsympathetic alterations or poor-quality developments. Conservation Area designation and subsequent management is one way in which this can be achieved.

Conservation Areas are not intended to halt progress or to prevent change. Rather, they give the local community and the Borough Council the means to positively manage change and to protect what is special about the area from being harmed or lost altogether.

Swale Borough is fortunate in having such a rich and varied mix of built and natural heritage. The Borough Council wants to see it used positively as a catalyst to sustainable, sensitive regeneration and development, and to creating places where people want to live, work, and make the most of their leisure time. To that end, we have reviewed the Faversham Town Conservation Area and the results of that review are set out in this document, which the Borough Council is now seeking constructive feedback on.

This is one of a series of Conservation Area reviews which the Borough Council is committed to undertaking, following the adoption of the Swale Heritage Strategy 2020 – 2032.



*Mike Baldock*

Councillor Mike Baldock  
Swale Borough Council Deputy Leader and Heritage Champion

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## Faversham Conservation Area Appraisal & Management Plan

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# Faversham Conservation Area Appraisal & Management Plan

## Summary of Significance

**Historic Development:** There is a high degree of surviving Medieval fabric in the historic core, much still apparent in the streetscape, but quite a lot hidden by Georgian frontages. There is surviving fabric from the ongoing industrial development of the town, including the port, brickmaking, brewing, and gunpowder manufacture. Quite a large part of the south part of the Conservation Area comprises housing expansion from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, focused around the railway.

**Distinctive landscapes:** Faversham Creek is a key features and the reason for the development of Faversham as a port and market town. This links to various water channels and features, including Stonebridge Pond. There is also a variety of green spaces, woodland, trees, hedges and garden spaces.

**Townscape:** The character of most streets is based on terraced or conjoined frontages, often rear of the pavement or slightly set-back, creating a strong sense of enclosure and definition to streets and spaces. Some terraces were constructed as a whole, in particular terraced housing. Other frontages have developed incrementally, so demonstrate a range of contrasting elements (for example West Street).

**Architectural Diversity:** The diverse character is based on the mix and contrast of building types, styles and construction, including timber framed medieval buildings, vernacular buildings, utilitarian housing and industrial buildings, more formal Georgian classicism, and the eclectic mix of Victorian and Edwardian buildings.

**Materials:** Walling materials range from oak-frames with timber lattice and plaster or brick panel infill panels, red and yellow bricks, stucco and render, and stone. Walling sometimes has applied external surfaces, including hanging tiles, render, stucco or timber weatherboarding. Roofing materials include clay tiles and slates. Historic window, doors and shopfronts are generally timber.

**Details:** Building detailing includes walling, roofing, buttresses, beams, brackets, joints, doors, windows, letter boxes, chimney stacks and pots, lintels, cast-iron rainwater goods, classical porches, pediments, pilasters and columns, ironwork, surviving shopfronts, decorative plaster, art and sculpture, railings, stained glass and a diverse range of other features.

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# Faversham Conservation Area Appraisal & Management Plan

## 1. Introduction

### 1.1 Purpose of the Document

This document is a Conservation Area Character Appraisal for the Faversham Conservation Area in Swale. The document may be used to inform planning decisions, planning policy-making and proposals to enhance or regenerate the [Conservation Area](#).

Faversham is an historic town in Swale, 11 Kilometres east of Sittingbourne and 14.5 kilometres northwest of Canterbury. ~~The town is at the head of a narrow tidal creek flowing north into The Swale waterway.~~ Faversham is situated towards the eastern end of the Borough of Swale at the head of a narrow tidal creek flowing north into The Swale waterway. The town of Sittingbourne lies some 11 kilometres to the west, whilst Canterbury lies some 14.5 kilometres to the southeast. At Faversham low interfluvies of Thanet Sands with brickearth are separated by shallow valleys that have been cut down through the chalk. The town centre is sited on a ridge of chalk overlain with brickearth; it then extends west into a valley where springs emerging from the chalk feed into the creek. To the south of the town is the gently rising dip slope of the North Downs, whilst the extensive alluvial flats of the Swale marshes lie to the north.

The boundary of the designated Faversham Conservation Area is shown [on page 11 on Plan 1](#). It includes the historic town centre together with surrounding employment and residential areas, part of the Faversham Creek, and part of Davington.

### 1.2 How to Use the Document

Chapter 2 identifies Faversham's heritage and describes the statutory and policy context for the character appraisal and management plan.

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## Faversham Conservation Area Appraisal & Management Plan

Chapter 3 seeks to describe the special architectural or historic interest and character of the Conservation Area. This is of key importance in informing planning decisions, planning policy-making and proposals to enhance or regenerate the conservation area. This chapter identifies key examples of buildings and other features.

Chapter 4 considers different character areas within the Conservation Area, including key streets.

Chapter 5 focuses on design in recent development and design principles for future development.

Chapter 6 contains the management plan.

Chapter 7 includes supporting information

### 1.3 Statutory and Policy Context

The statutory definition of a [Conservation Area](#) is given in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990:

*'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.*

This document helps to describe the special architectural or historic interest and character of the Faversham Conservation Area.

Conservation Area status provides protection, including the following:

- Control over the demolition of buildings;
- Protection of trees;
- Removal of certain permitted development rights (through an Article 4 Direction).

Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes provision for the 'Formulation and publication of proposals for preservation and enhancement of [Conservation Areas](#)'. Chapters 5 and 6 of this document respond to this.

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## Faversham Conservation Area Appraisal & Management Plan

Section 72 comprises a special duty in planning decision making:

*'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.*

This document should assist in the application of Section 72 by helping to define character.

The National Planning Policy Framework 2021 refers to significance. Some confusion can arise from Historic England's guidance (Conservation Principles 2008) which defines significance in a different way to the legislation. For clarity, this document interprets significance in accordance with the wording in the Planning (Listed Buildings and Conservation Areas) Act 1990, so relating to the 'special architectural or historic interest' of the area.

The Swale Borough Local Plan Bearing Fruits 2031 (adopted 2017) contains policies on a range of issues, including policy specific to the historic environment. Statement 7 is a Strategic overview of Swale's heritage assets, including Faversham.

Policy CP 8: 'Conserving and enhancing the historic environment' sets general requirements for heritage.

More detailed development management polices specifically dealing with the historic environment are:

- Policy DM 32: Development involving listed buildings
- Policy DM 33: Development affecting a [Conservation Area](#)
- Policy DM 34: Scheduled Monuments and archaeological sites
- Policy DM 35: Historic parks and gardens
- Policy DM 36: Area of high townscape value

Policy DM 33 deals specifically with [Conservation Areas](#), largely reflecting national policy and guidance.

The Faversham Creek Neighbourhood Plan includes historic environment and heritage asset policies, HE1, HE2, HE3, HE4. These relate to designated and non-designated heritage assets and archaeological remains. Other policies deal with a range of land-use, design, environment and other matters. There are also site-specific policies.

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## Faversham Conservation Area Appraisal & Management Plan

A Neighbourhood Plan for the whole parish is being prepared by Faversham Town Council. This is at the Regulation [164](#) consultation stage. The emerging plan will become a material consideration at the examination stage and, once 'made' would replace the Faversham Creek Neighbourhood Plan.

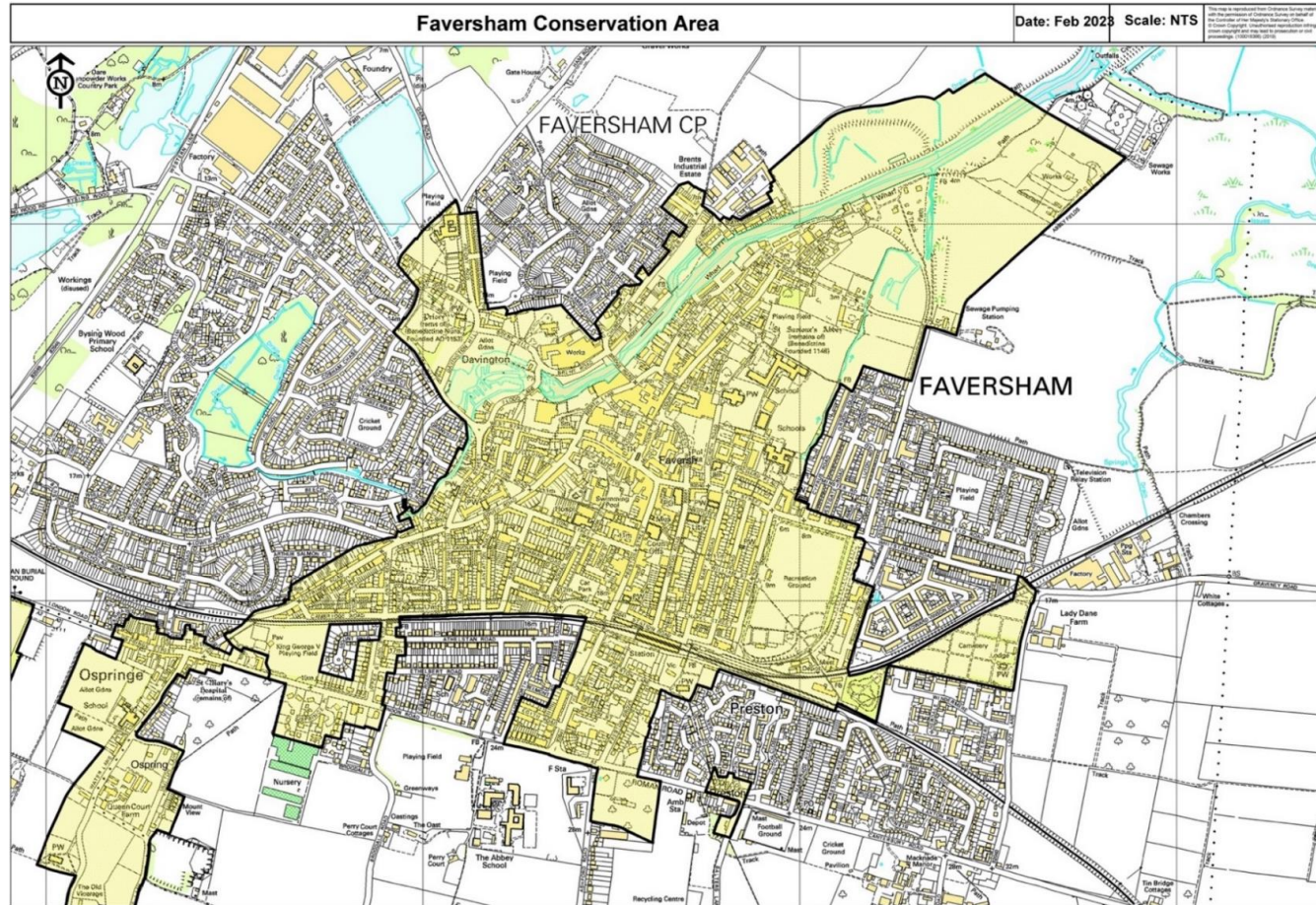
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# Faversham Conservation Area Appraisal & Management Plan

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## Faversham Conservation Area Appraisal & Management Plan

[Plan 1: Current Conservation Area Boundary](#). Note, the plan also shows the [current](#) Ospringe and Preston-[Next by Faversham](#) Conservation Areas.

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# Faversham Conservation Area Appraisal & Management Plan



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# Faversham Conservation Area Appraisal & Management Plan

Faversham (Google Earth, July 2023)

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## Faversham Conservation Area Appraisal & Management Plan

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## 2. Heritage Assets

### 2.1 The Conservation Area

Faversham Town Conservation Area was designated in 1971 and the boundary was last reviewed in 2004. Faversham is by far the biggest of three Conservation Areas in the Town Council's area, the others being 'Preston Next Faversham' and 'Ospringe' (see Plan 1).

Faversham has had various Article 4 Directions, dating from 1952 (no longer in force) onwards. In 2007, an Article 4 Direction relating [to](#) the Faversham Conservation Area was made, providing controls over alterations (including painting of masonry and to means of enclosure), installation of satellite dishes, provision of hardstanding and extensions (including porches) where the elevation/area in question fronts a highway, waterway or an open space. This is currently in force.

Other past and current Article 4 Directions relate to different properties and can be viewed here:

<https://swale.gov.uk/planning-and-regeneration/article-4-directions>

### 2.2 Other Statutory Designations

#### 2.2.1 Listed Buildings

Faversham Town Council area has 349 listed buildings, including three Grade I and twenty three Grade II\* listed buildings (see 7.2). The majority of these are located within the Faversham Conservation Area.

The extent of listing and grade of listed buildings reflects their age to a considerable degree. The Grade I and most Grade II\* listed buildings are mainly mediaeval in origin, often with later additions and alterations. Grade II\* listings also account for several Georgian buildings, though some of these include medieval fabric. Listed buildings from the 19<sup>th</sup> century tend to be Grade II, mainly. Only one building from the inter-war or post-war period is listed.

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## Faversham Conservation Area Appraisal & Management Plan

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### 2.2.2 Scheduled Monuments and Archaeology

Scheduled Monuments in the Conservation Area are:

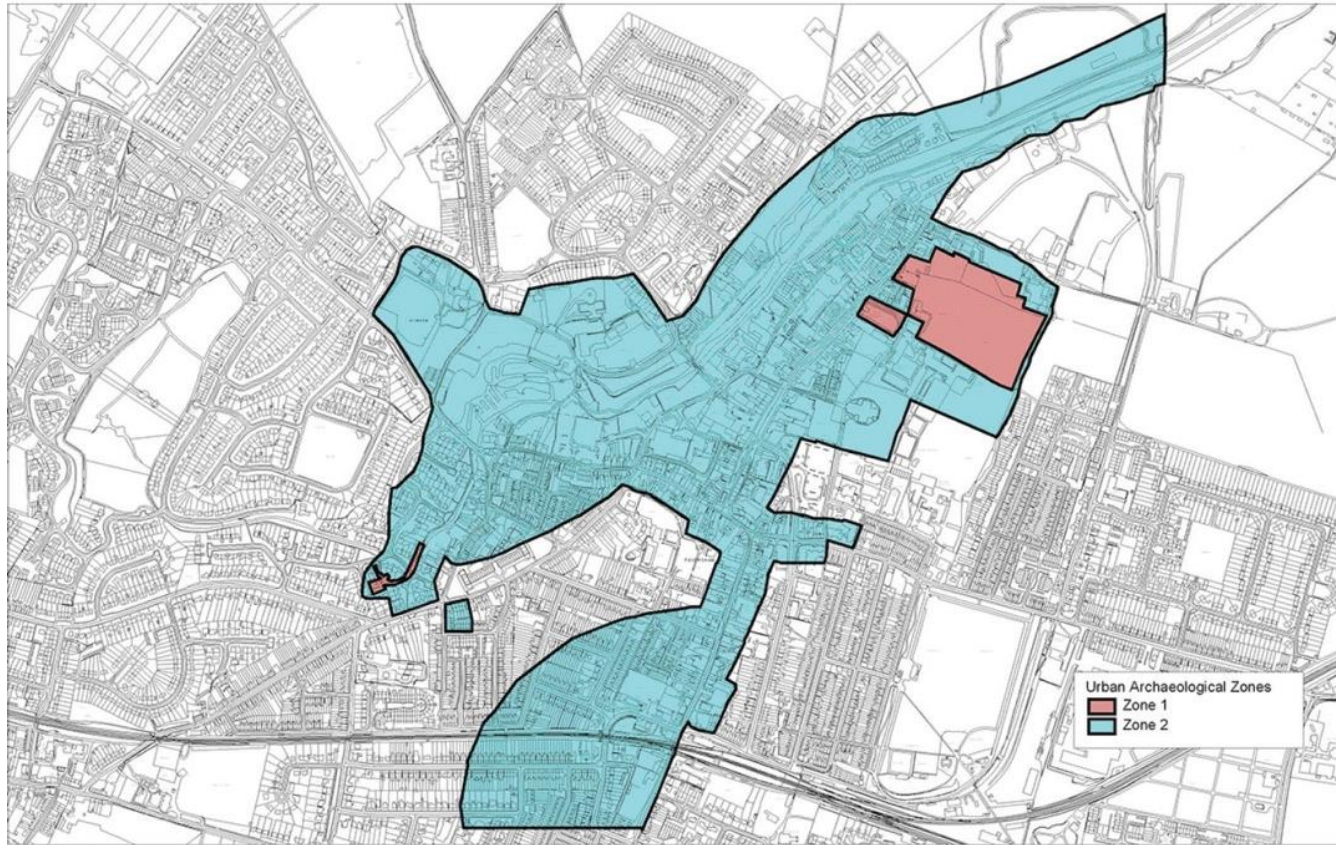
**St Saviour's Abbey**, including the remains of an Iron Age farmstead and Faversham Roman villa, which includes the below-ground remains of the medieval Royal Abbey of St Saviour, a first century AD Iron Age farmstead and of the Faversham Roman villa.

**Chart Gunpowder Mills**, which contains visible remains from the 18th, 19th, and 20th centuries including a pair of timber-frames, weatherboarded mills, a blast wall and wheel pits.

Some of the Conservation Area is recognised as an Urban Archaeology Zone (see plan [on page 14 below](#)).

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Urban Archaeology Zone: (zone 1 relates to the scheduled monuments)

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## Faversham Conservation Area Appraisal & Management Plan

### 2.3 Landscape Designations

There are no registered historic parks and gardens in the Conservation Area.

Part of The Swale Site of Special Scientific Interest overlaps the northeast part of the Conservation Area. There are high and medium priority habitats identified in various parts of the area, including around the Creek and water channels around the Brents. These include saltmarsh, mudflat and reedbeds.

There is a high correlation between conservation of the historic environment and natural environment in parts of Faversham.

### 2.4 Non-Statutory Heritage Designations

Swale Borough Council maintains a local list (non-designated heritage assets). This is a material consideration in planning decisions.

<https://swale.gov.uk/planning-and-regeneration/heritage-and-landscape/swales-local-heritage-list>

Faversham and Oare Creeks have been recognised as Heritage Harbours by the Maritime Heritage Trust, National Historic Ships UK and Historic England.

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## Faversham Conservation Area Appraisal & Management Plan

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## 3. Special Interest and Character

### 3.1. Significance

This Chapter and Chapter 4 describe the ‘significance’ or ‘special architectural or historic interest’ and ‘character or appearance’ of the Faversham Town Conservation Area.

The Conservation Area includes a concentration of listed buildings, historic townscape and other features spanning several centuries and including considerable survival of medieval Faversham. This, together with the Creek and other landscape features, creates an area of considerable significance, quality and distinctiveness.

### 3.2 History

#### 3.2.1 Early Development

From a very early date the small, but navigable, waterway made the higher ground at its southern end an ideal place for settlement which, the evidence suggests, happened in pre- Roman times. Archaeological finds have confirmed that later, in Roman times, a small roadside settlement existed at Ospringe and that a series of villa estates prospered in the agricultural lands between Watling Street and the Swale. However, firm proof of a settlement on the site of the present town centre has yet to emerge.

During Saxon times, from the C6 at least, Faversham appears to have been a royal estate centre, perhaps of comparable status with Milton Regis to the west. The C6 and C7 finds from the Kings Field cemetery suggest that it was a wealthy place (with a jeweller's workshop enjoying royal patronage). It continued to be an important centre into the C10 and eventually acquired its own market. During the C11 the town became a member of the Cinque Ports Confederation (although formal evidence of its admission appears later in the first half of the C12). The founding of the royal abbey in 1147 enabled the town to prosper still further, and by the late C12 merchants' houses were being built on the east bank of Faversham creek along the line of Abbey Street and Court Street.

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## Faversham Conservation Area Appraisal & Management Plan

Faversham is a port and market town and one of the main towns in Swale. The heritage significance of Faversham derives from its development from Saxon times to the present day, as a port settlement focussed on the Creek, with each phase of development evident in the town's plan and built form.

The settlement developed on raised ground at the head of Faversham Creek. The town is believed to pre-date the Roman period, but developing as a trading harbour in Saxon times. By the medieval period, it had become an important seaport and market town.

The Royal Abbey of St Saviour was established in 1147. The abbey site is now a playing field, but Abbey Farm survives and so does the abbey's guest house (Arden's House in Abbey Street).

Historically the town focused on the port and was positioned a little to the north of Watling Street, and as a result did not develop in a linear fashion (like most other settlements on the Roman road). In the late medieval period quays were constructed along the east side of the creek.

### 3.2.2 Urban Expansion

By the late 16<sup>th</sup> century, much of London's grain was being shipped through the port. In the 17<sup>th</sup> and 18<sup>th</sup> centuries oyster fishing, gunpowder manufacture and brewing were among the industries that flourished.

In the 19<sup>th</sup> century the brickmaking industry expanded. Also, the town expanded into the surrounding fruit orchards and hop fields, including housing expansion around the new railway (1858). This accounts for much of the south part of the Conservation Area.

Housing expansion continued into the 20<sup>th</sup> century in the form of streets of terraced housing. There are also semi-detached housing and larger blocks of housing, with more elaborate detailing.

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## Faversham Conservation Area Appraisal & Management Plan



**Housing:** The diverse range of housing reflects rapid expansion in the later 19<sup>th</sup> and early 20<sup>th</sup> centuries, following the opening of the new railway line in 1858.

### 3.2.3 Later Twentieth Century and Today

During the latter part of the 20<sup>th</sup> century, extensive residential estates were built which merged the town with nearby historically distinct settlements of Ospringe, Preston Next Faversham and Davington. Recent housing development also flanks both sides of the creek, in some instances preventing or restricting public access to the creek.

Later in the 20<sup>th</sup> century, traditional and port-related industries declined. Such decline has been accompanied with the growth of the tourist and visitor economy, with some industrial buildings and complexes being repurposed to create visitor facilities and attractions, and also residential accommodation and workspace for smaller enterprises.

The Town Centre has also changed considerably and continues to adapt. The Town Centre is focused on West Street, East Street, Market Street, Market Place, Court Street and Preston Street.

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## Faversham Conservation Area Appraisal & Management Plan

The Town Centre has also changed considerably and continues to adapt. The Town Centre is focused on West Street, East Street, Market Street, Market Place, Court Street and Preston Street.

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## Faversham Conservation Area Appraisal & Management Plan

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## Faversham Conservation Area Appraisal & Management Plan

The C20 saw the contraction of the traditional port-based industries but with new activities being attracted to industrial estates on the edge of town; a ring of new housing estates was also built around much of the town. At the start of the C21 the town centre remains an important focus for retailing, services and community facilities, although many residents now travel out of Faversham for their work.

Despite its proximity to the London-Canterbury (A2) road the maritime draw of the small port and its associated industries has been strong enough over the years to keep most of the town's development on the north side of the A2. The fact of the town's position just off the strategic road network has, perhaps, helped the survival here of an outstanding heritage of archaeological sites, old wharves, historic buildings, streets and other spaces. Whilst the medieval core of the town remains the outstanding feature of the place a significant part of Faversham's heritage now embraces C19 development, and some C20 work as well.

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Historical Map 1864-1895 – The port and town centre are well developed

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## Faversham Conservation Area Appraisal & Management Plan

Historical Map 1896-1897 – housing is being developed in response to the opening of the railway

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## Faversham Conservation Area Appraisal & Management Plan



Historical Map 1907-1908 – Further housing expansion is

apparent on both sides of the railway. Also note the new cemetery to the east of the town.

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## Faversham Conservation Area Appraisal & Management Plan

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Historical Map 1957-1986 – The town has expanded on all sides.

# Faversham Conservation Area Appraisal & Management Plan

## 3.3 Landscape Character

### 3.3.1 Urban Fringe

For a town centre Conservation Area, Faversham is unusual because it for the inclusion of extensive natural landscape features. The urban town centre provides the focus, but the wider Conservation Area includes extensive housing areas, industry, and the urban fringe which includes agricultural land and sensitive landscapes, forming part of the setting of the town. Davington in particular has the feel of a rural village, rather than urban town.

### 3.3.2 Faversham Creek

Faversham Creek is a key natural landscape feature running through the town and linking to the Thames Estuary. There are built elements to the Creek, reflecting its use as a port and commercial waterway. The Creek is the reason for the development of Faversham Town over the centuries, so is a key part of the special historic interest and character of the Conservation Area. Beyond the built area of the Town, the Creek is flanked by sensitive green landscape with various formal designations (SSSI, Ramsar).



**Faversham Creek:** The main water channel is a key feature in terms of character and historic significance. It links the urban town to the open landscape setting.

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Faversham Creek links to smaller water channels and water features, including Stonebridge Pond, the current form being created as part of the gunpowder industry. The water channels and allotments are part of a distinctive landscape and part of the natural and industrial character of the area.



**Landscape:** The Creek and its environs are part of Faversham's industrial heritage and part of the character of the Conservation Area, but also now have value in terms of amenity and biodiversity.

### 3.3.3 Green Spaces and Features

Across the Conservation Area, street and garden trees, woodland, hedges and green spaces form an important part of the character. The trees around Chart Mills were originally planted to moderate the effect of gunpowder explosions.

The Conservation Area includes a wide range of green spaces, including:



## Faversham Conservation Area Appraisal & Management Plan

- Faversham Recreation Ground - the town's first formal park (recreation ground), laid out in 1860, and King George 5<sup>th</sup> recreation Ground;
- Faversham Cemetery (1898 with later addition) including Love Lane Chapel;
- Enclosed churchyards, which form the immediate setting of listed churches;
- Public gardens, such as Abbey Physic Community Garden and Brent Banks Community Garden;
- Public green spaces and 'village' greens (such as those between Upper Brents and the Creek);
- Landscape settings to buildings, such as the green landscaped area around the alms house in South Road;
- Front and rear gardens and enclosed grounds.



Settings: Some historic buildings have green landscape settings, both formal and informal.

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### 3.4 Townscape Character

The Faversham Town Conservation Area has an historic medieval core, centred on the Market Place and connecting streets. The original medieval layout of narrow plots survives, though some properties have been linked internally. The built form comprises continuous conjoined frontages, which are a mix of surviving medieval buildings and later buildings. The townscape character is formed by the rear of pavement frontages, creating a strong sense of enclosure and definition of streets. Market Place is the main public square and confluence of the main commercial streets.

This strongly enclosed, urban form is also reflected in the industrial (or former industrial) streets around the town centre. Industrial areas include larger building complexes, including the historic brewery sites.



Townscape character in much of the Conservation Area is based on rear of pavement frontages which create a strong sense of enclosure and spatial quality to streets and spaces. This is demonstrated by Tanners Street (left image) and West Street (right image).

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## Faversham Conservation Area Appraisal & Management Plan

The Creek is flanked by surviving industrial buildings, some larger scale, but also by recent housing. Whilst some industrial buildings have their ends to the Creek, with main elevations facing along the Creek, more recent housing development encloses and faces directly onto the Creek.

The southern part of the town on both sides of the railway largely comprises 19<sup>th</sup> and early 20<sup>th</sup> century terraced houses and villas. Many residential terraces have rear of pavement frontages, but some are set back behind front courts or front gardens. Mainly terraces were developed as a whole, so have uniform building characteristics. Some terraces were developed incrementally, so have varied character.

In addition to the areas above, quite a lot of the conservation area is characterised by rear of pavement building frontages. There are numerous key buildings standing in landscape, including churches and churchyards.

Views, vistas and glimpses are part of the character and include:

- Views along streets to buildings and townscape at the ends;
- Views along and across the Creek;
- Wider views of landmark structures, including the church spires and towers;
- Glimpses between gaps in built frontages.

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### 3.5 Architecture and Buildings

#### 3.5.1 Architectural Diversity

Faversham is a large and complex Conservation Area, developed over centuries, so characterised by architectural diversity. The character is based on a mix of local vernacular buildings, functional industrial buildings and also an eclectic mix of more formal architecture. There is considerable survival of medieval buildings. This includes concentrations of timber framed buildings, but also gothic churches and public buildings. There are extensive areas of terraced housing.

Formal buildings (polite architecture) demonstrate a range of stylistic influences, with a particular concentration of Georgian classicism, quite often involving remodelling of underlying medieval buildings. The nineteenth and twentieth centuries are more eclectic, with examples of Gothic revival, Arts and Crafts, Freestyle and Modern influences.

#### 3.5.2 Medieval Buildings

There is a high degree of surviving Medieval and post-Medieval fabric in the form of timber-framed buildings, many with jettied (corbelled) upper storeys, which means that they project out further than lower stories and overhang the street.

Whilst many buildings survive substantially intact, there was a lot of remodelling in the Georgian era. Many Georgian frontages have medieval buildings behind their facades. Sometimes the jettied (corbelled) form is still apparent, sometimes not.

Several buildings associated with the Royal Abbey survive, in particular around Abbey Farm, including:

**Minor Barn** is a monastic barn, circa 1350. Aisled timber barn. Listed Grade I.

**Major Barn** is a monastic timber framed aisled barn, circa 1500 with early C19 alterations. Listed grade II\*.

**Abbey Fields Farmhouse** circa C13 or early C14 with later alterations including a remodelling by Sir George Sondes in late C17 or early C18. Listed grade II\*

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## Faversham Conservation Area Appraisal & Management Plan

**Medieval Stables** at Abbey Farm date from C14 or C15, extended to the southeast in early C19. Listed grade II\*

Other buildings directly related to the Royal Abbey include:

**Ardens House 80 Abbey Street** which was the Guest house of Faversham Abbey and adjoins the outer gatehouse. Listed grade II\*.

**81 Abbey Street** is a C15 timber-framed cottage and was also part of the Abbey buildings. Listed grade II\*

Some of Faversham's churches have medieval origins and surviving fabric. These include:

**St Mary of Charity Church** is Medieval in origin. Cruciform church of C14-C15. In 1755 the interior of the nave was pulled down and replaced by George Dance in classical style. The central medieval tower was likewise pulled down in 1797 and an openwork spire of brick built at the west end of the church which was encased in stone in 1855 by George Gilbert Scott who also reworked the nave and transepts [1873-1875].

**Church of St Mary Magdeline** in Davington is substantially from the 12<sup>th</sup> and 13<sup>th</sup> centuries, with later alterations and additions. Nave of former Benedictine priory church, now an Anglican church. Mostly C12 but repaired and fitted out by Thomas Willement, antiquarian, and stained-glass artist, in 1845. Listed Grade I. Davington Priory Founded in 1153, immediately adjoins the Church and is listed Grade I.

**St Catherine Church Preston Lane** has Pre-Conquest origins, much fabric from the 12<sup>th</sup> and 13<sup>th</sup> century and greatly altered in the mid C19, including the spire. The church was refurnished in the mid C20. Listed Grade II\*.

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## Faversham Conservation Area Appraisal & Management Plan



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## Faversham Conservation Area Appraisal & Management Plan

Church of St Mary Magdeline, Davington: listed Grade I.

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## Faversham Conservation Area Appraisal & Management Plan

Medieval public buildings of particular note include:

**Guildhall** is the centrepiece of Market Place. It was built as a Market Hall in 1574 and converted into the Guildhall in 1605 and then enlarged and rebuilt in 1814. From the original building. The market arcade on the ground floor survives. The first floor Council Chamber and clock tower date from the reconstruction of 1814. Listed Grade II\*.

**The Masonic Hall** in Abbey Place was originally the Free Grammar School, built in 1587. The construction of the building is similar to the contemporary Guildhall. It is a timber-framed building, originally standing on an open arcade. Listed Grade II\*

[Masonic Hall, Abbey Place](#): listed Grade II\*.



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## Faversham Conservation Area Appraisal & Management Plan

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Mediaeval commercial buildings and houses of note include:

**84 Abbey Street** is a timber framed house of c1589, refronted in early C19. The front forms part of terrace with no 82 and 83. Listed grade II\*

**87-92 Abbey Street** are C15 timber-framed houses, refronted in the C18, but retaining the overhang of their 1st floor. Listed grade II\*.

**1 Market Place** is timber framed, probably C17 and refronted in the C18. Listed grade II\*

**5-6 Market Place** is C15 or possibly earlier, timber-framed houses built round an internal courtyard. Listed Grade II\*.

**121 West Street** is a timber-framed house with the date 1697 written on, but certainly older than this, probably C16. Listed grade II\*.

**Phoenix Tavern** in Abbey Street contains a part of a C14 medieval hall, but the external elevations are largely a result of Georgian remodelling. Listed Grade II.

Surviving medieval industrial heritage includes:

**Buildings at Standard Quay (listed as Gillet's Granaries)** which is a long range of former granaries or storehouses. A timber-framed building with brick infilling on a base of stone rubble. Listed grade II\*.

**The Training Ship Hazard in Conduit Street** is a C15 timber-framed structure, originally old town warehouses and now used as a Training Ship. Built in the Kentish vernacular, it is a rare example of an early commercial building and an important historical link with the creek. Listed grade II\*.



## Faversham Conservation Area Appraisal & Management Plan

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**Industrial Heritage:** Standard Quay (left): Group of surviving industrial buildings, medieval and later. Training Ship Hazard, listed Grade II\*.

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**Chart Mills** is one of the four surviving gunpowder incorporating mills, with millstone and large breast-shot iron water wheel, and thought to be the oldest one surviving anywhere in the world.

There are numerous other medieval buildings in Preston Street, West Street, Court Street, Market Place and other streets, including various Grade II listed buildings.

### 3.5.3 Georgian Buildings

The Georgian period in Faversham was characterised by more formal and classically inspired architecture. This included newbuild, but also remodelling of earlier buildings.

In many ways, Georgian architecture could not be further removed from Faversham's medieval buildings. Georgian architecture was strongly influenced by European classic architecture, characterised by formality, symmetry, use of regulating lines and proportioning systems and use of classical orders and detailing. Georgian construction was usually based on load-bearing walls, whilst medieval buildings had lead-bearing frames. Remodelled buildings can have a combination of both.

This created a substantial shift in character, from the more utilitarian, functional, informal and organic nature of medieval construction to the more formal and ordered nature of Georgian design.

There is now a strong Georgian character in many streets, including the commercial streets (though underlying fabric is often medieval). In the historic core in particular, this creates a distinctive character based on a mix of formal and rational Georgian form and detailing and informal medieval form and construction.

Notable buildings include:

**St Mary of Charity Church** was substantially altered in the Georgian period, as mentioned previously, including the addition of the spire. Listed grade I.

**The Guildhall** in Market Place (tower and upper level), mentioned previously, listed Grade II\*.

**Fremlin's Offices** (including east wing and billiard room) which has a C18 frontage on a C16 house. Listed grade II\*.



## Faversham Conservation Area Appraisal & Management Plan



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## Faversham Conservation Area Appraisal & Management Plan

**The Guildhall:** The arcade at ground floor level is mediaeval, but most of the building was redevelopment by the Georgians.

There are several formal Georgian houses such as 23 Court Street, 35 Tanners Street and Delbridge House 53 Preston Street, St Mary's Vicarage 56 Preston Street, all listed grade II, and others.

Georgian buildings vary from more austere examples, with carefully proportioned and regular windows and fine glazing bars, to more elaborate buildings with classical detailing, such as door surrounds and porches.

There are numerous Grade II listed buildings of Georgian origin or comprising substantial Georgian remodelling of older buildings. These include houses, public buildings and commercial premises, including shops and pubs. An example is the Anchor Inn at the end of Abbey Street which dates from the 17<sup>th</sup> century and is listed grade II.

### 3.5.4 Victorian and Edwardian Buildings

The built heritage of the Victorian period is based on growth associated with industrial and commercial diversification and improvements to transport infrastructure. The associated urban expansion for housing is concentrated to the north and south of the railway line.

Building in this period often had a more urban, functional and utilitarian nature, including industrial buildings and housing with little or no ornamentation.

Key transport buildings and structure include:

**Faversham Station**, mid 19<sup>th</sup> century, including frontage building and engine, carriage and goods sheds (all listed Grade II).

**The omnibus enquiry office in Court Street**, early C19 single storey building, listed grade II.

Industrial buildings and complexes include:

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## Faversham Conservation Area Appraisal & Management Plan

**Provender Mill, Belvedere Road** is a four-five storey C19 warehouse and a prominent landmark along Faversham Creek. Listed grade II.

**Fremlin's Brewery** is extensive and includes a range of buildings and structures, with multiple grade II listings.

**Old Brewery Store** (Shepherd Neame) 5 Conduit Street, early 19<sup>th</sup> century. Listed Grade II.

**Standard Quay** had numerous additions and expansions, including Standard House (1840-50) and various warehouse buildings, now with multiple grade II listings. This includes Oyster Bay House (mid 19<sup>th</sup> century) which has a hoist and a doorway at each floor level and is a prominent landmark.

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## Faversham Conservation Area Appraisal & Management Plan

**Belvedere Mill** is C19, of five storeys with its characteristic projecting hoist bays. Listed Grade II.



Terraced housing: Typical terraced street (left) with brick and tile houses fronting directly onto the street. Some housing (right) has window bays and front courts.

**Oast Preston Malthouse** in Park Road, which includes two round kilns, formerly owned by Shepherd Neame.

**Whittles Wharf, Swan Quay** is C19 timber sheds and associated former steam powered sawmill.

Housing expansion in the later part of the 19<sup>th</sup> century and early 20<sup>th</sup> century included numerous new streets of terraced housing located around the route of the new railway line. These tend to be fairly utilitarian, creating a strong urban form and character.

Many of the terraces are two-storey brick (red and yellow) and plain tile terraces, some fronting directly onto the rear of the pavement, with yards to the rear. Many terraces are set back behind shallow front courts, with front bay windows.

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~~**Terraced housing:** Typical terraced street (left) with brick and tile houses fronting directly onto the street. Some housing (right) has window bays and front courts.~~

There are also some larger town houses, with three or four storeys (with basement). Housing development also included semi-detached properties and larger single houses.

There are some distinctive residential ~~developments~~developments, and a scheme of particular note is:

**Alms houses and Chapel 1-30 South Road.** This is a Tudor Gothic revival style building (1863-4) which includes a 470 feet symmetrical range with return wings 120 feet long facing Tanners Street and Napleton Street. The chapel is a decorated stone building. This is a distinctive landmark feature in the Conservation Area, listed grade II.

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## Faversham Conservation Area Appraisal & Management Plan

[Alms-houses and Chapel 1-30 South Road](#): listed grade II.

To support the new population, new public and commercial buildings were required. This included public houses, shops and offices, and new community buildings.

Public and community buildings include:

**Church of St John the Evangelist, Upper Brents**, 1881. Listed grade II.

**Faversham Borough Council Offices (now Alexander Centre) 15-17 Preston Street**, circa 1840, with Ionic porch. Listed grade II

**Church of England Junior School (former Faversham National School), Church Road**, 1852, including gatehouse and irregular quadrangle. Listed grade II.

**Gardener's lodge Faversham Recreation Ground**, 1860 in Picturesque Gothic style. Listed grade II.

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## Faversham Conservation Area Appraisal & Management Plan

### 3.5.5 Inter-war and Post-war Buildings

Residential urban expansion continued in the early 20<sup>th</sup> century. The two world wars interrupted development and are marked by:

**Memorials to the victims of the 1916 Faversham Munitions Explosion** Faversham Cemetery, Love Lane. Listed grade II\*.

**Faversham War Memorial** Stone Street. Listed grade II.

From the inter-war period, the most interesting public buildings are:

**Royal Cinema Market Place**, 1936, Tudor style specifically to blend in with traditional buildings and including plaster-work panels with masks and strapwork and a projecting canopy supported by grotesque plastered female brackets. Listed grade II.

**Tefler Hall, off Church Road**, timber-clad, now converted to flats and a rare example locally of a building influenced by International Modernism.

**Cardox Works, Abbeyfields**, series of widely spaced wooden huts, associated with the explosives industry. Traces of a narrow-gauge track linking the buildings is visible in places.

From the post-war period, the post office is of interest, demonstrating the influence of Scandinavian design (sometimes referred to as the New Empiricism). Given the lack of distinctive buildings from this period, this is one of the more important unlisted buildings.

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## Faversham Conservation Area Appraisal & Management Plan



20<sup>th</sup> Century Buildings: The Royal Cinema (left, Grade II listed) and Post Office (right) are examples of 20<sup>th</sup> Century heritage.

There is relatively little heritage from the inter-war and post-war period, compared to previous centuries.

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### 3.6 Materials and Detailing

#### 3.6.1 Construction, Walling and Roofing

Construction refers to the essential structure of buildings and can include walling and roofing materials and building details such as buttresses, beams, brackets, joints gable as and dormers.

Medieval buildings are oak framed with timber lattice or lath and plaster infill panels, or some with brick panel infill. The frame bears the load. Many of the timber frames are visible, though some have been hidden by Georgian remodelling. Stone was used for the older churches and these include a mix of load-bearing construction and use of arches, piers and buttresses.

Georgian, Victorian and Edwardian buildings are mainly of load-bearing masonry construction, including brick, often with stone elements. Georgian buildings are characterised by fine brickwork and detailing. Industrial buildings and terraced housing from the 19th and early 20<sup>th</sup> centuries would generally utilise brick, with stone dressings.

Brickwork includes locally manufactured examples. There are various types of red and yellow brick commonly used in Kent, including speckled yellow bricks, which were made from clay mixed with flammable coal ash. Some Georgian buildings have fine red brickwork in Flemish bond or stucco. Walling sometimes has applied external surfaces, including the use of hanging tiles, mathematical tiles, render, stucco or timber weatherboarding. Weatherboarding is used throughout the area (including for housing and commercial or public buildings), but is a particular feature of buildings in Standard Quay.

Dressings, such as lintels and door and window surrounds, include stone, brick and stucco.

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## Faversham Conservation Area Appraisal & Management Plan



**Materials and Construction:** The Conservation Area has buildings from different periods and different types of construction, including stone structures, timber frame with plaster infill panels, and load-bearing masonry.

Clay tiles (peg tiles) are a common local vernacular materials. Local examples are red in colour with uneven surface. Slate is also used for many historic buildings.

### 3.6.2 Doors, Windows and Chimneys

Numerous properties have retained original doors and windows. Doors are generally of timber panel construction.

Older properties often have casement windows with timber frames. Georgian built properties or refaced properties have the characteristic timber sash windows, with multiple panes, vertical emphasis and fine glazing bars. There are numerous examples of bay windows, including repetitive use on housing terraces.

Buildings traditionally have chimneys, ranging from simple and utilitarian to elaborately decorated designs.

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**Doors and Windows:** There is a wide variety of door and window types, including some very old and distinctive examples. Traditional doors and windows are of timber construction. Surviving historic glass can be identified by its uneven surface.

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### 3.6.3 Detailing

Architectural and constructional details are an important part of character. Loss, alteration or erosion of details can cause incremental harm to the building and character of the Conservation Area.

**Functional Elements:** These include functional details like letter boxes, chimney stacks and pots, lintels, railings, steps and cast-iron rainwater goods. These differ greatly from simple functional designs to elaborate and decorated features.



## Faversham Conservation Area Appraisal & Management Plan



**Functional elements:** The character of the Conservation Area depends on conservation of different building elements, such as timber windows, doors, cast-iron downpipes and gutters, bridges and other details.

**Architectural detail:** Many buildings include formal elements and details. These include classical porches, pediments, ironwork, pilasters and columns.

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**Architectural detail:** Building details can include porches, classical features, stone mullions, window surrounds, plaques, quoins and a wide range of other features.

**Decoration and Sculpture:** Some buildings have decorative features such as plaster panels or pargeting, decorative brickwork, plaques, sculptural features, clocks and stained glass.

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## Faversham Conservation Area Appraisal & Management Plan

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**Decoration and sculpture:** Buildings have a wide range of decorative elements, such as plasterwork, sculpture, and clocks.

**Shopfronts:** There are lots of surviving Georgian, Victorian and Edwardian shopfronts. These are mainly of timber construction, though some have masonry stallrisers. Shopfronts have a common formula of fascia, window(s) and door and stallriser, flanked by pilasters and capitals. They include symmetrical shopfronts, or side entrances, or dual entrances (one to the shop and one to the other parts of the premises). Earlier shopfronts tend to have smaller panes, whilst Victorian and later shopfronts have larger panes



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**Shopfronts:** Traditional historic shopfronts have typical features, including fascia, pilasters, stallriser, doors and windows. Note the C18 shop front in Market Place with an unusual, curved corner. The jettied (corbelled) form of the building indicates the underlying medieval fabric.

**Other Features:** Industrial structures, gates, post boxes, walls and a range of other features contribute to the area's special interest and character. Some of these are individually listed or scheduled.



## Faversham Conservation Area Appraisal & Management Plan



**Other features:** Industrial structures and buildings, post boxes, walls and other features contribute to the special interest and character of the Conservation Area.

### 3.6.4 Ground Surfaces and Street Furniture

Surviving historic ground surfaces are numerous and varied. They include stone, granite and brick setts and gutters and kerbs. There is also surviving street furniture, including pumps, lamp posts and bollards comprising reuse of canons. Some street surfaces, streetlamps and street furniture are listed, individually or collectively, including in Abbey Street and Court Street.

## 3.7 Harm

### 3.7.1 Loss of historic detail and fabric

Common forms of harm include:

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- Replacement of roofing materials with concrete tiles or metal sheeting;
- Loss of original timber doors and windows, especially in housing, and replacement with uPVC;



**Harm:** Many houses have lost their original timber windows and doors. Street furniture is sometimes uncoordinated and untidy, creating a cluttered appearance and poor-quality public realm.

### 3.7.2 Public Realm

Harm to the public realm includes:

- Poor quality public realm, in particular in public car parks;
- Poor quality boundary treatments, such as security fencing;
- Visual impact of on-street parking;
- Uncoordinated street furniture and street clutter;
- The division of Court Street in to pedestrian and trafficked sections, with uncoordinated ground surface treatments.

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### 3.7.3 Deterioration

There are low vacancy rates and most buildings are in reasonable or good condition. There are clearly challenges in maintaining some of the older and larger buildings, such as the churches.

## 3.8 Summary of Special Interest and Character

Across the whole area, the special architectural or historic interest and character can be summarised as follows:

**Historic Development:** There is a high degree of surviving Medieval fabric in the historic core, much still apparent in the streetscape, but quite a lot hidden by Georgian frontages. There is surviving fabric from the ongoing industrial development of the town, including the port, brickmaking, brewing, and gunpowder manufacture. Quite a large part of the south part of the Conservation Area comprises housing expansion from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, focused around the railway.

**Distinctive landscapes:** Faversham Creek is a key features and the reason for the development of Faversham as a port and market town. This links to various water channels and features, including Stonebridge Pond. There is also a variety of green spaces, woodland, trees, hedges and garden spaces.

**Townscape:** The character of most streets is based on terraced or conjoined frontages, often rear of the pavement or slightly set-back, creating a strong sense of enclosure and definition to streets and spaces. Some terraces were constructed as a whole, in particular terraced housing. Other frontages have developed incrementally, so demonstrate a range of contrasting elements (for example West Street).

**Architectural Diversity:** The diverse character is based on the mix and contrast of building types, styles and construction, including timber framed medieval buildings, vernacular buildings, utilitarian housing and industrial buildings, more formal Georgian classicism, and the eclectic mix of Victorian and Edwardian buildings.

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**Materials:** Walling materials range from oak-frames with timber lattice and plaster or brick panel infill panels, red and yellow bricks, stucco and render, and stone. Walling sometimes has applied external surfaces, including hanging tiles, render, stucco or timber weatherboarding. Roofing materials include clay tiles and slates. Historic window, doors and shopfronts are generally timber.

**Details:** Building detailing includes walling, roofing, buttresses, beams, brackets, joints, doors, windows, letter boxes, chimney stacks and pots, lintels, cast-iron rainwater goods. classical porches, pediments, pilasters and columns, ironwork, surviving shopfronts, decorative plaster, art and sculpture, railings, stained glass and a diverse range of other features.

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## 4. Character Areas

### 4.1 Overview

To augment Chapter 3, ten five character areas have been identified (see Plan 2- to be updated). These are:

Town Centre and Abbey;

Faversham Creek;

Davington;

South and West (Railway);

Recreation Ground and Cemetery

1. Faversham Abbey & Abbey Farm

2. Market Place, Court Street & Abbey Street

3. Creekside

4. Tanners Street, west street & Preston Street

5. Davington & Stonebridge Pond

6. The Railway & it's vicinity

7. South Road/Ospringe Road & Vicinity

8. East Street, Church Road & Orchard Place

9. Upper St. Ann Road, London Road & Ospringe Place

10. The Mall, Preston Lane & Preston Grove

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~~These are fairly large areas, so character is described in broad terms. Key streets are also highlighted.~~

For more information on individual buildings and features, see Chapter 3.

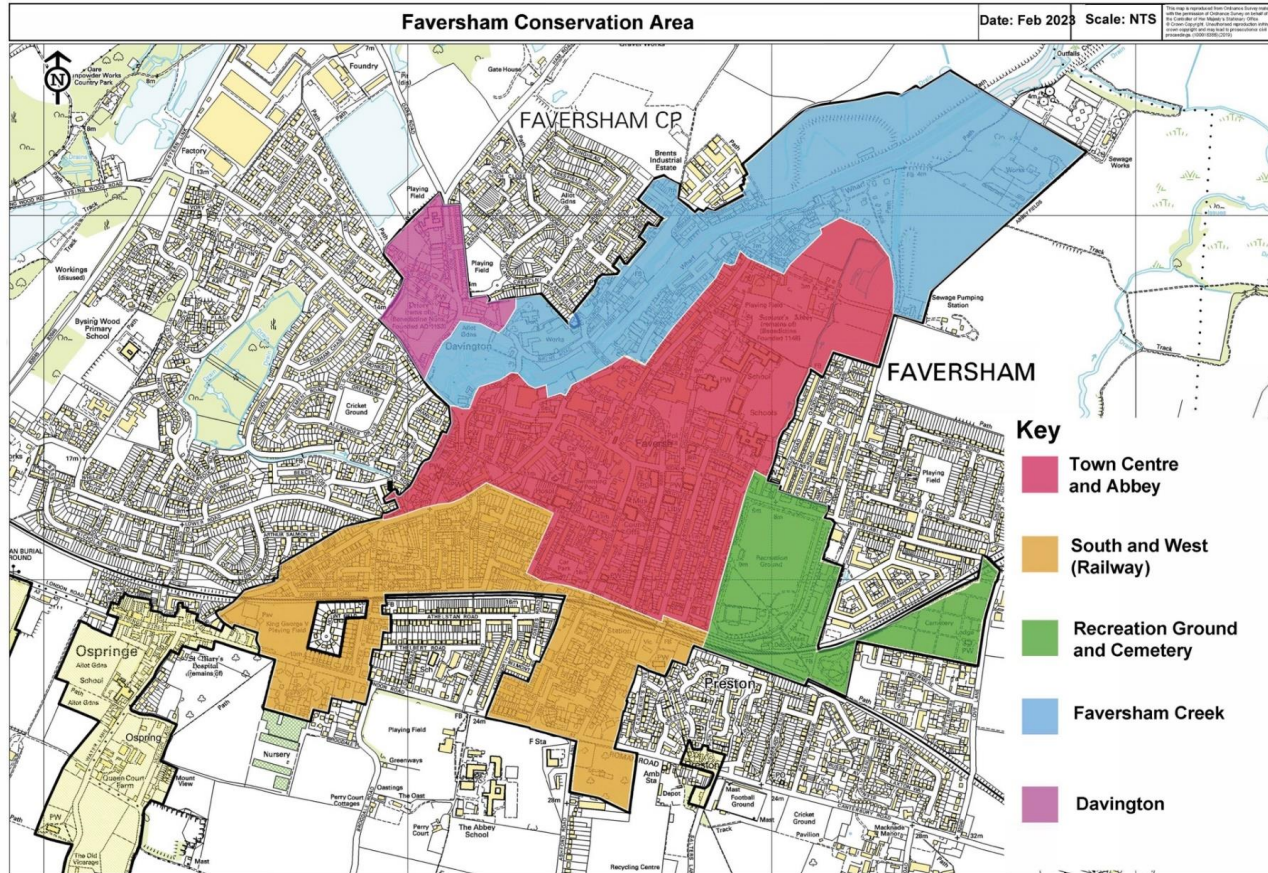




# Faversham Conservation Area Appraisal & Management Plan

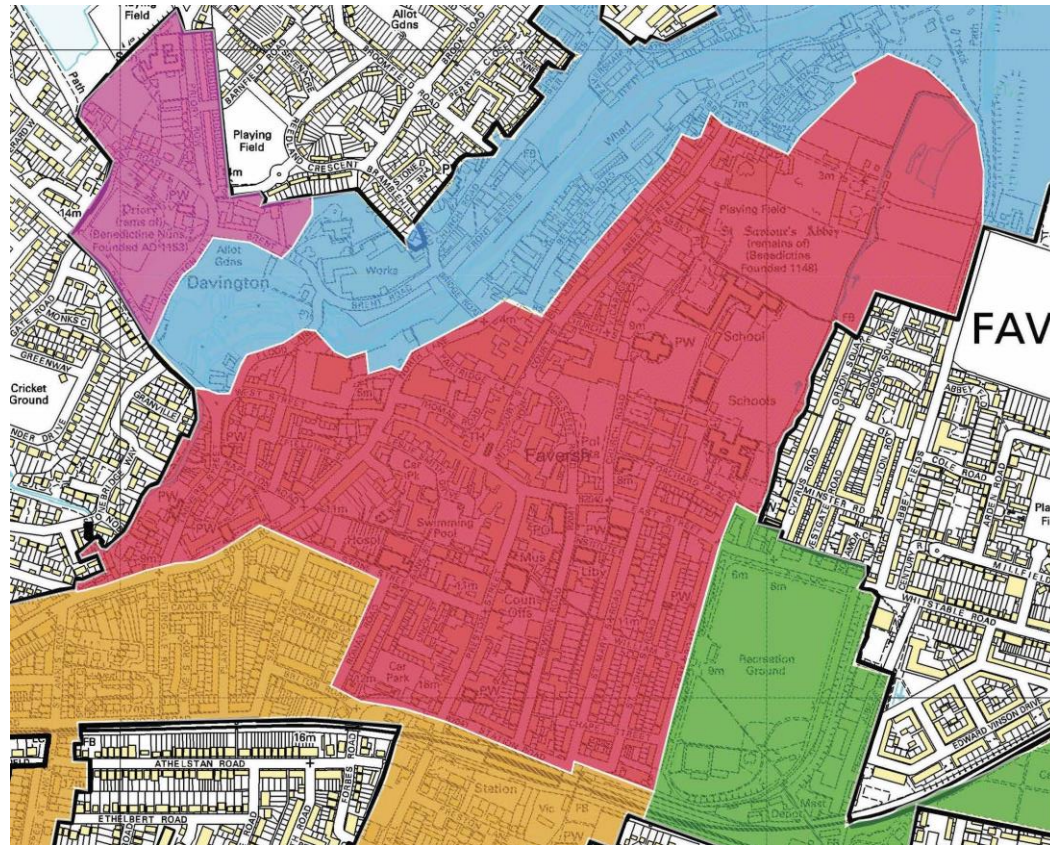
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# Faversham Conservation Area Appraisal & Management Plan

Character areas plan. The pale-yellow areas are the separate Ospringe and Preston Next Faversham Conservation Areas.



## 4.2 Town Centre and Abbey

Town Centre and Abbey character area plan.

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## Faversham Conservation Area Appraisal & Management Plan

The compact core of the Town Centre contains the main concentration of medieval and post-medieval buildings, some remodelled by the Georgians. Much medieval fabric is concentrated in and around the commercial core of the Town Centre, in West Street, Abbey Street and Market Place, Preston Street, West Street and Court Street. The contrast between the more organic timber-framed buildings and the classical formality of the Georgian buildings (or Georgian frontages added to medieval buildings) is an important part of the character.

The streets are generally flanked by rear-of-the-pavement building frontages, creating a strong urban character. The scale of buildings is generally 2-3 storeys, with some taller landmark buildings.

This area also has the main concentration of public buildings. Industrial sites, including breweries, are located around the edge of the core.

**Abbey Farm** The site of the abbey is now a school playing field, but there are surviving buildings from the time of the monastery, including older parts of St Mary of Charity Church and Abbey Farm. The three open fields to the northwest, northeast and southeast of Abbey farm form the setting of its Grade II\* and Grade I listed buildings and its historic farmstead layout.

**Market Place** is the main public space, with an array of buildings ranging in date from the C13 to the C20, including brick fronted, timber-framed, mathematically tiled and stuccoed walls and varied roofs, mostly steeply pitched with colourful Kent peg tiles and studded with chimney stacks. **Middle Row** is a narrow street created by the later insertion of a row of buildings into the original width of Court Street and Market Place and has surviving historic surfaces.

**Court Street** is wide and has buildings dating from between C15-C18, many timber-framed. It has two groups of brewery buildings. The 'Whitbread' complex on the east side of the road (no longer used for brewing) is a group of C19 brewery buildings. The Shepherd Neame brewery is on the west side of the road. Historic ground surfaces survive in parts of Court Street, including kerbstones, granite and limestone setts and York Stone slabs.

**Abbey Street** originally linked to the Abbey. Between Court Street and the site of the abbey gateway, Abbey Street is of exceptional interest, comprising almost entirely medieval and post medieval timber-framed buildings, many with gabled fronts and first floor overhangs and some a later (Georgian) skin of brick and tile. Other parts of Abbey Street include a mix of buildings dating from C14 to C18 and some terraced houses built mainly in the first half of the C19. At Abbey Green, an open green space marks the site of the

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## Faversham Conservation Area Appraisal & Management Plan

abbey's inner precinct. The C17 Anchor Inn terminates the view along Abbey Street. Some historic street features and surfaces survive, including iron cellar grilles, granite sett paving and old lighting columns and granite kerbs.

**Abbey Place** once formed part of the abbey precinct, between inner and outer gates. It includes C18 and C19 houses and cottages and a former church with rudimentary classical detailing. Two cottages at the eastern end include ragstone rubble walling, once part of the abbey. Grass verges and street trees give Abbey Place a spacious and green character.

**Church Street** is narrow and encloses a dramatic view towards St Mary of Charity Church.

**Tanners Street** takes its name from the tanning trade once practised, but physical survivals owe more to the gunpowder industry. It has an informal and organic character, with rises and falls, twists and turns, and narrowing and widening. Part of the street is edged by an old ragstone wall that once enclosed the gunpowder works. The street has very varied architecture, from timber framed medieval buildings to 19<sup>th</sup> and 20<sup>th</sup> Century brick housing and public buildings.

**West Street** is one of Faversham's most historic streets, formed the town's main east-west axis during Anglo-Saxon times and served as the town's 'High Street'. West Street includes unbroken rear-of-pavement building frontages, with buildings dating from C15 to C20. Some have been refronted, though upper floor overhangs generally survive. They mainly comprise Kentish vernacular buildings with steeply pitched gables and timber-framing, plaster infill, brick nogging, red brick and occasionally yellow brick, russet-coloured, peg tiled roofs, mathematical tiling and pargetting.

**Market Street** connects Market Place with Preston Street with many buildings now dating from the C20.

**East Street** survives from Faversham's medieval street pattern. The western section is an integral part of the town centre environment. This character changes with the Post Office, which is set back, but also has its own merits. Further out, East Street has a more residential character.

**Church Road** channels a view towards St Mary of Charity Church. The road includes several distinctive buildings, including the red brick bulk of the former brewery, former National School and police station. Some buildings and walls are of flintwork construction.

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**Preston Street:** The older, northern section Preston Street contains buildings from the C15-C18, characterised by timber-framed construction and traditional finishes. The later parts of the street date largely from the second half of the C19, many of red and yellow brick with Welsh slate covered roofs. Buildings are mainly two and three-storeys with an array of brick chimney stacks.

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**Town Centre and Abbey:** The town centre is focused around West Street, Abbey Street and Market Place, Preston Street, West Street, Court Street, and Market Place, surrounded by the former abbey site, St Mary of Charity Church and surrounding industrial and commercial areas.

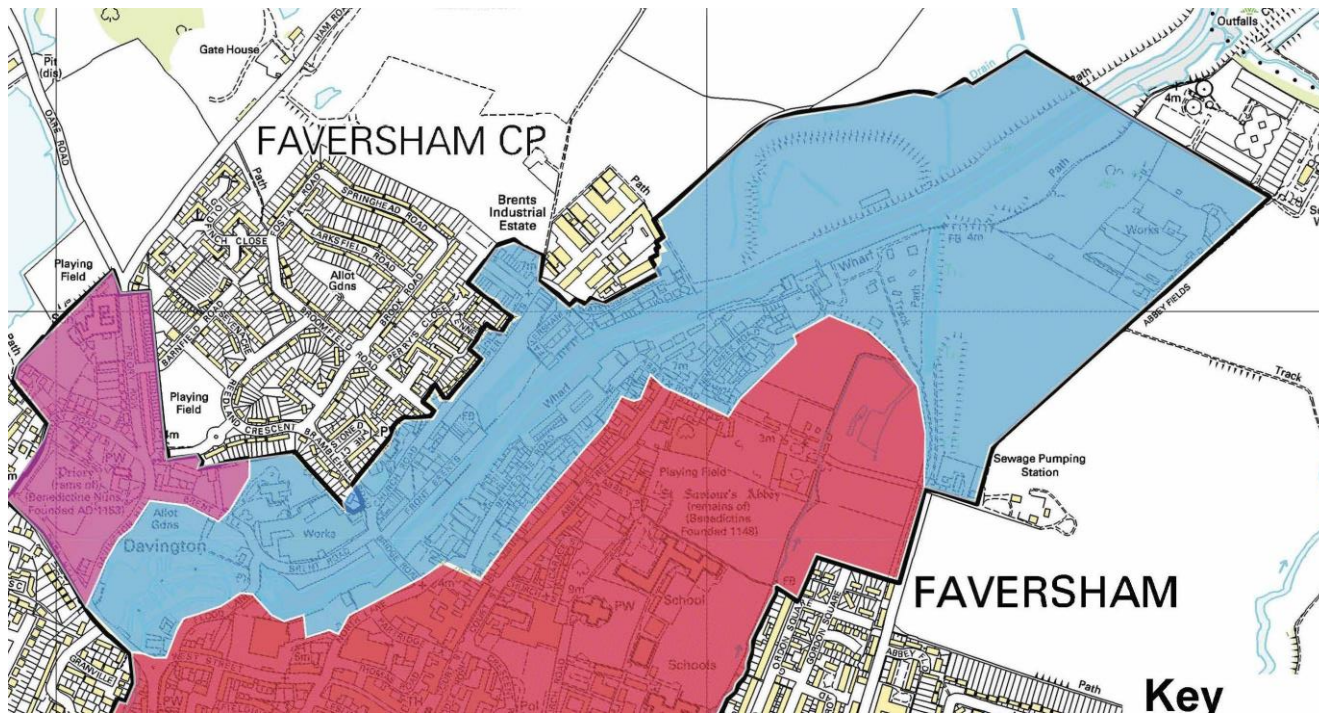
# Faversham Conservation Area Appraisal & Management Plan

## 4.3 Faversham Creek

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Faversham Creek character area plan.

## Faversham Conservation Area Appraisal & Management Plan

Faversham Creek, as a navigable waterway, was the reason for Faversham developing as a port and market town. The Creek is flanked by the town centre to the southeast and housing and industry to the northwest. It links the urban core of Faversham to the wider landscape setting.

Landscape is an important part of character, including the water channel, mudflats, chalk streams and water features, green spaces.

**Standard Quay**, for centuries a principal quay in the port of Faversham, is a significant part of the Conservation Area, with surviving industrial heritage spanning several centuries, including C18 and C19 weatherboarded warehouses and workshops with gables, loft and loading doors, and corrugated iron roofs and a C17 warehouse on the eastern edge of the quay of stone brick and half-timbered and infilled with various patterns of red brick nogging.

**Town Quay** played a key role in the development of Faversham's port and includes a medieval timber-framed warehouse (now known as 'training ship' Hazard) and surviving granite paving. This and the surrounding sites in Conduit Street and Belvedere Road provide a concentration of industrial heritage associated with the Creek and brewing, including [Belvedere Provender](#) Mill with its projecting hoist bays and also the former Whittle's Timber Yard.

**Ordnance Wharf** includes surviving elements from former gunpowder works, bridges, walls and other infrastructure features.

**Front Brents and Upper Brents** are characterised by single and two storey C19 terraced and other housing and green spaces and trees.



**Faversham Creek:** was the focus for the development of Faversham as a port and market town.

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# Faversham Conservation Area Appraisal & Management Plan

## 4.4 Davington

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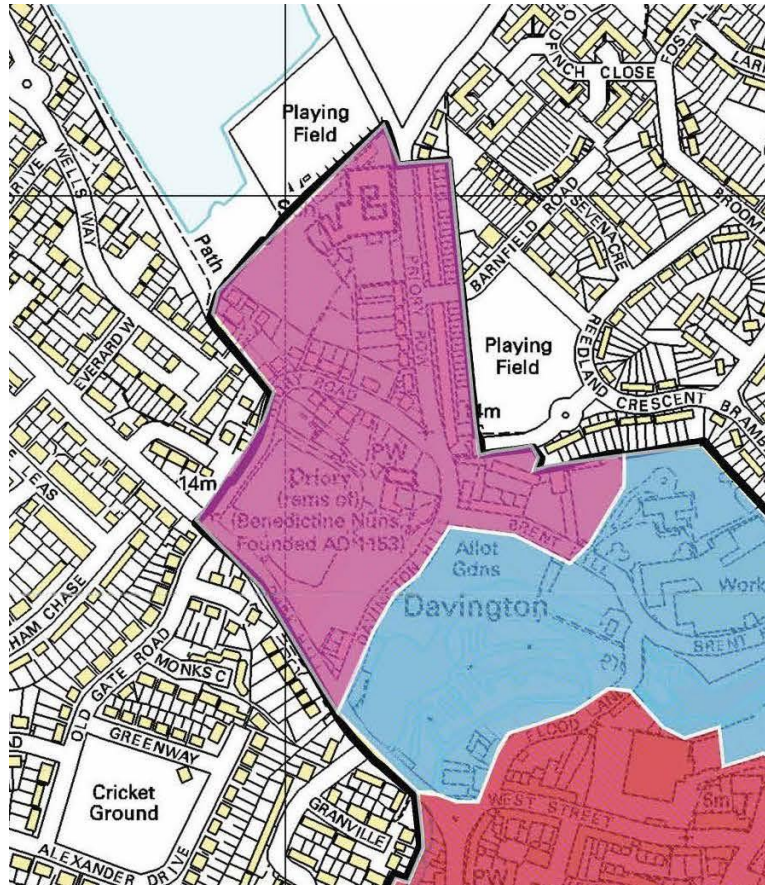
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# Faversham Conservation Area Appraisal & Management Plan

Davington character area plan.



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## Faversham Conservation Area Appraisal & Management Plan

Davington has a village character, focused around the Church of St Mary Magdalene and its walled churchyard and Davington Priory. St Mary Magdalene church is set back in a small graveyard enclosed by high flint and stone rubble walls and entered through a clay-tiled lychgate. Surviving priory buildings include the prioress' parlour, the library, the western alley of the cloister and the Norman doorway of the refectory, now forming part of a private house to the south side of the church.

Davington is separated from the main part of the town by walled woods. Stonebridge Pond survives from the gunpowder industry.

**Davington Hill** runs alongside Stonebridge Pond and has a steep gradient. The surrounding landscape dominated by trees and green spaces, with greenhouses. There are distinctive C16 house and a group of C18 cottages, including white cottages. The hill is flanked by the remains of the old priory wall, with heavily overgrown.

**Priory Row** has mid-Victorian yellow brick terraced houses along the road. The houses have clay tiled roofs in a vernacular Gothic style.

**Brent Hill** has a steep gradient and links Davington to the Creek area. The road crosses Stonebridge Pond and across Faversham town. Much of the road is enclosed between high flint and stone rubble walls to minimise damage to neighbouring properties from explosions in the past.



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**Davington:** This part of the Conservation Area has a village character, with the Church of St Mary Magdalene as the focal point.

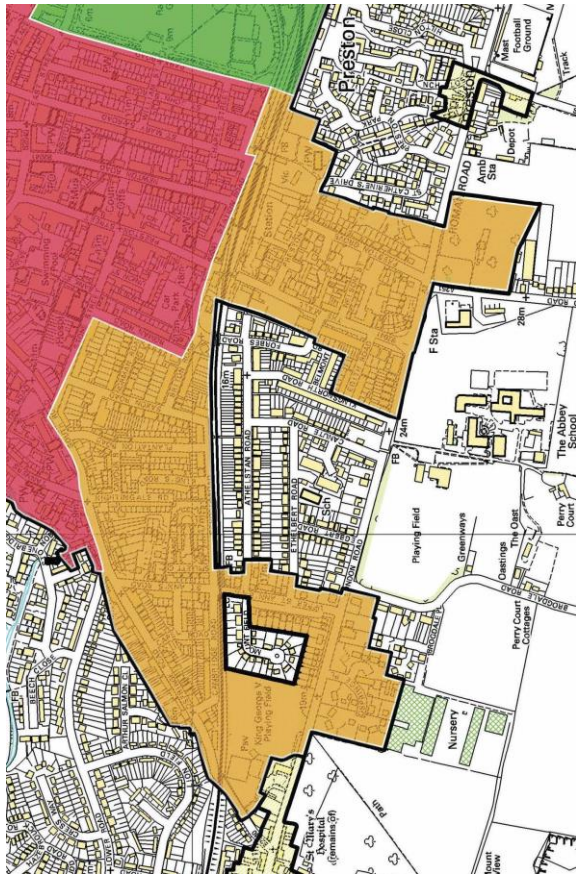
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# Faversham Conservation Area Appraisal & Management Plan

## 4.5 South and West (Railway)



South and West (Railway) character area plan.

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## Faversham Conservation Area Appraisal & Management Plan

The housing areas north and south of the railway date primarily from the mid-late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The railway was the catalyst and housing was built to provide accommodation for workers in new and expanding industries.

The predominant form is brick terraces, some fairly utilitarian with rear-of-the-pavement frontages, but later terraces set back behind shallow front courts, some with bay windows. Some later housing also has gardens.



**Housing:** The areas north and south of the railway are characterised by streets of terraced housing.

**Residential streets to the north of the railway:** Many streets have a fairly uniform appearance with small and closely spaced houses, often terraced and set close to or directly onto the edge of the footway. The streets are often comprised of smaller groups of houses each a little different in appearance from one another. Other streets have larger and more elaborate terraces, such as Angelo Terrace with its central pediment and incised plaque dated 1863 and polychrome brickwork. Some terraces are set back slightly behind front courts. Granite kerbs survive in places. There are also substantial detached and semi-detached houses in a variety of styles. Ospringle and South Road have a more varied character, reflecting Georgian and Victorian development over several decades. Limited remains of Home Works survive, now within an area of modern housing. Faversham Almshouses in South Road are very distinctive and set within green space. Small workshops and yards, now converted to residential use, survive, for example in Union Street.

**Residential streets to the south of the railway:** Some of the character from north of the railway continues in development to the south, but also there are some streets with a more green, spacious and suburban character, reflecting a later date of construction and

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## Faversham Conservation Area Appraisal & Management Plan

including detached and semi-detached properties. The development of housing can be seen in different streets. Victorian housing sometimes has impressive entrances framed with pilasters and moulded and patterned bricks, some with leaded and coloured glass. Edwardian characteristics included mock timbering in gables, verandas with timber balustrading and clay roof tiles laid in patterned bands. Inter-war housing reflects design influences of garden suburbs and arts and crafts. Preston Church is now surrounded by suburban housing.

**The Mall** is the central route leading from the Station to London Road/Canterbury Road. This has a mix of older buildings with 19C and 20C development. The Mall was widened in 1773, creating its current character as a tree-lined promenade. Surviving features include limited granite setts and a granite horse trough.

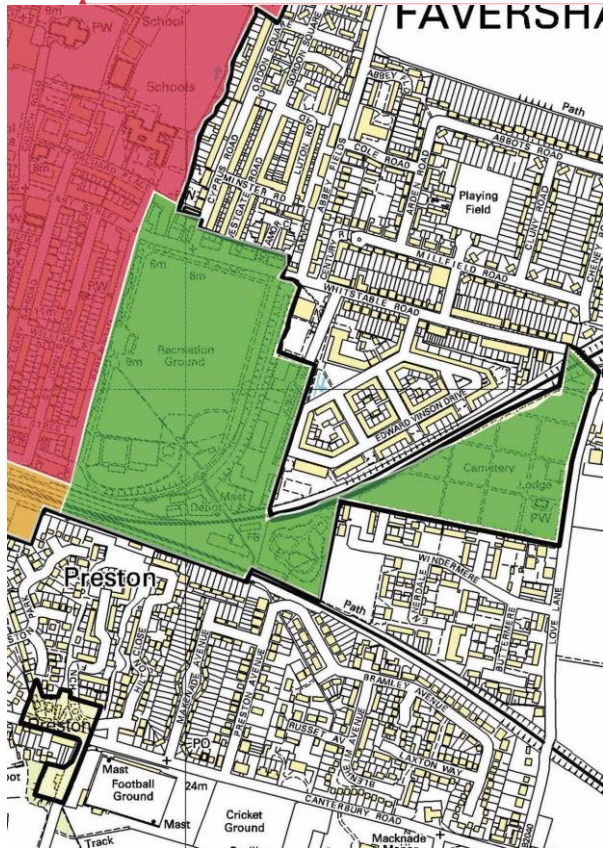
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# Faversham Conservation Area Appraisal & Management Plan

## 4.6 Recreation Ground and Cemetery



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# Faversham Conservation Area Appraisal & Management Plan

## 4.6

Recreation Ground and Cemetery character area plan.

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## Faversham Conservation Area Appraisal & Management Plan

This area is largely open and formal landscape. Faversham recreation ground was the town's first formal park, laid out in 1860. Faversham Cemetery was opened in 1898 and laid out in a formal grid. Mature trees are a characteristic of both spaces.

There are numerous graves, including one commemorating the victims of Faversham's gunpowder explosion in 1916. There are few buildings, the main ones being the park lodge and cemetery chapel.



Recreation ground and cemetery: The recreation ground (left) and cemetery (right) are characterised by open landscape areas and mature trees.

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## 5. Design

### 5.1 Recent Development

Recent development (21<sup>st</sup> Century) has been of mixed design quality, as the following examples illustrate.



**Contextual design:** The more recent scheme on the left sets a good standard in terms of detail, finish, materials and landscape. It demonstrates an imitative rather than creative response to the historic context. The scheme on the right complements the general townscape character and demonstrates how more contemporary design can be woven successfully into a street frontage.

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**Generic design:** These schemes are generic 'anywhere' designs, which do little to respond to the historic context. Both adopt a generic 'heritage' style. Ground floors are dominated by large-scale vehicular entrances, at odds with the historic context.

The style of the Morrisons development off West Street will probably divide opinion in terms of architectural design. However, the more important consideration is that it places car-parking adjacent to the road frontage, ignoring the character of the street which is based on rear-of-pavement building frontages. The large free-standing building surrounded by carparking is fundamentally at odds with the existing townscape character.



## Faversham Conservation Area Appraisal & Management Plan



**Urban design:** These schemes both present poor frontages to the street at ground floor level. The character of the Conservation Area is based on active frontages, with doors windows and shopfronts. These schemes present largely blank frontages to the street.

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For the most part, recent development has denuded the street context. Whilst imitative development generally respects the Area's integrity and authenticity in the longer term, in addition, there could be a missed opportunity to

Some housing development along Faversham Conservation Area. There is a lack of pedestrian connectivity in some areas of Faversham Recreation Ground. This is a barrier to





## Faversham Conservation Area Appraisal & Management Plan



**Accessibility and connectivity:** Some new Creekside housing has made public access difficult or impossible. Some recent housing and commercial development has failed to provide convenient connections for pedestrians, making active travel more difficult.

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### 5.2 Development and Design Principles

For Faversham Conservation Area, the following development principles should be followed:

**Creative and green design:** New buildings should add to the architectural quality and diversity of the area. Conservation area status should encourage creativity, rather than being a barrier. Innovative green design helps to address climate change may be a trigger for a 21<sup>st</sup> century vernacular for Faversham.

**Townscape character:** Development should complement the townscape character of the surrounding context in terms of predominant scale, massing, height, set back and enclosure of streets and spaces, and any pattern of front or rear gardens or courts or yards.

**Materials:** Development should use durable materials with a high standard of finish to complement the historic environment. This includes local vernacular materials, recycled materials and green materials from sustainable sources.

**Landscape and green infrastructure:** Landscape and trees are important parts of the character of the area and this should be reflected in development proposals. Planting should be based on local native species or other species with high environmental value and which complement the character of the area.

**Pedestrian permeability and connectivity:** Development should link the site to the surrounding area, to enable pedestrian movement and choice. Poor connectivity is a barrier to active travel and harms the economic viability of the area.

**Alterations and extensions:** Reinstatement of historic features, including shopfronts, should be supported. Alterations and extensions should avoid the obliteration of historic and architectural features. Alterations should be reversible, as far as possible.

**Photovoltaics:** Against the context of climate change, roof mounted photovoltaic panels should be supported for unlisted houses in the Conservation Area, providing they are inset from the roof edges and ridge, avoiding obliteration of decorative tiles and features and mounted in a way to cause minimal damage to historic fabric. This helps to make the works reversible, so that they can be removed when no longer required. Proposals for photovoltaics on listed buildings would need to be considered on their merits.

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## Faversham Conservation Area Appraisal & Management Plan

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## 6. Management Plan

### 6.1 Heritage Values

#### 6.1.1 Social, Economic and Environmental Values

Faversham's heritage has various economic, community, cultural and environmental values:

- Most of Faversham's historic buildings are in productive use (commercial, residential, leisure and other uses) as part of the infrastructure of the town.
- Faversham's historic environment and heritage attractions create competitive advantage for the town, attracting heritage-based tourism and increased footfall and expenditure.
- The town centre 'offer' reflects its different roles as a centre for the local community and also for tourists.
- The quality of the historic environment is a key factor in creating positive perceptions of the town, which is an important factor in attracting investment.
- Faversham's diverse range of historic buildings provides distinctive floorspace for retail, micro-businesses, enterprises, community facilities, visitor facilities, display space, visitor accommodation and other uses.
- The Town Centre provides a mix of uses (including residential, commercial and community facilities) in close proximity (walkable neighbourhoods).
- The town provides good permeability and connectivity for pedestrians so supports active travel
- Faversham's historic environment includes multiple green spaces, formal and informal, trees, landscape and water features, providing valuable habitats supporting biodiversity.
- Research shows that historic environments support a higher proportion of independent businesses, and this is readily apparent in Faversham.
- Faversham's traditional forms of townscape mean that most streets and spaces are overlooked by active building frontages, creating natural surveillance.
- Faversham's historic buildings have proved to be durable over centuries and conservation preserves the embodied energy invested in their materials and construction.

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## Faversham Conservation Area Appraisal & Management Plan

- Terraced building forms provide natural insulation from adjoining properties.

The above factors make clear that there is a strong link between conservation of Faversham's built heritage and achieving more effective, inclusive and sustainable forms of growth.

### 6.1.2 Realising the Potential

The quality of the historic environment is likely to be a factor in making Faversham attractive to investors, visitors, and as a place to live. Railway services to London similarly make the town attractive.

Faversham has higher commercial property prices and rentals than other Swale towns. Commercial and residential viability continues to be good. Whilst the higher prices are a positive indicator, there are issues of affordability for people on low incomes.

Heritage needs to be considered against a wide social, economic and environmental context if it is to realise its economic, community and cultural potential.

**Action 1 – Awareness of economic value:** Awareness of the economic and other values of Faversham's heritage should be promoted to multiple organisations, to inform their strategies and plans and to ensure that heritage forms an integral part of wider social, economic and environmental planning (see 6.1.1).

**Partners:** Swale Borough Council, Kent County Council, Visit Swale/Visit Kent, Faversham Town Council.

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# Faversham Conservation Area Appraisal & Management Plan

## 6.2 Heritage-led Economic Development

### 6.2.1 Place leadership

The importance of place leadership is increasingly recognised, for example in the High Street Task Force’s ‘Place Leadership in English Local Authorities’, November 2022.

**Action 2 - Place leadership:** This is a key factor in achieving beneficial change. Place leadership has much wider application than this management plan. Place leadership is a way of removing barriers to regeneration and helping to realise the potential of Faversham’s historic environment.

**Partners:** Swale Borough Council (senior leadership), Faversham Town Council.

### 6.2.2 Town Centre Regeneration

A key factor in successful physical and economic regeneration and town centre recovery is ensuring that different organisations have a shared vision and strategy. As with place leadership, this would have wider application beyond the scope of this management plan.

**Action 3 - Shared Vision:** A concise shared vision should be prepared, with wide buy-in across a range of stakeholders. The shared vision would help to create coherence between the range of strategies and plans for Faversham and the activities of various organisations involved in the management, regeneration, enhancement and promotion of the area, including those focused on growth and investment. The Vision should emphasise Faversham’s value as a historic town, building on the vision in the emerging Faversham Neighbourhood Plan.

**Partners:** Faversham Town Council, Swale Borough Council, Kent County Council, the Faversham Society and other stakeholders.

The historic environment has a clear role in making Faversham more attractive for local people and visitors. To build on this, the following are recommended:

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## Faversham Conservation Area Appraisal & Management Plan

**Action 4 – Regeneration Policies:** Plan making (Local Plan and Neighbourhood Plan) should be used to support town centre regeneration (see 6.5.2). The emerging Faversham Neighbourhood Plan identifies a Maritime Gateway Heritage Regeneration Area, makes site allocations and has other policies to support the historic Town Centre and Faversham Creek.

**Partners:** Swale Borough Council, Faversham Town Council.

**Action 5 - High Street Priorities:** The High Street Task Force 25 priorities for vitality and viability of high streets should be used to inform strategies, planning and management of the Town Centre (see 7.3).

**Partners:** Swale Borough Council, Faversham Town Council, Faversham Traders Association, the Faversham Market Cooperative and local businesses.

**Action 6 - Marketing and promotion:** The historic environment is a key factor in the marketing and promotion of Faversham. An agreed core script would help to ensure that different organisations involved in promotion of tourism and the visitor economy have a consistent message. The core script would focus on the value and potential of Faversham as a nationally significant historic town. It could include collective promotion of the wide range of heritage attractions in the town.

**Partners:** Kent County Council, Swale Borough Council, Visit Swale/Visit Kent, Faversham Town Council, The Faversham Society, the Faversham Market Cooperative and Faversham Traders Association.



**Town Centre:** The role of Town Centres continues to change, reflecting changes in employment and live/work patterns, online retail and a greater emphasis on food and drink, recreation, culture and personal services.

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## Faversham Conservation Area Appraisal & Management Plan

### Supporting owners

Conservation of heritage assets depends on responsible and enlightened owners. There are various ways of supporting owners.

**Action 7 – Engagement with Owners and Developers:** A proactive approach should be taken to engage with building owners and developers, in particular at pre-design and pre-application stages, to help create a smoother passage through the planning process. For key sites, a concise set of development and design principles could be provided, based on Neighbourhood Plan policies. See also Action 24.

**Partners:** The Faversham Society, Faversham Town Council and Swale Borough Council.

**Action 8 - Productive use of assets:** Redevelopment or remodelling of poor-quality buildings and sites should be encouraged, as should the refurbishment and reuse of underused and vacant historic buildings. This could include meanwhile uses. Swale Borough Council should have a pro-active approach to contacting owners and encouraging action.

**Partners:** Swale Borough Council, Faversham Society.

**Action 9 - Building repair and enhancement:** Advice, information, possible national grants and enforcement should be used constructively to prevent and secure reversal of harmful alterations.

**Partners:** Swale Borough Council, Faversham Town Council, Faversham Society.

**Action 10 - Training and Information for Owners:** Training and information should be provided to help owners to understand heritage assets and protection and to signpost to further advice and useful resources. This could include signposting to guidance and resources produced by national amenity societies.

**Partners:** Swale Borough Council, Faversham Society.

**Action 11: Awards:** An awards scheme should be considered, to recognise quality schemes in repairing historic buildings, design in historic contexts and sustainable or green design.

**Partners:** Faversham Society, perhaps with sponsorship.

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### 6.3 Enhancement of the Public Realm

Faversham's public realm (streets, squares and other spaces) are as important to character as buildings. They include protected historic features, including ground surfaces, lamps and bollards. Green spaces and landscape are also an important part of character.

Faversham's public spaces have economic value, accommodating a range of uses, including festivals and events. Streets and spaces influence movement and accessibility, so affect economic viability, especially in the town centre. Streets and spaces also have community value and support active travel, recreation and social interaction.

There are also areas of public realm that cause harm to the character and appearance of the area, in particular public carparks.

To address this and ensure consistency in the quality of public realm schemes and works, the following is recommended:

**Action 12 - Quality and consistency:** An integrated and coordinated approach should be agreed between the various council departments and other organisations involved in decisions and investment affecting the public realm. This should be based around a public realm design code, with sufficient detail to ensure consistency, but flexible to allow creative responses to different sites and areas. This would include design of highway authority works, as highway infrastructure forms a major part of the Town's public realm. See also Actions 13, 14 and 15.

**Partners:** Swale Borough Council, Kent County Council (the local highways authority), Faversham Town Council and the Kent Conservation Officer's Group. It is important to consult on public realm works with local organisations like the Faversham Society.

**Action 13 - Audit:** An audit should be undertaken to identify heritage features and ground surfaces, look for opportunities to improve the public realm and to reduce street clutter where possible. A community project to encourage wider participation should be considered. See also Action 12.

**Partners:** Swale Borough Council, Kent County Council (the local highways authority), Faversham Society and possibly schools/colleges.

**Action 14 - Accessibility:** A key consideration in future regeneration and public realm schemes should be overcoming challenges to improve access to historic places and environments for pedestrians with a range of mobilities.

**Partners:** Swale Borough Council, Kent County Council, Faversham Town Council, in consultation with local interest groups.

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## Faversham Conservation Area Appraisal & Management Plan

**Action 15 - Carparks:** Enhancement schemes should be prepared for Swale’s surface public carparks. Schemes should enable multiple uses of carparks, including occasional events, markets and other social and economic activities. The environment of carparks should be improved by use of attractive and durable surface materials, inclusion of clear pedestrian routes and introduction of trees, planting and greenery. Early engagement should be a key part of the design process.

**Partners:** Swale Borough Council, Kent County Council, Faversham Town Council.

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### 6.4 Sustainability

Against the context of climate change, development and other works should seek to preserve or enhance not just character, but also the intrinsically sustainable characteristics of Faversham. This includes:

**Mixed use:** Maintaining the mix of uses across the area, including the concentration of facilities and employment in the town centre and surrounding neighbourhoods.

**Connectivity and permeability:** Ensuring that existing pedestrian paths and connections are maintained and that new development has high levels of connectivity and permeability in its design and layout, to enable easy pedestrian movement.

**Housing:** Prioritising brownfield sites and also sites within or in walking distance of the Town Centre when making housing site allocations.

**Floorspace:** Ensuring that all floorspace, including upper floors, is in full productive use.

**Green infrastructure:** Maintaining Faversham’s green infrastructure, including trees and green spaces, and seeking biodiversity net gain in new development.

**Embodied energy:** Retaining historic building fabric, to preserve the embodied energy used in their materials and construction.

## Faversham Conservation Area Appraisal & Management Plan

**Retrofitting:** Taking opportunities to enhance building performance and efficiency, whilst maintaining the special interest of the building.

Together, these will help to maintain Faversham’s pattern of walkable neighbourhoods, making efficient use of land and property, supporting biodiversity and taking opportunities to enhance building performance.

**Action 16 – Sustainability:** The above sustainability factors should be maintained or enhanced in strategies, plans and projects for Faversham. This includes support for mixed use, walkable neighbourhoods with good and safe pedestrian connectivity and permeability. These principles have informed the policies of the emerging Neighbourhood Plan

**Partners:** Swale Borough Council, Kent County Council, Faversham Town Council, Faversham Youth Council.

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### 6.5 Protection

#### 6.5.1 Boundary

**Action 17 – Conservation Area Boundary:** The boundary of the Conservation Area should be reviewed from time-to-time, as required in planning legislation. Factors to consider include:

- Possible inconsistency where Davington is part of the Faversham Conservation Area, whilst Ospringe and Preston-by-Faversham are separate conservation areas.
- Possible extensions to the conservation area boundary to include additional areas identified through stakeholder engagement. The Faversham Society has put forward suggestions (set out in Appendix 1).

**Partners:** Swale Borough Council in consultation with other groups and wider community.

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### 6.5.2 Additional Controls

The current Article 4 Direction is fairly extensive and many buildings are also listed individually, so providing protection of building features. The main loss of windows and doors is in the late 19<sup>th</sup> and early 20<sup>th</sup> century terraced streets. These changes do harm character, but it could be argued that the more important aspect of character is the urban form of the terraces.



**Terraced Streets:** Many properties have had window replacements.

Commercial properties in shopping streets tend to have traditional frontages with a fascia for advertisements. This helps to ensure that advertisements are sensitively proportioned. However, in some instances, advertisements are bigger than the space for fascia signs, or there is no fascia. These are harmful to character. An area of advertisement special control could be considered, resources allowing.

**Action 18 – Additional Controls:** The Article 4 Direction does not need to be revised. An area of advertisement special control should be considered if resources allow.

**Partners:** Swale Borough Council in consultation with other groups and wider community.

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Signage: The example on the left has a sensitively designed fascia sign. The examples on the right are much more obtrusive.

### 6.5.3 Other Statutory Protection

There is a constant need to review the statutory list, to reflect changing practices and attitudes. Many of the list entries date back several decades and are short on detail and often focused on the fronts of properties.

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**Action 19 – List Descriptions** - Historic England should be encouraged to update and correct list entries as resources allow. See also Action 20.

**Partners:** Historic England.

**Action 20 – List enhancement:** There is an opportunity to enhance listings with pictures and other information, through the listed building web site. This could form the basis of a community project. Historic England has run pilot projects on list enhancement in other parts of the country.

**Partners:** Swale Borough Council, Historic England, Faversham Society and other community groups.

**Action 21 – Listing:** There may be scope for additional listing of buildings or upgrading of existing listings. Suggestions could be submitted to Historic England, for example:

- Shepherd Neame buildings in Conduit Street;
- Malt House (including oast houses) in Park Road;
- The 1911 sewerage pumping station, Abbey Fields;
- Faversham Post Office, Newton Road/East Street;
- The unlisted wagon maintenance shed at Faversham Station.

**Partners:** Swale Borough Council, Historic England, Faversham Society and other community groups.

### 6.5.4 Buildings at Risk

**Action 22 – Buildings at risk:** A Buildings at Risk survey should be undertaken, to monitor the condition of buildings in the Conservation Area. Resources are limited, so a volunteer project could form part of a buildings at risk process. The process could be selective, focusing on vacant properties or buildings with obvious deterioration. This would allow targeting and prioritisation of resources and enforcement action. For buildings identified as being at risk, a concise action plan could be formulated, working with property owners. See also Actions 28 and 29.

**Partners:** Swale Borough Council, Historic England, Faversham Society (volunteer survey work).

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## 6.6 Effective Planning

### 6.6.1 Statutory Duties

There are numerous statutory duties for local planning authorities, relating to heritage. These include:

- Planning duties with regard to listed buildings - Planning (Listed Building & Conservation Areas) Act 1990, section 66 (1) and following;
- Duties with regard to listed building consent applications - Planning (Listed Building & Conservation Areas) Act 1990, section 16;
- Control of works to listed buildings - Planning (Listed Building & Conservation Areas) Act 1990, sections 8 and following;
- Duties regarding designation of conservation areas - Planning (Listed Building & Conservation Areas) Act 1990, section 69;
- Duties regarding appraisal of conservation areas - Planning (Listed Building & Conservation Areas) Act 1990, section 71 and following;
- Duties regarding development and conservation areas - Planning (Listed Building & Conservation Areas) Act 1990, section 72.

In addition, there are heritage dimensions in undertaking Sustainability Analysis, Strategic Environmental Assessment, and Environmental Impact Assessments.

Compliance with these duties requires specialist skills and capacity to support decision-making. This can include specialist knowledge of conservation practice, architectural theory and history, design, legislation and policy, building finance and economics, and building construction technical matters.

### 6.6.2 Positive Planning and Design

To ensure positive planning, with a focus on design and placemaking, the following is recommended.

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**Action 23 – Positive Planning:** The Local Plan and Neighbourhood Plan processes should be used to plan positively for Faversham, to conserve the historic environment and realise its economic, cultural and community potential, against the context of climate change. This could include:

- Building on Faversham’s potential as a historic market town, commuter town, centre for tourism, and local centre. Local Plan and Neighbourhood Plan revisions can create statutory policy to help achieve this.
- Identifying housing opportunities to meet local need within the urban core, for example through allocation of small and medium brownfield sites in the new Neighbourhood Plan.
- Supporting the creative and careful adaptation of historic buildings and structures to accommodate changing needs, whilst preserving or enhancing their special architectural or historic interest.
- Seek to secure very high-quality, creative design to complement and enhance the existing spatial and townscape character of the Conservation Area and making clear that conservation area status is not a barrier to innovation or green design (many historic buildings were examples of creative and innovative design, when they were built).

**Partners:** Swale Borough Council, Faversham Town Council, the Faversham Society.

**Action 24 - Masterplanning and site briefs:** Master-planning and development or design briefs could be prepared for key sites within and around the Conservation Area. The proposed replacement Faversham Neighbourhood Plan includes area-regeneration policies and site allocations which set specific requirements for development.

**Partners:** Swale Borough Council, Faversham Town Council, the Faversham Society, in consultation with landowners and developers and local groups.

**Action 25: Guidance:** Clear planning guidance should be prepared to address current pressures, including guidance on addition of photo-voltaic panels to historic properties.

**Partners:** Swale Borough Council.

**Action 26: Integrated Conservation:** The close correlation between conservation of the natural and historic environments should be recognised in future policy and strategy documents. This is especially relevant to the extensive landscape areas within the Faversham Conservation Area. This is the approach in the emerging Faversham Neighbourhood Plan.

**Partners:** Swale Borough Council, Faversham Town Council, the Faversham Society.

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**Action 27 - Design skills and capacity:** Regular design training is recommended for decision makers, including officers and elected members. This can raise design awareness and skills and also challenge misconceptions about building in context in the Faversham Conservation Area (and other conservation areas and historically sensitive locations). Independent design review can help with assessment of significant development proposals.

**Partners:** Swale Borough Council, Faversham Town Council, Faversham Society.

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### 6.6.3 Enforcement

As a last resort, enforcement action is sometimes necessary.

**Action 28 - Unauthorised works:** Effective heritage protection depends on enforcement where unauthorised work take place, including for works controlled by Article 4 Direction. Where possible, unauthorised works should be addressed through negotiation with owners. But formal enforcement should be considered where negotiation fails to achieve results. Unless enforcement action is taken to address harmful development, the character of the conservation area and general environmental quality will erode incrementally. Regular updating and distribution of guidance on heritage protection can be useful in avoiding unauthorised works. **Partners:** Swale Borough Council (local planning authority), Faversham Society (monitoring and bringing to the attention of Swale Borough Council).

**Action 29 - Deterioration:** Enforcement action for deteriorating properties could include use of Urgent Works or Repairs notices. This should be used where more informal or collaborative approaches have been unsuccessful. An indication that enforcement action is being considered may be sufficient in some instances to encourage owners to act. In cases where the heritage asset is subject to neglect, compulsory purchase may be considered, possibly followed by transfer of the asset to a public, private or community sector body.

**Partners:** Swale Borough Council (local planning authority), Faversham Society (monitoring and bringing to the attention of Swale Borough Council).

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## 7. Supporting Information

### 7.1 Sources of Information

Engagement with various local stakeholders has taken place, in the preparation of this document, including Faversham Town Council, the Faversham Society and Kent County Council.

Key evidence includes:

- Photographic survey undertaken in January and February 2023.
- Faversham Conservation Area Character Assessment September 2004.
- Swale Heritage Asset Review, June 2015.
- The Buildings of England Kent: Northeast and East, Pevsner et.al.
- Faversham Characterisation Study, Duchy of Cornwall, September 2020.
- The National Heritage List for England.
- National and Local Planning Policies and Guidance.
- Various local publications.
- Various online sources.

### 7.2 Grade I and II\* Listed Buildings

The following is a list of Grade I and Grade II\* buildings in Faversham:

<b>Building Name</b>	<b>Grade</b>
1 The Market Place	Grade II*
121 West Street	Grade II*
15 Ospringe Street	Grade II*

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5 and 6, The Market Place	Grade II*
81 Abbey Street	Grade II*
84 Abbey Street	Grade II*
87 to 92 Abbey Street	Grade II*
Abbey Farmhouse	Grade II*
Arden's House	Grade II*
Barn to the North of Queen Court Farmhouse	Grade II*
Church of St Catherine's	Grade II*
Church of St Mary Magdalene	Grade I
Cooksditch	Grade II*
Davington Priory	Grade II*
Faversham Abbey Major Barn	Grade II*
Faversham Abbey Minor Barn	Grade I
Fremlin's Offices (including East Wing and Billiard Room)	Grade II*
Gillett's Granaries	Grade II*
Medieval stables at Abbey Farm	Grade II*
Memorials to 1916 Faversham Munitions Explosion	Grade II*
Queen Court Farmhouse and outbuildings	Grade II*
The Guildhall	Grade II*
The Maison Dieu Museum	Grade II*
The Masonic Hall	Grade II*
The Parish Church of St Mary of Charity	Grade I
The Training Ship Hazard	Grade II*

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**7.3 High Street Task Force Vitality and Viability Priorities**

<b>Priority</b>	<b>Factors</b>
Activity	Opening hours; footfall; shopping hours; evening economy
Retail offer	Retailer offer; retailer representation
Vision and Strategy	Leadership; collaboration; area development strategies
Experience	Centre image; service quality; visitor satisfaction; familiarity; atmosphere
Appearance	Visual appearance; cleanliness; ground floor frontages
Place Management	Centre management; shopping centre management; Town Centre Management (TCM); place management; Business Improvement Districts (BIDs)
Necessities	Car-parking; amenities; general facilities
Anchors	Presence of anchors - which give locations their basic character and signify importance
Non-retail offer	Attractions; entertainment; non-retail offer; leisure offer
Merchandise	Range/Quality of goods; assortments; merchandising

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Priority	Factors
Walking	Walkability; pedestrianisation/flow; cross-shopping; linked trips; connectivity
Place marketing	Centre marketing; marketing; orientation/flow
Networks and partnerships with council	Networking; partnerships; community leadership; retail/tenant trust; tenant/manager relations; strategic alliances; centre empowerment; stakeholder power; engagement
Accessible	Convenience; accessibility
Diversity	Range/quality of shops; tenant mix; tenant variety; availability of alternative formats; store characteristics; comparison/convenience; chain vs independent; supermarket impact; retail diversity; retail choice
Attractiveness	Sales/turnover; place attractiveness; vacancy rates; attractiveness; retail spend; customer/catchment views; Construction of out-of-town centre
Markets	Traditional markets; street trading
Recreational Space	Recreational areas; public space; open space
Barriers to entry	Barriers to entry; landlords
Safety/crime	A centre KPI measuring perceptions or actual crime including shoplifting

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## Faversham Conservation Area Appraisal & Management Plan

Priority	Factors
Adaptability	Retail flexibility; retail fragmentation; flexibility; store/centre design; retail unit size; store development; rents turnover
Liveable	Multi/mono-functional; liveability; personal services; mixed use
Redevelopment Plans	Planning blight; Regeneration
Functionality	The degree to which a centre fulfils a role – e.g. service centre, employment centre, residential centre, tourist centre
Innovation	Opportunities to experiment; retail Innovation

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## Appendix 1 – Boundary Changes

Three changes are proposed to the Conservation Area boundary, to include additional areas. These are considered to contribute to the special architectural or historic interest of the Conservation Area.

The proposed additions are as follows.

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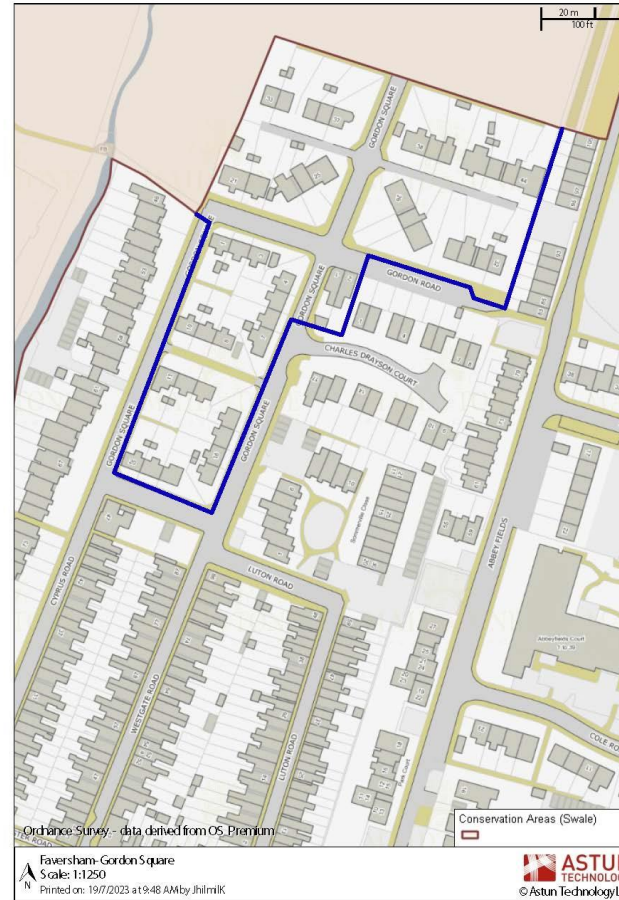
# Faversham Conservation Area Appraisal & Management Plan

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## Gordon Square

The Gordon Square Estate is named after the General Gordon pub which survives as a house, on the corner of Westgate Road with Gordon Road. The name is a commemoration of General Gordon, killed in Khartoum in 1885. The pub was built in the late 1880's or early 1890's. The small Gordon housing estate was constructed by the Borough Council in the 1920's to provide public housing for local workers. The special architectural or historic interest is derived from them being an early example of municipal or public housing construction. They are distinctive and economic in construction, using simple local stock brick and externally exposed concrete lintels over the doors and windows. They are generous for their time in terms of spatial standards.



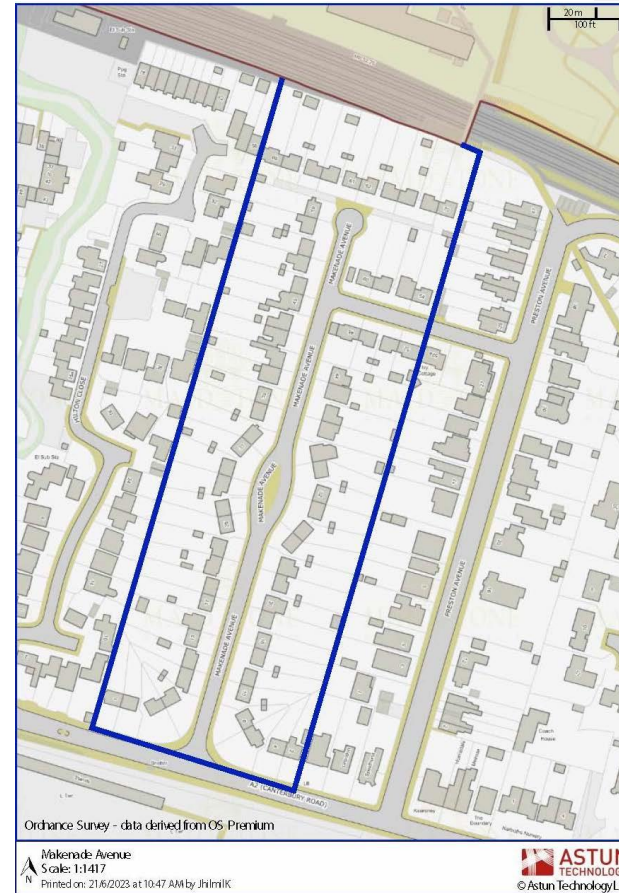
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## Macknade Avenue

Macknade Avenue has special architectural or historic interest as a good example of the then Faversham Borough Council's enlightened attitude to public housing and part of their Borough-wide council house building programme. This started in 1945, immediately after the end of WW2, and was completed by 1953. Macknade Avenue is the late reference to the Garden City Movement and garden suburbs and this is apparent in the housing design, layout, gardens, planting and the inclusion of a landscaped island halfway along the Avenue. The housing includes a mix of red and yellow brick with clay tile, projecting canopies and cast-iron rainwater goods. Bungalows have hipped roofs and the semi-detached houses have gables and small round windows.





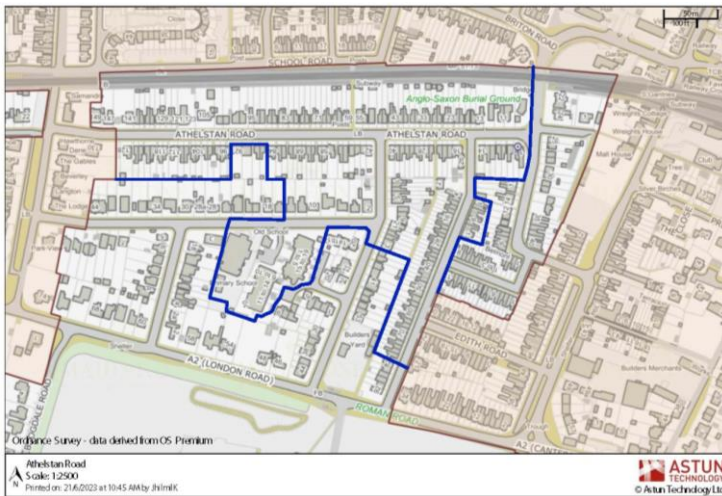
## Faversham Conservation Area Appraisal & Management Plan

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### Athelstan Road, Ethelbert Road, Canute Road, Kingsnorth Road

A boundary is suggested which selects parts only of these roads. The housing included are varied character and includes terraces, semi-detached properties and individual dwellings. These have common characteristics with some housing already in the Conservation Area boundary. Inclusion within the Conservation Area creates consistency. The proposed extension to the Conservation Area includes Ethelbert Road Primary School, A yellow brick and red tile freestyle building with Dutch influenced gables and prominent chimney.



## Appendix 2 – 2004 Character Appraisal

Faversham conservation area character appraisal  
(9 September 2004)

### Chapter 1: General Introduction

#### *Location and geology*

Faversham is situated towards the eastern end of the Borough of Swale at the head of a narrow tidal creek flowing north into The Swale waterway. The town of Sittingbourne lies some 11 kilometres to the west, whilst Canterbury lies some 14.5 kilometres to the south east. At Faversham low interfluvial Thanet Sands with brickearth are separated by shallow valleys that have been cut down through the chalk. The town centre is sited on a ridge of chalk overlain with brickearth; it then extends west into a valley where springs emerging from the chalk feed into the creek. To the south of the town is the gently rising dip slope of the North Downs, whilst the extensive alluvial flats of the Swale marshes lie to the north.

#### *History*

From a very early date the small, but navigable, waterway made the higher ground at its southern end an ideal place for settlement which, the evidence suggests, happened in pre-Roman times. Archaeological finds have confirmed that later, in Roman times, a small roadside settlement existed at Ospringe and that a series of villa estates prospered in the agricultural lands between Watling Street and the Swale. However, firm proof of a settlement on the site of the present town centre has yet to emerge.

During Saxon times, from the C6 at least, Faversham appears to have been a royal estate centre, perhaps of comparable status with Milton Regis to the west. The C6 and C7 finds from the Kings Field cemetery suggest that it was a wealthy place (with a jeweller's workshop enjoying royal patronage). It continued to be an important centre into the C10 and eventually acquired its own market. During the C11 the town became a member of the Cinque Ports Confederation (although formal evidence of its admission appears later in the first half of the C12).

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## Faversham Conservation Area Appraisal & Management Plan

The founding of the royal abbey in 1147 enabled the town to prosper still further, and by the late C12 merchants' houses were being built on the east bank of Faversham creek along the line of Abbey Street and Court Street. By the end of the C16 much of London's grain was being shipped out through Faversham port, and then into the C17 and C18 a combination of industries flourished including oyster fishing, gunpowder manufacturing and brewing.

In the C19 the railway opened up a new round of economic opportunities and proved to be the catalyst for far-reaching change, including large new areas of housing. The C20 saw the contraction of the traditional port-based industries but with new activities being attracted to industrial estates on the edge of town; a ring of new housing estates was also built around much of the town. At the start of the C21 the town centre remains an important focus for retailing, services and community facilities, although many residents now travel out of Faversham for their work.

Despite its proximity to the London-Canterbury (A2) road the maritime draw of the small port and its associated industries has been strong enough over the years to keep most of the town's development on the north side of the A2. The fact of the town's position just off the strategic road network has, perhaps, helped the survival here of an outstanding heritage of archaeological sites, old wharves, historic buildings, streets and other spaces. Whilst the medieval core of the town remains the outstanding feature of the place a significant part of Faversham's heritage now embraces C19 development, and some C20 work as well

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## Chapter 2: Faversham Abbey and Abbey Farm

### Introduction

The site of Faversham Abbey, along with Abbey Farm, lies on the north-eastern edge of the town close to the south-eastern bank of the creek. Virtually nothing of the abbey now remains standing, so the surviving evidence is almost all archaeological. The principal survivals above ground are a small part of the abbey's outer gatehouse, two timber-framed barns at the farmstead, and a quantity of reclaimed materials in nearby walls and buildings.

Archaeological work has, in fact, revealed a much earlier settlement here, as the remains of a Roman villa were found overlying a Belgic, or Iron Age, farmstead. The villa and its estate dated from the C2; it possibly looked east to the Cooksditch stream (then much deeper) for its water supply and perhaps even for transport.

### Historical background

The medieval Royal Abbey of St Saviour was founded in 1147 by King Stephen, grandson of William the Conqueror, for the royal tombs. It was originally colonised by Cluniac monks but then it appears for the most part to have been run as an independent house.

The site for the abbey was perhaps chosen for strategic reasons: Faversham was an important centre in Saxon times and a thriving port and town by Norman times. There were important monastic houses on other Kentish estuaries, such as Canterbury on the Stour and Rochester on the Medway, so Faversham with its position just off the Swale might have been an equally attractive prospect where the natural advantages of marsh and water offered seclusion, protection and navigable access together with the benefits of a thriving town nearby.

Matilda, wife of Stephen, was buried within the abbey in 1152 and Eustace, son of Stephen, in 1153. The body of King Stephen himself was then placed here in 1154. The tombs were subsequently destroyed and the fate of the royal remains is unknown. The end of the abbey came in 1538 with the suppression of the monasteries, with the order to demolish the buildings being given by Henry VIII in 1539. Quantities of the salvaged stone from the abbey were shipped across the channel for re-use in the fortifications at Calais.

### The abbey

The abbey remains are situated in the angle now formed by Abbey Street and Abbey Road. The Cooksditch stream ran along the eastern edge of the precinct; although quite modest in size this watercourse remains an important feature in the local landscape. The abbey's western boundary probably followed the edge of Faversham creek, which was then wider than it is today. The precinct therefore extended across the northern part of present-day Abbey Street, with the latter ending at the outer gate to the abbey.

The abbey church was designed on a grand scale with an aisled nave and transepts, a central tower, and a nine-bay choir nearly as long as the nave. The cloisters, chapter house, dormitory and refectory were similarly ambitious. The buildings were mostly constructed of Kentish ragstone, probably brought by boat from quarries near Maidstone around the coast and into the creek (a distance of some 80 kilometres or more). The interior of the church was finished with Caen stone from France and roofing slate was brought from the West Country. By 1220, more than seventy years on from the abbey's foundation, and with building work

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still not completed, the size of the church as originally conceived was reduced, probably for financial reasons.

Only fragmentary above-ground remains of the abbey stonework have survived to the present day. The most significant of these is at Arden's House in Abbey Street (itself used as a guesthouse for the abbey) where remnants of the east side of the old gateway still survive; ragstone rubble in the wall enclosing the present-day garden is also likely to have been recovered from the abbey site. A short distance to the north the stone masonry that was once part of the inner gateway to the abbey is built into no. 63 Abbey Street, whilst in Abbey Place the Fighting Cocks Cottages incorporate ragstone rubble from the abbey into a ground floor wall.

The greater part of the abbey site is, however, now used as a playing field by the adjoining grammar school; it is for the most part flat, open and grassed. The very thorough removal of the abbey buildings means that some considerable imagination is now required to visualise the place as an important and thriving monastic community founded by the King of England. The abbey site remains, however, a site of remarkable historic significance and although most of the evidence is archaeological enough fragments still survive to provide a real and tangible link with the important medieval monastic foundation.

#### **Abbey Farm**

Abbey Farm served as the grange to Faversham Abbey, the farmstead itself being positioned just a short distance to the east of the abbey church. The farm buildings that survive from the time of the monastery are the major and minor barns, a stables building and the farmhouse but there are also later buildings from the C18 and C19 which add to the richness of the farm complex. The site therefore now contains an outstanding historical sequence of vernacular agricultural building forms, methods and materials which help to illustrate the nature of the medieval monastic economy and its supporting agricultural and commercial activities

The change of ownership in 2001 promised much-needed repairs to the buildings but broke the all-important link between the farm buildings and their agricultural use (until then the barns were still being used for animal husbandry and fruit/vegetable storage whereas now the principle buildings at the farm accommodate a joinery business). The ownership of the immediately adjoining group of fields has also now been severed from the farm complex.

The farmyard is arranged around an unmetalled access track (a continuation of Abbey Road) with the farmhouse positioned just to one side (the original use, however, of this building is unclear). The scissor-braced roof is C13/early C14; a cross-wing was added in the late C17 or early C18, together with an outshut. Much of the timber-framing is now hidden beneath brick or render but the steeply pitched roof, covered with clay peg tiles, is very clearly Kentish in form.

The northern edge of the farmyard itself is defined by two stable buildings; the first is in brick and dates from the C18 whilst a part of the second (with its early sans purlin roof) is timber-framed, clad with weatherboarding, and thought to be medieval, possibly C14. The hipped roof was formerly thatched but is now covered with corrugated iron sheets. The trough and tethering rings provide the evidence that the structure was probably used for stabling horses.

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Across the farm track to the south other farm buildings are arranged around three sides of a rectangular yard, the western and southern sides being defined by the substantial presence of two timber-framed barns. Surfaces in and around the yard are entirely modern, being a utilitarian mixture of in situ concrete and rolled road planings.

The major barn is an aisled structure and the larger of the two barns; the timbers have been dated (by tree ring analysis) to between 1401 and 1475. Some 40 metres long and clad with tarred weatherboarding its huge, steeply pitched, hipped roof is now covered with corrugated iron sheets. The cart entrance, formed in the early C19, faces into the yard. The minor barn, also aisled, is set at right angles and built of timbers felled no later than 1426. Originally longer than its current five bays it is also clad with weatherboarding. Kent peg tiles have recently been reinstated on the fire-damaged section of the roof.

Also arranged around the yard are a cart lodge, carpenter's shop and bull sheds. These C18 and C19 buildings are important in their own right, partly because of their own historical significance but also because they contribute to the larger group of buildings.

A long period of neglect has left many of the Abbey Farm buildings in a poor state of repair; indeed, smaller buildings such as the hen house and milking shed have failed to survive at all, although the calf shed (at one time reduced to a skeletal frame) has now been converted into an office. Whilst the place is for the moment rather dilapidated in appearance, a programme of restoration and refurbishment works now promises a better future for the buildings, albeit not an agricultural one.

Abbey Farm lies on the southern edge of the Swale marshes - a place of low-lying fields, reed-fringed drainage channels and vast open skies. Encircling the farmstead is a group of four fields, also low-lying and rather open in appearance, and themselves of historical importance having been farmed continuously from the C14 until the end of the C20 as part of the Abbey Farm holding. Whilst the two northern fields are used as permanent pasture the south-eastern one is fallow with old agricultural machinery and other farm debris dumped in a seemingly semi-permanent fashion around the edges so causing an unwelcome scar on the local landscape. The fourth field, to the south-west of the barns, is much smaller in size but this is substantially offset by the open expanse of the adjoining grammar school playing field.

Notwithstanding their rather reduced circumstances these encircling fields maintain a modest but vital separation between the farmstead and the urban development of Faversham, and they help to maintain the separate identity of the farmstead and its integrity as an historic site. They also connect with the wider expanse of marshlands to the north and so help to maintain a semblance of the abbey's once remote situation.

The setting of the abbey site and its farmstead continues to be of crucial importance to its character, integrity and interpretation. The sense here of a place deliberately positioned between the comfort and warmth of the town and the perils of the watery Swale marshes beyond, remains an integral part of the character of the place.

## Chapter 3: Market Place, Court Street and Abbey Street

### Market Place

Market Place lies at the centre of Faversham. Its long history is reflected in the fine grain and varied appearance of the many narrow-fronted buildings around the space. With its shops, banks, cafes and restaurants it is Faversham's prime urban space, busy with the hustle and bustle of people visiting the shops and the market, eating, drinking and pursuing all the many other activities traditionally associated with small town centres.

The free-standing Guildhall is a major presence in Market Place and one of the town's landmark buildings. Built as a market hall in 1574 and converted to its present use in 1603 the ground floor open colonnade survives but the rest of the stuccoed structure dates from

1814. The clocktower, topped with its dome and weathervane, gives visual expression to the primacy of this public building, and as the meeting place still of the Town Council it ensures that Market Place remains in every sense at the centre of public life in Faversham; the fact of civic issues still being debated here amid the jostle of the town's daily routine is a vital element in the character of the space. The ground floor colonnade beneath the building is itself a distinctive space: cold and draughty in winter but cool and shady in summer. A general market, held here three days a week with stalls spilling out into Market Place and into Court Street to the north, brings a constantly revitalising cycle of life and colour into the space. The market is therefore another essential ingredient in the historical character of the space; it is important too for the more general character of Faversham and its long-standing role as a market town.

Timber-framed buildings occupy most of the west side of Market Place; included here is an important medieval courtyard house, the earliest parts of which date from around 1300. The survival of part of an early undercroft is of special interest and its position suggests that, over the years, this building (and perhaps others) has been steadily extended out into the public space. A similar pattern of building evolution around other market places of medieval origin has been documented elsewhere in England.

Buildings along the south side of Market Place range in date from the C16 to the C19 and are consequently rather varied in appearance; they also embrace several important pedestrian ways between, or beneath, them. Of particular note is The Ship, a C17 timber-framed building with an C18 brick front pierced by a carriage entrance. For many years a coaching inn it has now been converted to flats, houses and shops, thereby securing much-needed repairs but also eliminating a long-standing commercial activity from the town centre.

The eastern side of the space is split by Middle Row and rather unusually embraces two prominent examples of C20 buildings in mock-tudor style that have become a valued part of the town centre environment in their own right. One confidently terminates the southern end of Middle Row, the other is the town's cinema opened in 1936 and which is still a key venue in the town centre.

Market Place embraces, therefore, an array of buildings ranging in date from the C13 to the C20, some brick fronted and some timber-framed, others mathematically tiled or sometimes stuccoed; roofs, in many shapes and sizes, are mostly steeply pitched and covered with colourful Kent peg tiles and studded with chimney stacks. Local materials and building forms

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here play a crucial role (as they also do elsewhere in the town) in making this a place of outstanding visual delight.

Vehicular access is severely restricted so that the space has a rather intimate and relaxed feel where pedestrians take priority over vehicles. The surfaces date from 1986 and whilst they lack the rugged, textural qualities of old paving they do maintain the traditional distinction between footways and carriageway, and the red brick paving brings an important sense of continuity to the space. The mid C19 cast iron town pump survives as an authentic item of street furniture.

Back Lane, passing beneath no.12 Market Place, is the principal pedestrian access into Market Place from the main town centre car park. This historic lane passes, however, between rather unappealing rear extensions and the only physical expression of its age now is a small area of granite sett paving at its junction with Market Place. Hugh Place, to the west, is an attractive (but recently gated) courtyard with a mix of C16 and late C18 buildings arranged on either side. Beddington Square, formerly the stable yard to The Ship, is also now a gated private space, somewhat prettified in the course of the building conversion. The closure, or gating, of these pedestrian routes has markedly reduced the permeability of the town centre environment in the approach from the south.

#### **Court Street**

Court Street (which takes its name from the Guildhall or 'Court Hall') runs north from Market Place and merges with Abbey Street as Quay Lane joins from the west. The southern end of the street is characterised by shops, banks and cafes but further north commercial uses predominate, so there is here quite a significant transition in character. Court Street, with Abbey Street, was probably laid out by the abbey authorities in the C12 and C13 to join the town with the abbey. The two roads consequently served as both a grand approach and as a source of rental income from market stalls and fairs. At the southern end the impermanent market stalls were at some time replaced by more permanent buildings (now represented by Middle Row) and in the process a separate street was created alongside.

Court Street is special for its outstanding assembly of buildings dating from between C15-C18, many timber-framed. It is also unusual for having two groups of brewery buildings. The 'Whitbread' complex on the east side of the road, although no longer used for brewing, contains an outstanding group of C19 brewery buildings that make a highly distinctive contribution to the street scene. By contrast, the Shepherd Neame brewery on the west side of the street continues to flourish, although here the production buildings are largely hidden behind frontage properties adapted over the years for the brewery's administrative use. The pungent aroma of malt and barley associated with the breweries over the course of many centuries is of such long standing that it might now be described as an integral part of Faversham's character and identity.

A combination of factors seem to have helped the brewing industry to prosper: the high quality of the calcium-rich water essential for the brewing process, the proximity of the Kent hop gardens, and a hinterland that was conveniently accessible for the distribution and sale of beer. The tradition is that the Shepherd Neame brewery was established by Richard Marsh on its present site in 1698 although documentary evidence suggests there was a brewery here even earlier in the mid C16. Whatever the precise facts, the brewery is one of the oldest, perhaps the oldest, in the country still operating on its original site. The other brewery in Court Street was built by Rigdens; it was eventually acquired by Whitbreads and then closed in 1990.

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The buildings along the west side of Court Street between Market Place and Partridge Lane are timber-framed, plastered, and date from C15-C17, with the exception of the red brick C18 Barclays Bank building. Just beyond is a fine-looking C15 hall house, now the brewery's hospitality centre, whilst the buildings to the north (which are rather more mixed in age and appearance) are mostly used by the brewery as offices. The front elevations superficially retain their individuality but the accommodation behind is now interconnected. Two buildings are comprised wholly, or in part, of C20 work that is noticeably plainer in appearance, and in one instance the absence of an entrance interrupts the otherwise attractive rhythm of the group.

The corner of Quay Lane is marked by an early C17 timber-framed building, once the home of a local shipmaster, which quite typically for its time has a narrow frontage (less than nine metres) but a substantial depth (some thirty three metres); the accommodation once embraced a small shop and a brewhouse as well as a living area.

On the opposite side of Court Street is the substantial presence of the former Whitbread brewery (described by one commentator as 'an eruption of C19 red-brick, multi-storeyed warehouses'). However, since 1995 the ground floors of the larger buildings have been amalgamated and converted to a supermarket. Whilst the buildings along Court Street are of a similar, if slightly larger, scale to other nearby frontage buildings, those at the heart of the complex are appreciably taller and bulkier. The dour, red brick is well matched to the industrial character of the site and yet when the sun shines the buildings glow with life and colour. From Court Street the old brewery now seems uncannily quiet and lifeless but the building forms, many unique to the brewing industry, are nevertheless truly striking and their commanding presence remains at least superficially intact. The view into the space between the brewhouse and the tun block has a special appeal, for here the buildings are set tightly together, projecting boarded lucams are supported high up on decorative iron brackets, a high-level covered walkway spans the yard, and the large brewery clock set into a stone insert on the end elevation of the malt house presides over the now silent yard. The supermarket conversion has, however, been less than perfect leaving entire buildings still vacant and creating isolated voids in the extensive upper floor areas. Blanked-off windows are a daily reminder that all is far from well and that more work remains to be done.

Elsewhere on this eastern side of the street the frontage is comprised of a number of other timber-framed buildings. At no. 34 (once the home of the proprietor of Rigdens' brewery) the upper floor of the C16 house is notable for being clad with Faversham's local speciality of yellow mathematical tiles applied in the C18. South of Crescent Road the C18 brick front to no. 40 disguises a fine Elizabethan wing to the rear whilst further south again, in the attractive 'island' of buildings forming Middle Row, C18 and C19 fronts often hide older cores. The classically detailed front to the Lloyds TSB bank building is especially impressive.

Aside from the buildings, Court Street is also notable for its broad and generous thoroughfare, although near Market Place its width has been reduced by the 'later' appearance of Middle Row. Quite remarkably, old and interesting areas of paving have survived here which are now an integral part of the character of the street. The most striking of these is an extensive area of C19, blue-grey coloured, granite sett paving in the carriageway running south from Crescent Road, now attractively worn and polished in appearance; the setts most probably came from quarries in Guernsey. The later insertion of a raised central kerb, brick flower boxes and brick paved crossings has, however, rather spoilt the original visual simplicity of the highway. Also

noteworthy are old footway pavings outside nos. 39-40 Court Street (of squared limestone setts and york stone slabs) and another smaller area of limestone kerbs and setts in front of no. 41 Court Street. Each one of these flagstones, setts, kerbstones (some still with recessed sockets for poles that once supported shop blinds) and channel blocks is now an integral part of the town's historic fabric.

In recent times the traffic management measures around the northern edge of the town centre have tended to divide Court Street into two separate parts. Between Quay Lane and Crescent Road (ie. Court Street 'north') there is through traffic and on-street car parking, whereas between Crescent Road and Market Place (Court Street 'south') vehicular access is severely restricted and pedestrians take priority. These different approaches have been coupled with distinctly different environmental treatments, so Court Street 'north' is presented as a conventional public highway whilst Court Street 'south' is a welter of town centre signs, paving types, street furniture and flower displays. The paving surfaces at the entry to the southern section of the road are especially bewildering. The division of this special street into two separate halves by traffic and environmental measures in a number of respects runs counter to the underlying imperative to manage the historic environment here as a single cohesive entity.

#### **Middle Row**

Middle Row was created by the later insertion of a row of buildings into the original width of Court Street/ Market Place and is, by comparison, a narrow little street. Recently, residential accommodation for the elderly has come to predominate along most of the eastern side, making it now a rather quiet and subdued place.

The western side of the road consists of the backs of Court Street properties where the mostly rendered elevations are generally of lesser standing than those at the front, often

being characterised by back doors, air conditioning units and external plumbing. This side of the road, with its mostly three storey buildings set directly onto the edge of the narrow carriageway, is nevertheless quite striking. By contrast, the properties on the opposite side are generally smaller and more cottage-like in appearance but they nevertheless present their best red-brick fronts to the street and their clay-tiled roofs and slender chimney stacks are prominent in the gently curving view along the street. The old police station building (now used by Age Concern) is unusual for the rare incorporation of Kentish ragstone, now painted, into the front elevation.

The two ends of the narrow little carriageway are paved with an assortment of large, well-worn stone setts (some limestone and some granite), but of special interest are the old limestone kerbs and the knobbly old limestone slabs in the drainage channels both probably originating from quarries on the Isle of Purbeck in Dorset.

#### **Abbey Street**

The first record of Abbey Street is from around 1350 when it was referred to as 'New Town' linking the abbey with the 'Old Town'. The abbey precinct then extended across to the east bank of the creek with Abbey Street stopping at the abbey's outer gate, whereas today it extends well on to the north and terminates at The Anchor Inn on the edge of Standard Quay.

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Abbey Street, between Court Street and the site of the abbey gateway, is comprised almost entirely of fine, medieval, timber-framed buildings, many still with their characteristic gabled fronts and first floor overhangs whilst others have a later skin of brick and tile often applied in the C18. These present-day elevations combine to form an outstanding example of a pre-C19 street which is ranked, by common consent, as a place of national importance.

The street was in serious disarray in the years after the second world war when many buildings were in perilous condition and heading for slum clearance, but in 1958 the then Faversham Borough Council promoted a scheme of restoration in conjunction with the private property owners and now, some forty five years on, the entire street is in good heart.

Abbey Street is today a smarter but quieter and more genteel place than hitherto; the Anchor Inn and the Phoenix Tavern (which contains a part of a C14 medieval hall) are now the main exceptions to an otherwise uniform pattern of residential use; gentrification has, almost inevitably, been the consequence of investment in much-needed refurbishment works. Now there is the orderly quiet here of a desirable and historical residential environment, whereas in its heyday the street would have been a place buzzing with activity, where all manner of port-related business was conducted, where goods bound for the creekside wharves crammed the road, and where working folk crowded the several ale houses.

The form and alignment of Abbey Street still records the presence of the old abbey. Both sides of the broad thoroughfare, as far north as Abbey Place, are fronted almost entirely with buildings dating back to medieval times, whereas the later extension of Abbey Street to the north (across the old abbey precinct) is narrower and fronted with development from the 1800s/early 1900s and late C20. However, despite these differences the two parts of the street meld comfortably together into a single, entirely pleasing, entity.

Abbey Street, between Quay Lane and Abbey Place, is fronted on either side by virtually unbroken groups of buildings dating from the C14-C18 all set along the edge of the footway. Generally two or three storeys high these buildings are often quite narrow in width, a reflection perhaps of the old burgage plot divisions. The array of vernacular architecture includes jettied upper floors, bay windows that nibble into the footways, old sash windows with finely shaped and dimensioned glazing bars, undulating peg-tiled roofs punctuated by tile-clad dormers and chimney stacks, and brickwork in the red and yellow colours that are special to north Kent. Exceptionally, the now vacant brewery training centre (on the corner with Church Street) is a well-detailed, solid-looking Victorian building. Alongside to the north a high brick wall encloses an open yard; punctuated by tall gate piers and boarded gates this wall is a prominent feature in the street scene and rather successfully perpetuates the important sense of enclosure achieved by the medieval buildings which originally occupied the site.

Arden's House marks the divide between the medieval character of the southern section of the street and the later C19 and C20 work to the north; one of Faversham's landmark buildings it is also notorious for the murder here in 1550 of Thomas Arden, then mayor of Faversham. The large timber-framed, twice-jettied part of the building dates from the C15 but incorporates the eastern part of the old abbey gateway (built circa 1250). The constricting influence of the old gateway still lives on in the marked narrowing hereabouts of the Abbey Street roadway.

To the north of Abbey Place the form and structure of Abbey Street substantially rests on groups of terraced houses mostly built in the first half of the C19; the recent Lammas Gate

development is the exception being only some twenty years old. However, at Abbey Green an open green space still marks the site of the abbey's inner precinct or Nether Green. The terraces are mostly in red brick and rather cottagey in appearance but the yellow brick Soudes Terrace (partly demolished in a recent explosion) is more austere (and has been rather ill-served by later changes particularly the substitution of roofing slates with coarse- looking concrete tiles). These terraces are set on, or close to, the edge of the footway in the manner of the buildings in the southern part of the street but perhaps lack their fine-grained subtlety, and the detailing of the modern Lammas Gate buildings falls a little short of the quality elsewhere in the street. The linked-detached houses built in the 1980s opposite Abbey Place are unhelpfully set back from the footway, and therefore break the important 'edge of footway' rule successfully followed elsewhere in the street. The very northern end of the street is decisively terminated by the C17 Anchor Inn which attractively closes the view and which use as a public house brings a sense of real and important purpose to the end of the street. Other buildings positioned around this far end of the street play a valuable supporting role in defining this northern end of the street.

Abbey Street runs purposefully north from the town centre only to peter out on the edge of the low-lying land around southern edges of the Swale marshes. The short journey from Market Place along Court Street and Abbey Street effectively embraces the transition from the warmth and security of the town centre to the windswept marshy open spaces around the northern edge of the town; this marked transition in character (in concert with Court Street) is an abiding feature of Abbey Street. The southern section of the street, which follows smoothly on from Court Street, is a pleasantly wide place where the sweep of the generous footways quietly reinforces the attractive flow of the built environment. The heavy traffic once generated by the industrial activities previously present alongside the creek has largely now abated although some additional activity has been generated by new housing in the vicinity. Iron cellar grilles, granite sett paving and old lighting columns contribute to the period character of the place although mop-headed street trees may soon obstruct the unique views along the historic street. North of Abbey Place the surfaces are rather more ordinary, although some granite kerbs have survived.

#### **Abbey Road, including The Maltings**

Unadopted Abbey Road runs east towards Abbey Farm from the northern end of Abbey Street. Once notable for being a rather isolated part of the town, change is now under way here (comprising new housing and the conversion of old dairy buildings) that will make it a rather more orderly place. The Maltings development (a pleasantly coherent group of nine houses built in the 1880s) backs onto Abbey Road but looks inwards to a private, block-paved parking area.

#### **Abbey Place**

Abbey Place runs east from Abbey Street across land once forming part of the abbey precinct between the outer and inner gateways. Small C19 houses, mostly terraced, are positioned along the northern side, all now painted or rendered and with replacement windows and doors in various modern designs. The eye-catching exception is a large furniture warehouse (built as a church soon after 1851) the striking yellow brick front of which has rudimentary classical detailing and later, brutally inserted, loading doors. The southern side of the road adjoins the long back garden to Arden's House where drab-looking evergreen trees line the boundary.

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The delight of the road is, however, the two C18 and C19 cottages set across the eastern end and which attractively close the view. Their refurbished yellow brickwork and black-stained weatherboarding is set partly onto the top of a ragstone rubble wall (once part of the abbey). From here a quiet and shady footpath leads to the old Free Grammar School building, one of the town's most important historic buildings. Built in 1587 and now used as a masonic hall its construction is similar to that of the Guildhall, being timber-framed and standing on octagonal columns although here the once-open arcade is now enclosed.

With grass verges along either side, Abbey Place has a rather spacious and green appearance, reinforced by street trees on the south side, which contrasts with the rather more urban character of Abbey Street. Whilst the concrete 'estate road' carriageway is a jarring feature, the manner in which the surviving remains of Faversham Abbey are now attractively woven into the present-day fabric of this residential street makes it a special place.

#### Church Street

Church Street links Abbey Street with the west door of Faversham parish church and is special for the dramatic way in which the front elevation of the church and spire is precisely positioned at the eastern end of a rather humdrum C19 street, terminating the view in textbook fashion with a theatrical flourish.

The south side of the street is largely comprised of the backs of ex-brewery buildings lacking the usual pattern of windows and doors; the old red brick brewery chimney towers above. The other side of the street is comprised of yellow brick buildings, including two rather workaday C19 terraces of houses, both somewhat compromised by later changes including rendered brickwork, replacement windows and modern doors.

It is, however, the church of St Mary of Charity, with its glinting black flintwork and openwork spire, which dominates the street. The wide approach to the church door from the end of the street is appropriately paved with smoothly-worn york stone slabs and lined with chunky, green-painted, cast-iron railings. The sombre churchyard around is crowded with large yews, hawthorns, planes and sycamores. An elegant C19 cast iron lamp column survives close by.

Church Street itself is a narrow and hard-looking place unsoftened by greenery, where the old brewery buildings shut out the sunlight for most of the day. It is, however, the juxtaposition of this harsh and workaday C19 environment with the soaring drama of the parish church that is the defining feature of this little street and makes it such a special place. Rather remarkably, the church itself continues to be a commanding visual presence across the entirety of Faversham. Vicarage Street, which strikes off to the north from mid way along Church Street, is a predominantly late C19 street, although C20 development is now present at the northern end.

#### *Crescent Road and Garfield Place*

Crescent Road is a relatively modern thoroughfare that was opened in 1960 to connect Court Street with East Street/Newton Road (and to by-pass Market Place). The road is characterised by the absence of any significant frontage development so the traditional street form associated with older towns is, in some ways, absent. The nearby development of Gange Mews (accessed via Garfield Place) has, however, helped to establish a better sense of structure to the built environment along the western side of the road, although the supermarket car park on the other side of the road still constitutes a significant gap, albeit behind a brick boundary wall.

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## Chapter 4: Creekside

### Historical background

Faversham creek is a tidal inlet of the Swale waterway penetrating some six kilometres inland on a winding course across the Nagden and Ham Marshes of the north Kent coast. Over the centuries it has afforded sheltered access for vessels of modest size, but navigation has always been constrained by its restricted width and depth. Thorn Quay, about 1.6 km north of Faversham, was the docking point for vessels until 1558; a sluice was then built to enable boats to sail further up the creek and load/unload closer to the town. In 1842/3 improvements to the creek were made by cutting new channels that eliminated two of the worst bends.

By the end of the C16 the port of Faversham was a place of considerable importance handling much of the grain required to feed the population of London, and by the end of the C17 it was one of the country's largest wool exporting ports. But whilst it could claim then to be one of Kent's leading ports it never attained a significant size in the wider national context.

Historically, the town's wharves and waterside activities were mostly concentrated along the south-east bank of the creek although Pollock's shipyard opposite Standard Quay was a notable exception where tankers, dredgers and tugs were built from 1917 to 1970.

After the second world war coasters up to 400 tons in size continued to bring in fertiliser, corn and cattle feed from Rotterdam and Bremen, timber was imported from Scandinavia and tankers from the Isle of Grain refinery delivered petroleum for onward distribution. Commercial boat traffic nevertheless steadily declined through the second half of the C20 and by 2000 it had completely ceased, thus ending the centuries-old interdependence of Faversham town with the creek.

### The creek above the bridge

Early illustrations of Faversham show a tidal mill sited close to the head of the creek; the construction of the mill (and its successors), together with adaptations to manage the flow of water, started a process of change which has resulted now in a clear divide between the saltwater areas of the tidal creek and the freshwater channel that feeds it. At the end of the C19 much of the land around the head of the creek was home to coal wharves and barge building/repair yards. The hustle and bustle of those wharves has, however, long since vanished, present-day uses have turned their backs on the water and silt has accumulated in the water channel. Almost all traces of the old creekside activities have vanished although the presence of old brick and timber wharf fronts is a nostalgic, but important, reminder of those past activities.

Aside from the wharf fronts, the C19 yellow-brick purifier building (once part of the gasworks) is now a lone survivor hereabouts from the industrial days of the creek. Its western wall drops directly into the creek (the only building along the creek to do so). Empty and in poor condition it is one of the few surviving industrial buildings relating directly to the creek and it is, therefore, an important component of Faversham's waterside environment.

To the south is the Co-op supermarket completed in 1992; its pinkish-yellow brickwork, red brick detailing and slate roofs (topped by prominent ventilator features) neatly echo the range of Faversham's traditional building materials. The carefully crafted building form

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enables its substantial bulk to fit comfortably into the creekside environment, although it is the relatively lifeless back of the building that abuts the creek.

Adjoining to the north-east is the concrete apron of a former transport yard (although change is in prospect here following its acquisition by the brewery). Just beyond is the brewery's bottling plant, an exciting place of pounding machinery and chattering bottles being sped around on conveyor belts; rather disappointingly, all this activity is enclosed within a charm-less, shed-like building that pointedly ignores the adjoining creek.

Opposite, on the north-west side of the creek, industrial buildings are set some distance back from the water's edge behind Brent Road. The tidy, brick-fronted elevations, dating from the 1940s, fit rather well with the local environment although there is little pretence that they have any special relationship with the creek. The car park along the water's edge, once a place of coal yards and barge building works, has a greenish edge of self-sown shrubs that affords some modest compensatory screening.

This part of Faversham creek is, therefore, for the time being a somewhat melancholy and muddy place where not a single activity now relates to the water. Nevertheless, the daily rhythm of the tides lapping against the old wharf fronts is still sufficient for the place to retain just a little of its former magic, and the two shallow-arched bridges carrying Flood Lane across the top end of the creek still terminate the head of the waterway in an interesting way. The all-important historical link through to Stonebridge Pond and the shallow Westbrook valley continues to embrace land that remains free from development, so that it is possible still to trace the old transition from the tidal creek into the freshwater valley. By contrast, to the north-west is the attractive sequence of brick walls and buildings climbing the slope up Brent Hill towards the prominent landmark of Davington church - a view that still encapsulates an important part of the traditional character of the old town.

The steel road bridge across the creek dates from 1976 but is set onto older, more interesting, abutments of brick and stone. Hydraulic accumulators and a hand operated pump of 1878 still provide the means for lifting the bridge off its seatings, but the last vessel to pass through here was in 1993. The release of water through the sluices is still the all-important means of cleansing the navigational channel, but with the head of the creek steadily silting up the reducing volume of available water makes the flushing action progressively less effective. This crossing point, with its panoramic views up and down the creek, its sluice gates and its old brick and stone abutments, continues to be a place of special appeal.

#### **The Brents and brickmaking**

Development on the north-west bank of the creek came very late - not until the first half of the C19 when the brickfields opened up. Brickmaking until this time had been a localised and small-scale activity using locally-dug brickearth fired in small clamps, but the C19 prompted an unprecedented demand for bricks. Brickearth was readily available in Faversham, as also was chalk which when added to the clay coloured the bricks yellow. And also suddenly available was clinker (mixed in with the clay to burn the bricks more effectively) which was recovered from the household refuse brought down river from London by sailing barge. Accordingly, the output of stock bricks from Faversham (and from the area through to Rainham) grew rapidly after 1840 and large-scale brick production in the town continued until the 1930s, but then declined as the conveniently sited brickearth reserves were exhausted and as the demand for bricks slowed and competition from cheaper flettons grew.

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Buildings and equipment associated with brick production in Faversham have largely disappeared although the extensive mineral excavations, mostly quite shallow, have in places left a lasting mark on the town. Brickmaking still continues on the western edge of the town where small quantities of traditional, hand thrown, red stock bricks are produced.

#### **Front Brents**

Small C19 terraced houses, now punctuated by green areas, are set out along Front Brents on the north-west bank of the creek, although the more substantial stuccoed bulk of Bridge House (built in the early C19 and once a place of mercantile exchange) defines the corner with Church Road. Whilst the terraced houses mostly now have painted or rendered brickwork, replacement windows/doors and concrete roof tiles, their modest form and character still contributes positively to the character and history of the creekside scene. The early C19 Albion public house is distinctive for its white-painted weatherboarding and slate-covered roofs; with twelve-paned sash windows overlooking the creek, and tables and chairs spilling out into the roadway, it is the attractive focus for eating, drinking and conversation which brings welcome life and vitality to the creekside.

Green spaces (sometimes taking the place of demolished terraced houses) are now a significant feature of Front Brents and give the place a rather informal and relaxed feel. The largest of these is at the northern end of the road, where the lower unkempt section is historically important for embracing a severed loop in the creek left by the straightening of the channel in 1843.

Front Brents itself is a private street with restricted vehicular use so that it has the character of a path-cum-road where views of the creek can be enjoyed in peace and comfort. The creek-side verge (Town Green) forms an attractive green edge with well-spaced willow, birch and hawthorn trees. Kerbs, footways and all the clutter often prevalent in public streets are absent from the roadway so that an attractive and relaxed character predominates. There is access here to a timber jetty built in 1985 with moorings for a dozen or so small leisure craft; this trickle of life and activity on the water, important though it is, is not however on a scale to compensate for the demise of commercial craft. The view here confirms that the 'gritty' working waterside character of the creek has largely vanished and that it is now a quieter and more orderly place.

#### **Church Road into Upper Brents**

Church Road and Upper Brents run parallel with Front Brents on ground still rising from the creek. The southern end of Church Road is distinctively marked by the vicarage, church and parish room; all were built in the C19 to serve a then-growing community of brickworkers. The rambling red-brick vicarage, despite its elevated position, is now substantially hidden behind high trees which are themselves an attractive feature in the local scene, but the flint church built in 1881 and the yellow brick 'school' room next door remain very prominent in the view from the road. The uses for which each was built have, however, all now ceased.

Much of the mid/late C19 development originally built along Upper Brents comprised single-storey brickworkers' houses; Brents Tavern and the pleasantly proportioned houses on either side of Kennedy Close were exceptions. These rather mean little dwellings were demolished when the North Preston council housing estate was built, but a group of sturdier

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houses (fronting onto an unmade cul-de-sac at the northern eastern end of the road) has survived. Only one property in this group, however, retains its sash windows and boarded front door, roofing slates have all been replaced and iron railings around the front gardens have gone. Nevertheless, the group forms an agreeable entity and in the context of the town's brickmaking industry it is an interesting historical survival.

The south-east side of Church Road/Upper Brents is largely comprised of green spaces sloping up from Front Brents. The weatherboarded, early C19 Willow Tap, now a house but once a public house, and the recent housing development adjoining to the north-east are exceptions. At the far northern end of Upper Brents change is also under way at the old Faversham shipyard site: housing at Faversham Reach to the south dates from the 1980s, but other new housing incorporating office suites-cum-studios has recently been completed on the front part of the old shipyard site alongside the creek.

#### **Grazing land opposite Standard Quay**

The unimproved grazing land just beyond the old shipyard forms part of a southern finger of the Swale marshes. Here there is another by-passed bend of the creek, isolated since 1843 when the creek was straightened to improve navigation. The shallow depression of the old channel is still just identifiable and in the wetter places it still retains a plant community that contrasts with the surrounding closely grazed turf. Here, therefore, it is still possible to trace the slowly vanishing bend of the old creek and to see the physical evidence of an historical event of special local significance that helped to keep the town's quays and wharves in business for more than another hundred years.

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#### **North Lane, Conduit Street and Quay Lane**

North Lane, Conduit Street and Quay Lane now comprise the through route for vehicles travelling around the north-western edge of the town centre. They pass through a predominantly industrial environment that has for long been home to both waterside activities and the Shepherd Neame brewery. Quay Lane has been one of the main links between the town and the creek; the once-narrow track was widened to its present size in 1891. Conduit Street records the one-time presence of an artificial water-course built in 1546 (the water-flow powered a mill in Mill Place). The underground water remains of critical importance as the brewery draws its supply from its borehole here. Conduit Street runs on into North Lane without a break, but at the start of South Road there is a pronounced change in character as industrial uses give way to residential development.

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Town Quay, alongside the bridge, played a key role in the development of Faversham's port. A timber-framed warehouse (now known as 'training ship' Hazard) was built here circa 1475 by the Corporation of Faversham to provide storage facilities for local merchants lacking their own premises. Built in the Kentish vernacular, it is a rare and remarkable example of an early commercial building and an important historical link with the creek.

It is, however, now the Shepherd Neame brewery that dominates this part of Faversham. Over the years it has spread across a number of sites still separated from one another by public roads, so that the sounds and smells of brewing activities readily spill out into the adjoining streets: brewery drays drive in and out, fork-lift trucks whizz back and forth, passers-by are assailed at close quarters by the crash of barrels and the chattering of conveyor belts, whilst the

distinctive aroma of malt periodically fills the air. This most intimate of relationships between town and industry is a defining feature of the place.

The built form of the brewery lacks the style and cohesion of its 'Whitbread' counterpart in Court Street, the buildings here being more varied in age and appearance and modern plant being visually prominent. However, the distinctive, louvered-roof brewhouse built in 1864 still rises high above the brewery complex and together with the modern steel chimney is a landmark from many vantage points around the town. The frontage along the south-east side of North Lane consists of rather workaday, late C19 buildings and the prominent corner with Partridge Lane is marked by a rather plain-looking, red brick building dated 1936. Other surviving buildings of traditional appearance include the peg-tiled cask store and the C19 cottage opposite Bridge Road. Later buildings such as the engineer's workshop tend to fall short of the stature and distinctiveness of the C19 industrial buildings, and the bottling plant on the north west side of North Lane is decidedly utilitarian. However, the modern high-level walkway spanning North Lane brings welcome incident to the street scene.

Conduit Street is interesting for the nicely defined, somewhat triangular-shaped, space at its northern end. The C18 Swan and Harlequin public house and the adjoining early C19 red brick house on the north-eastern edge neatly terminate the view looking from North Lane; here there is a strong echo of the 'grain' of old waterside development that was historically set side-on to the creek. Other rather disparate buildings that define this important space include the timber store (a large, partly open-sided, storage shed), the former pump house (built in 1911 with precise architectural detailing) and the medieval TS. Hazard. The sturdy, red brick Chaff House lends important substance to the corner with Bridge Road.

The north side of Quay Lane is dominated by the extensive yellow brickwork of the joinery works (a building that originally housed Rigden's bottling store), whilst on the opposite side the small, boarded-up, red brick Two Brewers building gives crucial shape to the roadway. Rather less welcome is the gap in the frontage around into Conduit Street (with its open storage and car parking) and which for the present interrupts the continuity of the built environment.

All three roads are functional places that are urban in character and hard in appearance; even the distinctive space in Conduit Street is a functional, tarmac-surfaced place. A few fragments of old stone paving, perhaps once extensive hereabouts, are still present however, most notably in the access to Town Wharf where granite paving, comprising both setts and wheelers, has been worn smooth by years of wear and is now an important historical and irreplaceable survival.

#### **Partridge Lane**

Partridge Lane (together with Water Lane) connects Court Street with North Lane, and is for the most part dominated by Shepherd Neame's brewery. Close to the junction with Court Street the traditional character of the lane still survives with buildings, some timber framed, set directly onto the footway. Elsewhere, however, the old frontage buildings have disappeared and the small-scale, tightly knit historic character has all but vanished.

The paving at the top end of the lane is notable for its high granite kerbs and wide, black-coloured, granite channels now attractively polished by years of wear; the infill paving of modern concrete blocks is, however, rather less appealing. Stone steps outside the front doors

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of properties on the south side of the street project into the narrow footway and provide pleasing visual incident.

#### **Belvedere Road**

Belvedere Road, on the east side of the creek, was until recently home to a hotchpotch of water-related industrial activities but now the area is undergoing radical change as sites are redeveloped for housing. Land here in fact came into industrial use rather late but by the end of the C19 it was a patchwork of wharves, timber yards, coal yards and cement works. From 1860 it was served by the Faversham Creek Branch Line with a wagon-way running south as far as Stockwell Lane along the present-day alignment of the road

A cement works stood here from 1813 until 1901 (when Associated Portland Cement Manufacturers was formed). Samuel Shepherd initially manufactured 'Roman' cement in Faversham (an early form of water-resisting cement made from septaria stone found in clay on the foreshores around the Isle of Sheppey), and then later in 1849 James Hilton produced a version of Portland cement.

The last industries to close in this vicinity, in the 1980/90s, were the grain handlers, feed mills and timber yards so that by the end of the C20 the working relationship between Belvedere Road and Faversham creek had ended. But despite this history of waterside activities the legacy of historical buildings has been relatively thin.

A large joinery works occupies the southern end of Belvedere Road, where a rather pleasing array of traditional-looking industrial buildings fronts onto the creek (although most of the structures are relatively modern). Exceptionally, Faversham Chandlery is a brightly-painted weatherboarded building dating from the early C19. Despite having no direct connection with the water this site has established a rather convincing aesthetic relationship with the creek, the buildings being expressed for the most part in a local vernacular of treated weatherboarding and slated roofs. Alongside to the north is the impressive C19, five storeys high, yellow brick-built Belvedere Mill now being converted to flats and a restaurant. With its characteristic projecting hoist bays the structure is a crucial and prominent part of the historical record of the creek's industrial past. On the opposite side of Belvedere Road are other vacant buildings and land, whilst to the north are brewery premises where barrels and pallets are stored both in the open and under cover.

Alongside the creek, further to the north, the character changes where new, two and three storey terraced housing (completed in 2001) overlooks the water from behind a pedestrian walkway. Neither the town's local building vernacular nor its rich history have seemingly much influenced the design of the development and the resulting frontage to the creek is rather suburban in character. Other recently completed three storey houses are also present on the other side of the road. The associated highway improvements along Belvedere Road have produced a rather joyless 'anyplace' environment with a double row of blue-coloured scoria blocks outside the joinery works being the only item of distinctive paving.

#### **Standard Quay and Iron Wharf**

Standard Quay, for centuries a principal quay in the port of Faversham, is today the town's only traditional, working, waterside environment where spritsail barges, once commonplace in the Thames and Medway estuaries, still visit. C18 and C19 weatherboarded warehouses-cum-workshops still stand on the quay, distinctive for their gables, loft and loading doors, and

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battered-looking corrugated iron roofs. A C17 warehouse on the eastern edge of the quay is stone based, then brick, then half-timbered and infilled with various patterns of red brick nogging); it is now used for the sale of animal feedstuffs and garden products, its rugged working character having survived with minimal adaptations.

Visiting boats are no longer commercial craft but used for pleasure, for chartering and as living accommodation. Still, however, they depend on a range of traditional quayside facilities and trades being available. Consequently the quay is characterised by the traditional sounds and smells of waterside activities: of timber being sawn and shaped, of ironwork being fashioned and repaired, of the smell of varnish and paint, and also the aroma of old ropes and Stockholm tar. Alongside the yellow brick fronted quay lie visiting barges with evocative names such as Lady of the Lea, Raybel and Remercie, their transoms decorated with scroll work and name ribbons. Pitch pine timber masts, braced with their distinctive rig, are topped with colourful pennants. But most nostalgic of all are the brick-red sails that, even though here tightly furled, are still most obviously the hallmark of the Thames and Medway sailing barges.

Iron Wharf adjoins Standard Quay to the north. Its past association with the branch railway is still recorded by the presence of several dozen, wheel-less, goods wagons stranded here when the railway track was removed. They continue to earn a living, however, as storage lock-ups and are an intriguing survival from the creek's 'railway era' and, as an evocative reminder of past times, they now form part of the wharf's special identity. And ever present here is the persistent metallic clang of masts and metal rigging, as they respond to the constant rise and fall of the wind.

The wharf is now occupied by small leisure craft laid up for repairs or for storage, especially during the winter months. Buildings here are sparser than at Standard Quay although the commanding presence of the Oyster Bay Warehouse, formerly a secure store for goods in transit through the port but now used for offices and flats, is exceptional. Its height and yellow-brick bulk, coupled with its position on the very edge of the flat expanse of the Swale marshes, makes it one of the town's landmark buildings. Elsewhere, portakabins and sheds serving as small stores and workshops, are stationed at intervals amongst the orderly muddle. Rows of masts, when viewed from the east, are attractively silhouetted against the sky and are an important tell-tale in the flat landscape of the presence of the otherwise-hidden water channel.

Alongside Iron Wharf is Chambers Dock where the course of the Cooksditch stream has been deepened and widened as it joins Faversham creek. A small footbridge across the entrance carries the long distance Saxon Shore Way footpath away to the north, and although the dock itself is now a rather forlorn and muddy affair it still remains home to a number of veteran craft.

Here at Standard Quay and at Iron Wharf, the long-standing relationship of Faversham town with Faversham creek is still expressed in the traditional way: old waterside buildings have survived, veteran sailing craft still visit, and water-related activities continue to thrive. Here therefore is an authentic echo of the old, somewhat rough and ready working environment that once characterised this side of the creek. To the north, the muddy banks of the channel are the refuge of whistling oystercatchers and quarrelling gulls; the dribble of water at low tide is scarcely sufficient to float the smallest of dinghies. But still it is possible to visualise how, with high water filling the creek brimful with water, commercial craft once made their way quietly upstream, through meadows grazed by cattle and sheep, to discharge their loads at the

Faversham quays. Over the centuries the creek environment has been a place of outstanding character and an integral part of the wider identity of Faversham town itself. The continued survival of this small pocket of traditional character and activity is therefore of crucial importance to the town's individuality.

*The Cardox International works*

The Cardox works, in Abbeyfields, lie just to the south-west of the sewage works. Originally known as the Abbey Works, the site was opened in 1924 by the Mexco Mining Explosives Company.

The works now comprise a rather widely-spaced scatter of wooden huts set within a large grassy enclosure dotted with hawthorn and other trees. An old narrow-gauge track connecting the buildings is still just visible in places; a small truck was once pushed manually along it to move loads around the site. Here, in this rather green and peaceful environment, blasting cartridges are manufactured for the quarrying industry, although the 'explosive' content is now a heater, or chemical energiser, which activates a carbon dioxide blasting cartridge. The huts, laid out in rows, are of simple wooden construction with felt covered roofs; despite the somewhat ephemeral nature of these structures the site is of special importance to Faversham because it constitutes the last active link with the town's long-standing explosives industry.

The disturbed land to the south-west (from which material has been removed in the past for brick-making) is currently unused, but the spatial separation that this site affords is the vital means of distancing the Cardox works from the edge of the town (originally for safety reasons but now for historical authenticity). The sense here of a place being 'set apart' from the town is, therefore, an important part of the special character of this last surviving component of Faversham's 'gunpowder' story.

## Chapter 5: Tanners Street, West Street and Preston Street

### Historical background

Until the mid C16 the town of Faversham was centred on Tanners Street and West Street; the first Guildhall, for example, stood close to the corner of Napleton Road. The town's early focus here was probably linked to the ancient trackway connecting Tonge with Boughton and the nearby fording point across the Westbrook Stream.

Tanners Street now marks the north-western edge of historic Faversham. Although it takes its name from the tanning trade once practised here, it is the physical survivals from the gunpowder industry that have perhaps left the more lasting impression on the street and its immediate vicinity.

West Street, one of Faversham's most historic streets, formed the town's main east-west axis during Anglo-Saxon times. It went on to serve as the town's 'High Street' until Preston Street captured the role at the end of the C19.

Preston Street runs south from the town centre and takes its name from the parish of Preston to which it leads. Although it comprised one of the four arms of the town's medieval street network, joined-up frontage development even by 1780 reached only as far as Gatefield Lane. A small and quite separate cluster of properties, approximating to a 'village' of Preston, lay further south along the street.

### The Westbrook stream

The Westbrook stream runs roughly parallel with Tanners Street, and although originally fed by headwaters from relatively far away (at Painters Forstal and the Willow Beds below Davington Hill) it is now the springs lower down the watercourse that keep it flowing. This stream water once powered a series of mills that drove the machinery used in gunpowder manufacture at the Home Works. Indeed, gunpowder made here was used in the crucial battles of Trafalgar and Waterloo so that this now-quiet valley can be said, in its own peculiar way, to have played a role in the course of European history. Over the years the watercourse has been much altered and adapted, so that at the back of Tanners Street it now winds gently between an attractive margin of trees and waterside vegetation.

At Chart Mills, now rather marooned amongst estate houses, one of the four gunpowder incorporating mills still survives (having been saved from demolition at the eleventh hour by local enthusiasts). It was here that the gunpowder ingredients of saltpetre, sulphur, and charcoal were blended together between huge millstones driven by a large breast-shot iron water wheel. This powder mill is reckoned to be the oldest one surviving anywhere in the world and is therefore of special historic significance. Mature trees around the mill are a survival from the days when planting was deliberately used to moderate the effect of gunpowder explosions; today these trees help to maintain a modest, but important, sense of physical separation between the mills and the modern housing around.

### Tanners Street

Tanners Street runs south-west from West Street to South Road and is an attractive blend of old and new buildings, threaded through with survivals from the town's once-important gunpowder industry. A special part of its distinctive identity is the informality of its street form

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(sometimes with footways and sometimes without) which rises and falls, twists and turns, narrows and widens in a most appealing way. Although predominantly residential in character, a scattering of other uses (and building forms) does much to animate the street.

The northern limit of Tanners Street is marked by the C15, timber-framed Bull Inn; characteristically Kentish in form and appearance (despite missing its chimneys) it is commandingly set up on a small rise, known as Snoure Hill, behind a raised footway away from the flood waters of the creek. Alongside to the south are ranges of small C19 and C20 brick-built cottages that sweep gently around to the yellow-brick Gospel Mission Hall, built in 1888 and important for the substance it gives to the corner with Napleton Road. On the opposite side of the street other buildings combine to form a characteristically Kentish scene; some are C15 to C17 and timber-framed with jettied first floors, whilst others are brick-built including three terraced houses built around 1770 for officials of the Royal Gunpowder Factory. A narrow passageway leads to another little group of cottages positioned on the edge of the slope down to the Westbrook stream, so that the resulting jumble of old houses and colourful peg-tiled roofs all silhouetted against a background of billowy green trees is quite outstanding.

Beyond Napleton Road, Tanners Street turns and climbs a short but sharp rise. The corner is marked by the sturdy C17 Three Tuns public house set up on a deep plinth to accommodate the sudden change in ground levels, but then groups of small C19 and C20 cottages sweep up the hill all huddled along the edge of the curving carriageway. Through a gap between these cottages there is an unexpectedly dramatic view up to the back of the almshouses' chapel, where the imposing Bath stone elevation sharply contrasts with the workaday brick and timber-framed construction in Tanners Street. The southern cross-wing of the distinctive almshouses marks the south-western end of the street.

The Roman Catholic church, with a huge poplar tree alongside, brings additional variety to the street scene, but tucked hard up against the footway it fits neatly into the well-defined form of the street. Built as a school in 1861 (by the owner of the Home Works) it was then used as a cinema until 1935 when it was converted to its present use. The, grey coloured slate roofs (unusually steeply pitched) contrast with the reddy-brown, peg tiled roofs of the older properties nearby and are the easily recognised hallmark of C19 work. Alongside the church stands an attractive early Georgian red brick house (now used as the priest's house but originally built for a local tanner John Gilbert). Beyond to the south, where buildings are suddenly absent, the street is edged by an old ragstone wall that once enclosed the gunpowder works. Built in squared stone blocks, the sizes graded as they rise and finished with a shaped stone coping, it is notable for its quality and distinction in a town characterised by rather little stonework; it also indicates the importance of the industry that it once enclosed and now nicely defines the corner round into South Road.

The varied history of Tanners Street is therefore recorded both in the architecture of its buildings and in its informal shape as it squeezes past the church, twists and turns down the hill, and then broadens out into the triangular space at its junction with Dark Hill. This informality records the organic manner of the street's growth and renewal over the centuries, and sharply contrasts with the more regular street pattern and repeating building forms in the adjoining Napleton Road area.

The lower part of Tanners Street is now paved in brick, although the upper section still has a conventional macadam surfacing. The brick paving is further subdivided by colour coding into



parking bays, which C20 demarcations now read as rather unhelpful distractions in the otherwise easy and natural flow of the historic environment. An original cast iron lamp column is a rare survival here in the town.

#### **Flood Lane**

Flood Lane, at the western end of West Street, takes its name from the tidal Flood Mill that originally stood at the head of Faversham creek. Following slum clearance the road now has relatively few houses and a rather pleasantly ragged and unfinished appearance. The lane itself is notable for embracing, within a few short steps, the transition from the hurly-burly of West Street to the tranquillity of the small but attractive greenspace alongside the quietly flowing Westbrook stream. The informality of the unsurfaced section of road, the mature trees set within small grassy areas, and the crystal clear flow of stream water all help to create a rather special little backwater which is in striking contrast with the hustle and bustle of the town around.

#### **West Street**

West Street runs from Market Place through to Tanners Street but is now cut in two by North Lane/South Road, a busy route taking traffic around the edge of the town centre. Nevertheless, the continuity of West Street's historic development form still holds up remarkably well for most of its considerable length, although there is a gap in the historic building frontages where a group of C19 and C20 industrial buildings once stood.

Close to Market Place (in 'upper' West Street) small shops, offices and eating places all jostle for frontage space along the narrow road, but west of North Lane (in 'lower' West Street) the retail uses tend to thin out, the town centre character fades, and the street turns more residential in character; close to Tanners Street the frontage properties are largely in residential use.

'Upper' West Street is tightly defined by frontage development, unbroken except for Water Lane which joins from the north and brought to order by both the gently curving street form and the steady fall in levels away from Market Place. The resulting environment is intimately human in scale with an outstanding array of historic buildings dating for the most part from the C16-C18, but with others also from the C15. Generally they are small in scale, closely spaced and set directly onto the edge of the footways. Despite later re-fronts, upper floor overhangs still mostly survive so that they, together with the rhythmical form of steeply pitched gables, are a defining feature of the street. No single building really outshines the others although the C18 'Ardenne's' is a commanding presence, the architecture of its deep eaves cornice with paired modillion brackets being especially striking; the later timber cladding on the ground floor is, however, disfiguring.

This 'upper' section of the street is notable, therefore, for its Kentish vernacular buildings where timber-framing, plaster infill, brick nogging, red brick and just occasionally yellow brick are all present, along with an appealing jumble of russet-coloured, peg tiled roofs. Also here is Faversham's speciality of mathematical tiling, and a notable example of pargetting at 'Gullivers' shop where deep relief stylised foliage surrounds a cartouche with the date of 1697 (the sole example of such decoration in the town, despite plasterwork fronts having been at one time quite commonplace). However, there are examples too of other less sensitive work and now that plastered, rendered and sometimes even brick elevations have been extensively painted, occasional shabby corners are ever-present.

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West of the 'junction' with North Lane/South Road the gently winding form of West Street resumes, as also does the tightly defined street form, fronted initially by a remarkable mix of properties embracing work from each of the centuries from the C15 up to the present day. The sequence of historic buildings is, however, then interrupted by a round of late C20 redevelopment on the site of C19/C20 industrial/commercial development (including the town's gasworks) which once spilled over from the head of the creek into West Street. The visual impact of the large supermarket building on the north side of the street is, however, quite modest, due to its position set well back into the site; here the street frontage consists of a boundary wall and railings that screen the car park, and also a late C19 building formerly used a gas showroom. New housing development (built in the 1990s) on the opposite side of the street follows the general form and character of the street, but the set-back of the buildings behind a servicing/parking lay-by has opened up the width of the street; the larger scale and cruder detailing of the modern work also contrasts with the architectural subtlety of the rest of the street.

Beyond this C20 development the historical frontage development reasserts itself and the traditional character of the street is once again present, this time defined by ranges of C15 timber-framed buildings and C17 brick-built cottages. The much later (and now converted) Faversham Co-operative shop is an exception, and marks the founding in 1874 of the town's co-operative movement by workers in the gunpowder industry. The substantial Twyman's mill, formerly a wool warehouse but now converted to flats, marks the western end of the street with a lively flourish of red brick.

'Upper' West Street was pedestrianised in 1975, at which time the carriageway was overlaid with red paving bricks (a relatively early example locally of such an initiative). In the summertime, therefore, the street takes on a pleasant and a rather leisurely alfresco character with tables and chairs spilling out of the cafes and other eating-places. At quieter times, however, the street is given over to a rather desultory assortment of advertising A-boards and flower containers. However, the front of Gullivers is notable for being daily festooned with hardware and gardening products, which display rather positively engages the shop with the public street. When the carriageway was paved the footways were left undisturbed, so that the kerb face disappeared and a part of the street's traditional shape consequently went missing.

The well-defined street environment falls apart at the junction with North Lane/South Road where road widening in 1903 and 1965 destroyed the old sense of building enclosure. The clutter here of road signs, pedestrian guardrails and the muddle of paving somewhat unwittingly reinforces the sense of anti-climax hereabouts in the street environment.

'Lower' West Street is, by contrast, trafficked in a single direction. The completion of the Western Link road in the late 1980s greatly reduced the numbers of heavy vehicles here to the very substantial benefit of the street environment, but the narrowness of the street and the proximity of buildings to the carriageway still make even the residual traffic surprisingly intrusive. This section of West Street was repaved in the late 1980s; the carriageway is now paved with red brick and the footways with 'small element' concrete flagstones. Speed humps and bollards, particularly near to North Lane, are visually intrusive and the reconstruction of projecting steps outside the cottage doors with modern materials has eliminated a part of their charm.

#### **Thomas Road**

Thomas Road is a rear access road built in the 1970s to serve properties facing West Street, Market Place and Court Street; its construction has permanently shortened the old rear plots and yards. The backs of these town centre properties, although almost always interesting, lack the finesse and continuity of the front elevations and the adaptation of rear yards for parking and servicing has sometimes been quite roughly executed. The large steel- framed warehouse on the opposite side of the road (built in the 1980s as a supermarket but now used as a brewery warehouse) is a somewhat coarse-mannered neighbour given its position so close to the historic core of the town, although the landform fortunately mitigates some of the bulk of the building.

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#### **Market Street**

Market Street connects Market Place with Preston Street. It is a short and narrow thoroughfare lined with shops and always busy with people. Despite its position in the very heart of the town centre, however, many of the buildings now date from the C20.

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Much of the south side of the street is set back behind a notional widening line, and the rather unremarkable appearance of the C20 properties is further reinforced by the somewhat lacklustre array of modern shop fronts. Some of the buildings on the opposite side of the road are similarly unremarkable but those at either end are more worthy of this central position in the town. The three storey, late C18, stuccoed building on the corner with Market Place has a pleasantly rounded corner to its wedge-shaped western end which is perfectly tailored to fit the corner site, whilst the Swan Inn with its steeply pitched clay tiled roof neatly concludes the other end of the building group.

Paving surfaces in Market Street match those of Market Place, East Street and Preston Street and therefore maintain an important sense of continuity in the treatment of the 'pedestrian priority' highway areas. The narrow lay-by on the south side of the road is, for much of the time, used for parking.

#### **Preston Street**

Preston Street runs south from the town centre on a gently rising gradient towards London Road. Despite its medieval origins it was much later that the street gained its present-day prominence, after the arrival of the railway in 1858. The new railway station (some distance to the south of then more-important West Street) caused the town's centre of gravity to shift decisively in favour of Preston Street, so that with shops and other services all taking full advantage of convenient access to and from the railway the present-day role of 'High Street' was established.

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Today, Preston Street is the town's principal shopping street, daily busy with the hustle and bustle of people shopping, visiting the Council offices, meeting with friends and so on. It is above all else the place in the town where goods and services are bought and sold; its 'High Street' character is therefore its defining feature. The very slightly curving form of the road, aligned along the shallowest of valley features, perhaps lacks some of the visual subtlety of some of the town's other historic streets, but its medieval origins and its later evolution are nevertheless all faithfully recorded in its present-day built environment.

The 'two stage' development of Preston Street is reflected in the two rather distinct rounds of building activity. The older, northern section of the street contains buildings from the C15-C18 characterised by timber-framed construction and traditional finishes, whilst the 'newer' parts of the street date largely from the second half of the C19 with rather plainer-looking buildings mostly built of brick and often with larger shop fronts and with slate covered roofs. These different building forms and styles have, however, linked well together so that the entire street reads very clearly as a single and coherent entity, with disciplined frontages of two and three-storey buildings and few gaps. Whilst the contribution from C20 development has been rather mediocre, the thoughtful repair and refurbishment in recent years of many older buildings in the street has secured some notable improvements.

The cluster of timber-framed buildings at the northern end of the street in the vicinity of the heritage centre (itself dating from the C15 and formerly the Fleur de Lis Inn) is the defining historical component of the street. Here are the forms and materials so characteristic of Kentish vernacular building including jettied first floors, colour-washed plaster, white-painted weatherboarding, mellow red brick, mathematical tiles and Kent peg roof tiles laid on undulating and steeply-pitched roofs. And here too there is an eye-catching array of brick chimney stacks, some short and stout but others tall and slender, and mostly topped off with terracotta pots in various shapes and sizes, and all contributing to a lively rooftop skyline.

By contrast, just south of Gatefield Lane is the imposing, red brick Alexander Centre built in the 1860s (once the home of local businessman Henry Barnes and now used as Council offices); the porch with its heavy entablature supported on columns thrusts confidently out into the public footway. It is hereabouts, in the view south, that the buildings of the C19 come to predominate, with brickwork in the familiar yellows and reds of the Faversham brickfields, with larger and more commercial-looking shop fronts, and with the grey uniformity of Welsh roofing slates in evidence rather than the colourful exuberance of Kent peg tiles. The 'Italianate' Assembly Rooms (dating from 1848 but now a drill hall) and the huge, but austere-looking, former Co-op building dating from the 1920s both record important developments in the town's social and economic history. The street ends on a rather distinguished note with Shepherd House (early C19), Chase House (C18) and Delbridge House (C19), and also a C19 church notable for its Gothic revival style, Kentish ragstone front (now somewhat marred by heavy re-pointing) and polychromatic brickwork.

Preston Street ends abruptly at the railway where it is reduced to the status of a footway scurrying beneath the tracks through a white-tiled subway. However, the vestigial frontage buildings in the detached section of old Preston Street, particularly the George Inn and Wreights House, still serve as important historic markers in the urban landscape when viewed across the railway.

The relatively straightforward shape of Preston Street (after freeing itself from the narrow junction with Market Street) means that odd little nooks and crannies are rather few in number, but the old cross routes following the alignments of centuries-old footpaths are still present at intervals as at Gatefield Lane, Cross Lane and Solomons Lane. Jacobs Yard is a later, but successful, creation where C19 workshop buildings have been opened up and converted to form an attractive courtyard enlivened with brick and stone paving.

In common with Faversham's other principal historic roads, traffic management and paving works have divided Preston Street into two parts. South of the junction with Stone Street it is a

conventional highway with two-way traffic and on-street parking, an asphalt- surfaced carriageway and concrete paved footways (and a mixture of granite kerbs apparently from such disparate places as Cornwall, Guernsey and Brittany). But to the north of Stone Street the carriageway is paved with red brick in the same 'town centre' way as Market Street and Market Place and traffic restrictions provide for pedestrian priority. The point of division between the two parts is reinforced by a kerb build-out that is now the home for a clutter of security cameras, bollards, litter bins, telephone kiosks, planters, traffic signs and more. Nevertheless, despite this hiccup in the visual flow of the street and the different approaches to highway management and presentation, the strength of the built environment is such that it continues still to read as a single entity.

#### **Shopfronts in the town centre**

Buildings used for retailing are notable for their ground floor shopfronts and window displays. The design and detailing of, and the choice of materials for, these shopfronts has played a unique role in the character and appearance of both individual buildings and the wider street scene. Despite the imperative to frequently update and refurbish there is still an important survival of old shopfronts in Faversham town centre.

Preston Street is notable for the larger-paned shopfront formats introduced in Victorian times, with examples also of later C19 features such as curved glass and bronze framing. The bold, but matching, shopfronts in Queen's Parade (East Street) illustrate the beginnings of C20 design, whilst the heavily timber-framed shopfront applied to the C19 'Geerings' building (at the far northern end of Preston Street) is an unusual example of 1920s mock Tudor design. Of special historical note, however, are the small-paned shopfronts of much earlier times; an outstanding C18 example survives at the southern end of Abbey Street alongside the joinery works (where the property is now in residential use).

#### **Gatefield Lane**

5.37. The pedestrian cross routes at Gatefield and Solomans Lanes for the most part cut across the grain of mid/late C19 development. In the case of Gatefield Lane (which once led to Preston village across Gate field) the C18 and C19 cottages along the frontage close to Preston Street confirm the earlier origins of the footpath; frontage properties are then absent on the other side of Newton Road but the pedestrian way continues to be distinctive for the presence of high yellow brick boundary walls on either side enclosing the adjoining private gardens.

#### **Forbes Road**

5.38. The old railway crossing at Preston Street was by passed by the construction of Forbes Road, which runs west alongside Delbridge House. Development in the vicinity is somewhat disjointed in appearance, although Queen's Hall is attractively set up on top of a prominent bank. The car park to the north is partially enclosed with a rugged-looking flint wall.

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## Chapter 6: Davington and Stonebridge Pond

### Historical background

Davington is a largely residential area situated on high ground to the north-west of the town centre. Set somewhat apart from the hustle and bustle of the historic core of Faversham it has a rather quiet and peaceful atmosphere. Four roads - Brent Hill, Davington Hill, Priory Row and Priory Road - all meet alongside the church.

Davington church is of Norman origin and probably dates from the early C12; it therefore contains some of the oldest building fabric in the town. The priory, the remains of which stand alongside the church, was founded in 1153 although it was never on the grand scale of Faversham Abbey and petered out altogether in 1535. Its closure before the Dissolution did, however, allow the building to escape destruction. Over the subsequent centuries the priory was used for a variety of purposes but in 1845 it was acquired by Thomas Willement (a distinguished stained-glass artist) who then sensitively restored the surviving parts. The church was purchased by the Church of England in 1932 and also restored.

The history of Davington parish is otherwise rather sketchily recorded although it has been speculated that some kind of 'village' nucleus might have existed at the bottom of Davington Hill before the gunpowder works, destined to become one of the town's principal industries, transformed the area in the C16 and C17.

### Gunpowder manufacture in Faversham

The precise beginnings of the gunpowder industry in the town are not recorded, but the earliest documented reference to a gunpowder maker is in 1573. The first records of a fully operational gunpowder industry, however, date from the mid C17 when the Home Works factory was in production close to the town. Subsequently, gunpowder was also manufactured at the Oare Works just south of Oare village and at the Marsh Works which opened in 1786.

Sites for gunpowder manufacturing needed to be close to the main centres of military and naval activity and close to a port or a river for the import of nitre and sulphur. They also needed a supply of wood for charcoal making and a dependable supply of water to drive the mills that powered the machinery. Faversham offered all these features.

The Home Works was established for certain by 1653. By 1759 it occupied a site over one kilometre long (and an average 400 metres wide) extending along the Westbrook stream from just north of the London-Canterbury road at Ospringe all the way through to the head of Faversham creek. By 1774 the works contained eleven watermills and five horse-worked incorporating mills where the three ingredients of saltpetre, sulphur and charcoal were blended, as well as many other buildings where pressing, granulating and drying the powder took place. And as demand increased in the late C18 more process houses were built on the north side Brent Hill. For safety reasons the manufacturing processes were rather widely spaced, so that even at the height of its output the 'factory' site was often quite a thickly wooded place where many of the manufacturing processes proceeded in relative quiet.

The Home Works started as three or four small independent factories that were consolidated into a single large one by the mid C18. About the same time the Government decided that the gunpowder made by private suppliers was unacceptably variable in quality, so to be sure of

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reliable powder it nationalised the Home Works in 1759. After the Napoleonic Wars the Faversham works were first leased, then sold, to John Hall and Son, which company played an important role in the further development of explosives. The Faversham powder mills finally closed in 1934 when the machinery was dismantled except for just one of the four water-powered Chart Mills (left standing by chance) With the demise also of the town's other gunpowder works the Cardox Works, in Abbeyfields, now constitutes the sole surviving link with the long explosives-making tradition in Faversham.

#### Stonebridge Pond

Stonebridge Pond (named after the bridge that replaced the ford across the Westbrook stream in 1773) is a major survival from the days of gunpowder making. The reservoir of water created here was not only used to work the powder mills but the associated network of waterways also provided the means of moving unfinished powder by punt safely between the various processes of corning, pressing, dusting and packing. Until 1790 the finished gunpowder was loaded onto boats moored at the adjoining quay at the head of the creek.

The pond, with its encircling margin of self-sown trees and shrubs, is now a quiet refuge for wildlife and an important oasis of green space in the heart of the town. A small amenity area alongside Dark Hill is popular with local residents for feeding the ducks but the greater part of the land around is now comprised of well-tended allotments. Rather appropriately these allotments continue a 'leisure-related' tradition from the past, because even when gunpowder was being manufactured the plots of land in amongst the production buildings were rented by local people and used for growing vegetables, as places to relax, and even for fishing.

#### Davington Hill and Priory Road

Davington Hill runs north from Dark Hill and climbs a sharp gradient alongside Stonebridge pond on an alignment that probably dates from the time of Willement's extensive restoration work at the priory. Despite its position deep into the town, the hill's appearance is rather remarkably that of a rural lane because buildings are few in number, the surrounding landscape is dominated by trees and green spaces, and the slope is overlooked from the top of the hill by the landmark tower of Davington church which emerges through the encircling trees as though presiding over a rural parish. At the bottom of the hill the white-painted weatherboarding and colourful peg tiled roofs of a C16 house and a group of C18 cottages (once owned by the gunpowder factory) are characteristically Kentish in appearance. By contrast, the top of the hill is marked by the remains of the old priory wall; here the heavily buttressed medieval stonework provides both physical and visual confirmation of the long-standing historical importance of this part of Faversham. A special delight is the postern gate with its intriguing little lookout window alongside; apparently of Norman date it was probably inserted by Willement in 1850.

The surviving priory buildings, comprising the prioress' parlour, the library, the western alley of the cloister and the Norman doorway of the refectory, now form part of a private house attached to the south side of the church. However, it is largely hidden from public view so that the most significant glimpse of its C17 gabled and half-timbered front is through the trees alongside Priory Road close to Dark Hill. It is, therefore, the grounds around the house (consisting largely of informally grassed and wooded areas) that set the character of the area; lime, beech, ash and sycamore trees are concentrated around the perimeter giving both Priory Road and Dark Hill a pleasantly rural appearance. This large area of green space around the

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priory, coupled with the extensive area of open space at Stonebridge Pond (adjoining to the south east), is a defining feature of Davington.

St Mary Magdalen church stands on the corner of Davington Hill with Priory Road, but is set back behind a small graveyard enclosed by high flint and stone rubble walls and entered through a clay-tiled lychgate. The mature yew, sycamore and lime trees in and around the graveyard now substantially obscure the view of the church from the high ground within Davington itself. However, in the wider 'hilltop' view from the south, the high-ground prominence of the tower with its unusual pyramid-shaped roof and weather vane makes it a landmark feature for miles around. Austerely Norman in style, and now consisting only of the nave and a single tower, the church is built of Kentish ragstone rubble and flint.

Just beyond the churchyard, at the start of Priory Road, is the curving gravelled drive to Davington Priory appropriately guarded by a small, single-storey, red brick lodge house. Just opposite is a large C17 red brick farmhouse, the only surviving part of Davington Farm. Beyond to the west, however, the road turns decidedly suburban in character with frontages on both sides comprised of detached houses built for the most part in the 1970s (although a cluster of earlier, mainly inter-war properties, is present around the corner). The properties on the southern side of the road have a pleasantly matured appearance where trees and shrubs rather successfully link them together.

#### **Priory Row**

Priory Row runs into Davington from the north and was brought onto its present, very straight, alignment about the time the mid-Victorian terraced houses along the eastern side were built for workers in the local brickfields. These yellow brick houses are notable for their higher standard of construction than some of their counterparts elsewhere in the town. They are nevertheless decidedly plain in appearance, the only ornamentation being the cast door hoods supported on enriched console brackets. Almost all the original windows and doors have been replaced and the once-slatted roofs have been covered with concrete interlocking tiles, but the front gardens are still generally intact (just a small number being used for off-street car parking). The first house in the row, rather larger than the rest, was reputedly built for the brickfield foreman.

The houses along the opposite side of the road are a mix of rather commonplace semi-detached and terraced properties built in the second half of C20. However, the row is terminated at the northern end by Davington School which is an attractive yellow and red brick building with clay tiled roofs, designed by local architect Benjamin Adkins in vernacular Gothic style and built in 1887. The recently re-laid roofs are covered with the original tiles in plain and ornamental courses manufactured by the Aylesford Pottery Co. near Maidstone. The form and design of the building, including its small bell turret, makes it instantly recognisable as a school and, with the substantial later extensions helpfully hidden from view at the rear, its architectural integrity remains largely intact.

#### **Brent Hill**

Brent Hill climbs a pronounced gradient away from the head of Faversham creek up to Davington; towards the top a splendid panoramic view opens up over Stonebridge Pond and across Faversham town. This little roadway is special for the way in which it twists and turns its

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way up the hill between high, free-standing brick walls set directly onto both edges of the carriageway. Built in the C18 these blast walls were designed to minimise damage to neighbouring properties from explosions in the gunpowder works. Various built from local red and yellow bricks, and sometimes with sloping courses that follow the gradient of the road, these walls are an all-important and defining feature of the road.

Towards the top of the hill the front elevations of a number of small properties break through into the unusual walled environment, including the C19 Brent Hill Bungalow (originally built as a tiny pair of two-room cottages for gunpowder workers) and a small red brick barn now converted to a dwelling. Set directly onto the edge of the carriageway in the same way as the walls they reinforce and enrich the tightly defined street environment. By contrast, Davington Manor (never a manor) and The Lawn (late C18 or early C19)) are set well back on the rising ground above Brent Hill which once formed part of the gunpowder factory's Upper Works. Davington Manor itself has been created by combining structures that were originally built in the late C18 by the Board of Ordnance for storing saltpetre and sulphur.

Just below to the south east is the BMM Weston works where a white painted factory/office building stands in a prominently elevated position, widely visible in the view from the opposite side of the creek. Its stark appearance results from alteration and extension works completed in the 1940s but the centre portion improbably incorporates a three-bay Italianate residence. Mature trees, including horse chestnut, poplar and sycamore, are grouped around the entrance drive; towering impressively over the road they are an important feature in the street scene.

Brent Hill is a special place, therefore, not only for the survivals of buildings and structures from the town's gunpowder industry but also for its distinctive highway environment, with its sharp gradient, enclosing walls and absence of footways, which is both visually striking and truly characterful.

## Chapter 7: The railway and its vicinity

### Historical background

1. The railway arrived in Faversham in January 1858. The line initially connected with Chatham but was quickly extended to Strood and the North Kent line. In 1860 the London, Chatham and Dover Railway Company (previously the East Kent Railway Company) extended services to Canterbury, Whitstable and London. The network was completed soon after with connections to other East Kent towns and then at the end of the century the principal railway operators in Kent amalgamated to form the South East and Chatham Railway Company.

A single-track spur for goods traffic, linking the main line at Faversham with the creek, opened in 1860. A goods yard was built at its southern end, a fan of sidings was laid down at Iron Wharf, and a track was installed along the edge of Standard Quay. Whilst the branch line held out the prospect of reinvigorating the port, in practice it made rather little long-term difference. The convergence at Faversham of two main lines made it a relatively important junction with an array of railway buildings including the main passenger station, engine and carriage sheds, signal box, water tower, and a separate goods station. Later on, during the Southern Region days, locomotives continued to be maintained here but when the main line was electrified in 1959 railway activity declined. In 1967, the track on Standard Quay was lifted and general goods traffic on the remaining section of the branch line ceased in 1971.

The railway was the catalyst for far-reaching change in the town, provoking an unprecedented burst of development activity. Well into the C19 Faversham was still a rather remote country community where the form and extent of the town was essentially that of much earlier times. After 1860, however, development took place on an altogether different scale, often in the form of small rectilinear streets very different in character from anything that had gone before. This was, therefore, a time of crucial change as the country town was jolted out of its relative isolation. The physical record of C19 railway activity, and the development associated with it, is consequently a crucial part of Faversham's history. The surviving array of railway structures is the most complete on the old South East and Chatham line; collectively and individually, therefore, these buildings are of special interest.

### The railway environment

The main line from London runs east-west through Faversham and is joined from the north by the North Kent Coast line just to the east of the station; the branch line to the creek formerly split away to the north at the same point. The passenger station, comprising booking halls and two island platforms, is the principal survival from the C19, although the present buildings date from the rebuilding of 1897/8 (when the original station was demolished to widen the mainline tracks). A late C19 two-road engine-shed survives in the angle between the converging lines from Whitstable and Canterbury (an earlier shed that adjoined to the south was demolished as a consequence of the track widening). The smaller shed to the north, described in 1952 as a wagon repair shop, dates from a similar time. Both are built in local yellow brick and whilst the smaller one still has roofing slates the larger one is covered with lightweight corrugated sheets. Both buildings are redundant, in poor repair, and with little immediate prospect of gainful use. By contrast, the yellow brick water tower in Station Road (built circa 1858 and still with its riveted iron water tank) has a more assured future, having been sensitively converted to a dwelling in the 1980s whilst preserving the integrity of an important item of industrial archaeology.

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The distinctive latticework spans of the 'Longbridge' footbridge are modern copies of the 1906 originals, but preserve the very characteristic railway engineering design of the time. The piers and trestles with their decorative stiffeners, tie bars and connecting rings are, however, all original. The bridge is unusual for its remarkable length, crossing both main lines in two legs to make the all-important pedestrian connection between the town centre and the south-eastern area of the town. The nearby brick-built signal box opened in 1959 at the time of electrification.

Much of the physical evidence of the branch line to the creek has now disappeared but the low embankment alongside the recreation ground is still clearly identifiable despite being overgrown. The small goods station building is still in place on the eastern edge of the now-dismantled goods yard; the large boarded doors at either end reveal how railway wagons were admitted to an internal platform where goods were transferred by a (still-present) iron loading crane. Characteristically built in Faversham's C19 'vernacular' of local yellow stock bricks highlighted with red brick dressings, the building is an important component in the town's railway heritage.

#### **Station Road**

The railway, including the station entrance and booking hall, occupies the whole of the southern side of Station Road and is therefore its defining feature. The station building, with its pale yellow brick elevations and bright red dressings, typifies the railway company's architectural style of the time and is still the focal point of the road. The booking hall has tall round-headed windows and boarded doors and is remarkable for having survived almost entirely unaltered, although the foreshortened canopy valance somewhat diminishes the presence of its public face. On either side of the station building the long trackside boundary is marked by a two metre high yellow stock brick wall topped by a coping of blue engineering bricks, which trademark detail gives it a nice touch of railway identity.

The yellow brick terraced houses on the north side of the road, dating from the 1880s, are modest in size and appearance but their continuity of form and repeating ground floor bay windows impart a pleasant rhythm to the group. A distinctive metal cresting detail applied to the eaves survives in a few instances (as it does in one or two other places elsewhere in the town). Most of the old wooden sash windows have been replaced, however, so that the glazing pattern that originally reinforced the architectural rhythm of the houses has vanished, and the roofing slates have been replaced with heavy-looking concrete tiles. The red brick Railway Hotel gives a business-like sense of purpose to the corner with Preston Street and the adjoining yard is interesting for its old, brick-built outbuildings where loading doors and a hoist gantry recall a working environment of earlier times.

The paving surfaces in Station Road are mostly unremarkable but the granite kerbs provide reassuring confirmation of the age of the road. The lay-by outside the station used by taxis, buses and cars is notable for being a rather low-key affair for such a significant entry-point into the town.

#### *Residential streets to the north of the station*

The area of the town embracing St Mary's Road, St John's Road and Park Road might once have been described as Faversham's 'railway quarter', albeit in miniature, being the place where many of the railway workers lived.

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Superficially these streets, all built in the second half of the C19, have a rather uniform appearance with small and closely spaced houses, often terraced and set close to or directly onto the edge of the footway. Closer inspection reveals however that the streets are comprised of smaller groups of houses each a little different in appearance from one another. This has much to do with the way in which the original developer parcelled up and sold the plots to individual builders with stringent covenants attached. The covenants secured an area-wide continuity of form and appearance to the development whilst allowing a degree of freedom and individuality in the detailed design.

The houses in St Mary's Road are, by a narrow margin, the oldest in the area dating from the mid 1860s. Generally they are terraced and built in red or yellow brick but some are stucco fronted; window and door openings often have precisely-fashioned, gauged red brick arches. Most distinctive of all is Angelo Terrace with its central pediment and large incised plaque dated 1863, and polychrome brickwork used to startling effect around the paired doors. Also notable is the substantial presence of the 1872 Baptist Church with its large and rather forbidding (but characteristic of its time) front elevation.

St John's Road is, by comparison, noticeably tighter for space and harder looking in appearance with houses set directly onto the footways and with even the tiniest of front gardens absent. The junctions with the cross-routes are variously marked by corner shops and public house buildings, which are of contrasting appearance to the surrounding houses. These tightly formed and strongly expressed corners give an important focus to the street layout; the stucco-fronted (former) Royal William public house with its angled corner marking the junction with William Street has particular style and presence.

Park Road is different for having development along one side only (the other side being occupied by the recreation ground) and consisting of one long, almost unbroken, run of flat-fronted terraced houses built between 1860 and 1890. But here again there is considerable variation in the brickwork detailing and the treatment of window openings and entrances; windows, doors and roof coverings have however often been substituted with modern products. The three houses at the southern end are exceptional for being faced with flint and the southern end of the road is unusual for being terminated by the distinctive outline of the old Shepherd Neame maltings (now converted to residential use). Projecting york stone thresholds-cum-steps make a pleasing physical connection between the houses and the street, and cast-iron bootscrapers *are* occasionally still in place beside the front doors.

Granite kerbs survive in places along all three roads, their attractive blue colour suggesting Guernsey origins. Their toughness and durability are well matched to the workmanlike C19 character of these streets and they are consequently an important component of the physical fabric.

Chapel Street and Beaumont Terrace (marking the southern end of this grid of C19 housing), together with William Street, and Institute Road (at the northern end) are set at right angles to the main north-south streets. Chapel Street (with Preston Place) is effectively a continuation of the old Solomon's Lane cross route, while Beaumont Terrace is a dog-legged continuation of Station Road; both are fronted in part with small terraced houses. By contrast, Institute Road and William Street are both notable for the absence, almost completely, of frontage development.

#### **Newton Road**

Newton Road is an altogether grander street, comprised mostly of substantial detached and semi-detached houses. For many years it was the favoured location for prosperous local business people and it still retains some of that original cachet. Although conceived in the 1860s development occurred here over a period of some forty years, which extended time has given rise to a rather wide range of Victorian house-types along the length of the street. At the southern end the properties are older, smaller and plainer, whereas further north the houses tend to be large, imposing and impressively detailed. A number of the larger plots have been redeveloped in recent times, most notably for the public library, Herbert Dane Court (a sheltered housing scheme for the elderly opened 1976) and the Newton Road medical practice (opened 1998).

The defining feature of the road is, therefore, the array of imposing detached and semi-detached houses and villas, mostly built in local yellow stock bricks and often with gault brick detailing. However, the Welsh slates once uniformly present on the roofs are being substituted with concrete tiles so that the authenticity of the 'roofscape' is beginning to be eroded. The detailing of the principle elevations is often quite special with, for example, panels of moulded bricks in gable ends, elaborately patterned bricks forming intricate decoration around entrances, and stonework embellishments with incised decoration. Impressive front doors sometimes have glazed upper panels with ornamental security grilles that can be opened and closed.

Mostly these houses have small front gardens so that in the view along the street the role of greenery in the street scene is rather modest, but at the new medical centre a lime tree does make a significant statement. Front boundary walls, gate piers and gates therefore feature prominently; those that have been demolished to provide car parking spaces in the front gardens have created awkward and unwelcome gaps that disrupt the continuity of the edge to the highway.

The highway is notable for its rather generous width, its straight alignment and its steady but gentle fall from south to north. Although a residential road it now forms part of the main traffic route around the eastern side of the town centre so that through traffic and parked cars are a feature of the place. The original granite kerbs are rather remarkably still present along almost the entirety of both sides of the carriageway and they are, therefore, an irreplaceable historical component of this C19 street scene.

#### **Faversham recreation ground**

The recreation ground was laid out as the town's first public park in 1860 on the initiative of charitable trustees. Today it is used formally and informally for football and other games, strolling and dog walking, and just occasionally it is the temporary home of a visiting funfair. It is now an important component of the town's C19 heritage.

The generally flat, eight hectare site is ringed by a perimeter path (originally used as a formal promenade) over one kilometre long that is fringed with now-mature trees including oak, lime and ash. The distinctive-looking gardener's lodge, designed by local architect Benjamin Adkins in Picturesque Gothic style and currently used as a clubhouse, is skilfully positioned on slightly elevated ground towards the southern end of the site where it neatly focuses the view looking south. This unmistakably Victorian building is crucial to the period character of the space, especially as the bandstand and boundary railings along Whitstable Road are both now absent.

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The later, functional buildings on the western boundary (comprising changing rooms and public conveniences) fall noticeably short of the quality of earlier work.

Closely spaced and rather spindly-looking self-seeded sycamores growing on the low embankment of the old Faversham Creek branch line now create a valuable sense of green enclosure around two sides of the park. The C19 terraced houses fronting Park Road and Whitstable Road decisively enclose the other two sides.

#### **Faversham cemetery**

This large municipal cemetery was opened in 1898 and like the recreation ground forms part of the town's C19 heritage. Its formal character, buildings and planting all faithfully reflect the Victorian values and tastes of the time. The chapel is a pleasantly proportioned, well-detailed red brick building prominently positioned inside the Love Lane entrance and now rather attractively encircled by mature trees. From here a very formal grid of wide metalled pathways gives access to the burial plots.

The dense screen of funereal evergreen trees and shrubs along the frontage to Love Lane is a defining feature of both the cemetery and the lane, whilst gaunt Chilean pines elsewhere in the site are another distinctive legacy of the Victorian planting. The reinstatement of the long-absent iron railings to the Love Lane frontage has recaptured much of the robust Victorian character that is a key feature of the long front boundary and makes sense once again of the high brick piers and large iron gates at the imposing entrance.

Of special interest amongst the many graves is one commemorating 73 victims of Faversham's great gunpowder explosion in 1916: a sombre reminder of the price paid by the local community for its toil in the town's gunpowder works.

The small extension to the main cemetery, opened in the 1990s, has an informal layout with curving pathways of gravel and brick and plantings of deciduous and flowering trees. The contrast in character with the rigid formality of the older cemetery environment provides an interesting illustration of the way in which the attitudes of the day become firmly embedded in the design of the physical environment.

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## Chapter 8: South Road/Ospringe Road and vicinity

### Historical background

This part of Faversham, lying to the south-west of the town centre, consists almost entirely of mid to late C19 housing. Just prior to this development taking place a good part of the area was progressively worked from 1845 until about 1885 as the large Kingsfield brickfield (although the evidence of the brickearth, chalk and clay excavations is now quite localised).

When the railway was being built in the C19 a quantity of Anglo Saxon jewellery was recovered hereabouts from a pagan cemetery. The exceptional quality of the finds suggested that it was almost certainly the burial place of members of the Jutish court, and that for a time at least Faversham possibly served as the 'capital' of their kingdom.

Residential development in this part of the town began along the north-west side of Ospringe Road and parts of South Road. Then, when Forbes Road and Stone Street were built, access was opened up into the large area to the south-east of South Road enabling the by-then exhausted brickfield to be quickly developed. This extensive area of C19 housing is notable for the way in which similarities in development form, scale and building materials have combined to produce a place of special local distinctiveness; these key features have survived substantially intact.

### Ospringe Road into South Road

Ospringe Road and South Road together form the main route into the town from the south-west; they run gently downhill from the A2 (London-Canterbury road) to the town centre at West Street. House building started around 1840 at the Ospringe Road end, although it took another sixty or so years to substantially complete the development of both roads. The built environment is consequently quite varied in appearance, ranging from the exuberant Faversham almshouses and the interesting survivals from the Home Works, to the terraces of (once) pretty little Regency houses and the sturdy individuality of Victorian housing. Much of this development is closely spaced and also closely positioned to the road, but in the centre section near to the almshouses the layout is rather less rigid and a little greener in appearance.

The small, mid C19 houses in Ospringe Road were the first to be built; they are mostly terraced, mostly built in yellow brick (although some are stuccoed), and mostly rather restrained in appearance. Recent alterations have, however, too often obliterated or coarsened the original delicate detailing but some interesting fragments of Regency work nevertheless survive, including a pair of delicately proportioned stuccoed entrance porches and the curved sliding sashes of a diminutive bow window. In the long view up and down the road these houses appear to merge into one long terrace stepping slightly erratically down the slope; the roofline is notable for the repeating outlines of squat chimneystacks topped by clusters of red and yellow chimney pots.

The closely spaced houses on the opposite side of Ospringe Road, although mostly detached or semi-detached, also present a seemingly solid and terrace-like frontage to the road. Built between 1870 and 1910, their steeply-pitched gables and single-storey bay windows are characteristically late-Victorian in appearance, and many are embellished with moulded brick and terracotta panels, with decorated and fretted and pierced bargeboards, and with shaped gable finials and bracketed eaves. Brickwork is predominantly yellow with red or gault brick detailing, a combination so widely present in the town that it now forms part of the local

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building vernacular. The front garden walls, mostly in yellow brick, are still largely intact but weakened by the absence of the original railings and gates; near to South Road these front boundaries transform into substantial retaining walls and become even more prominent in the street scene.

Beyond the junction with Lower Road the unrelenting frontage development of Ospringe Road gives way to something a little more informal in character. At Manor Pound, where inter-war houses are set some distance back from the road, there is an attractive little area of greenspace (carpeted in spring with primroses and shaded in summer by mature lime trees) which brings a touch of the countryside deep into the town. Meanwhile, on the opposite side of South Road there are the scattered remnants (now interspersed with modern houses) of the gunpowder manufacturing days of the Home Works, including the grey-coloured ragstone boundary wall, the slate-roofed ragstone lodge-cum-gatehouse built circa 1851, and the sturdy iron entrance gates to the old works hung on large ragstone piers.

However, it is the outstanding presence of the Faversham Almshouses set within a pleasing sweep of precision-cut greensward that marks the visual high point of the two roads, the powerful individuality of the buildings setting them very clearly apart from everything else around. The long range of arcaded buildings, arranged around an imposing centrally-placed ashlar chapel, was built in 1863 of red brick and Bath stone, and has steeply pitched clay tiled roofs, pointed turrets and large chimney stacks with distinctive yellow banding. Massive gate piers, with carved stone copings and an overthrow lantern, make a grand boundary statement although the long stretch of connecting railings fronting South Road seems understated by comparison.

Beyond the almshouses to the north, terraced housing vigorously reasserts itself causing the road to become more urban in character and rather harder-looking in appearance. Two groups of terraced houses are prominent here. The earlier one, dating from the 1850/60s, consists of largely unaltered two and three storey, yellow brick houses of elegantly restrained appearance owing much to a Georgian sense of scale and proportion; the piecemeal conversion to car parking of some of the small front gardens is, however, rather less becoming. The three-storey, red brick terrace to the south (dated 1887) is, by contrast, confidently Victorian in appearance; the canted and square bays create a more animated appearance, and decorative brickwork and shaped stone pediments above the entrances are characteristic embellishments of the period. A low brick wall with panelled railings running along the front of the terrace and round into Stone Street (where it connects with other front boundaries) gives the edges to the highway a pleasing appearance of strength and continuity.

Although Ospringe and South Roads now serve as the main traffic route into the town centre from the south west their C19 character remains more or less intact, with on-street parking in Ospringe Road perhaps being the most intrusive feature. The paving finishes are entirely unremarkable, although some sections of granite kerbs are present.

#### **The Napleton Road area**

This enclave of narrow little residential roads was laid out in the second half of the C19 and bears the names of Faversham's many benefactors including Napleton, Mendfield, Hatch, Beckett and Caslocke; the Mendfield family, for example, operated a copperas works near Whitstable and perhaps supplied sulphur to the Faversham gunpowder works.

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These streets are predominantly fronted by two storey terraced houses set directly onto the back of the narrow footways, although in Napleton Road the slightly superior houses have single-storey bay windows and small front gardens. The roads here are consequently rather intimate and private places, where the built environment is tightly contained and urban in character. The houses are mostly flat-fronted and built in yellow brick, although in Beckett Street and parts of Mendfield Street the fronts are stuccoed and rather unusually divided into bays with projecting band courses. Windows and doors have mostly all been replaced in piecemeal fashion with modern substitutes but some older, diagonally-boarded front doors survive in Beckett Street. Most of the original Welsh roofing slates have been replaced with modern concrete tiles so that the once grey-coloured roofs have now all been coarsened and turned a dull brown.

Area-wide traffic-calming/management measures were introduced here in the early 1990s, at which time the highways were repaved. The traditional separation of carriageway and footways has been retained but the roads now have a rather modern appearance (with brick paving, planters, localised narrowing and speed humps). The environment is consequently a slightly awkward blend of old and new, with C19 terraced houses fronting onto streets that have been re-structured in C20 ways.

#### **Stone Street, Cross Lane and the central car park area**

Stone Street was laid out in the late 1880s and marks the significant change in character between the town's historic core (to the north) and the grid of C19 residential streets (to the south). It was built on the site of old clay pits so that in the case of the cottage hospital the ground floor is set onto the old excavations some two metres lower than the street, with the main entry to the building at first floor level.

The hospital is the focal point of the road, and its position roughly mid-way along Stone Street marks the western extent of commercial activities that spill over from Preston Street. The original 1887 building has a distinctive gable-fronted elevation and a sturdy balustraded boundary that rather skilfully carries the presence of the building out onto the street. The modern 1988 wing alongside echoes the form of the original building but not, perhaps, the quality of its detailing. Other buildings to the rear are accessed from adjoining Bank Street.

The tidy formality of the small public garden opposite complements the late C19/early C20 character of the street and, as its purpose was originally to ensure privacy for patients in the hospital, it also has a noteworthy historical origin. The sturdy-looking iron scrollwork entrance gate still survives, but the rather flimsy-looking sectional steel railing on either side is a less-than-convincing substitute for the Victorian original.

It is, however, the Victorian housing that is the defining feature of Stone Street. The substantial, red brick houses on the north side (between the hospital and South Road) are the most outstanding and are notable for having survived with few alterations to windows, doors and roof coverings. Of these, Warren House (built in 1889 for Mr Smith, Master Grocer of Faversham) is remarkable for its rich and curious detailing including eaves brickwork that looks like pseudo-machicolations. The front boundary railings, set onto chunky low brick walls, illustrate the vital contribution made by such features to the appearance and cohesion of the street scene, especially so in a town where the appearance of the extensive C19 housing environments has been much impoverished by the removal of railings during the second world war.

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The smaller, terraced houses along the south side of the road are, by comparison, rather more commonplace. Mostly built in yellow brick with gault or red brick dressings they are nevertheless all of sufficient ranking to each command single-storey bay windows. Here and there sections of old, individually pocketed, ornamental, cast-iron railings have by good fortune survived, and offer a glimpse of how coherent and imposing the front boundaries to these houses must originally have been. Roofing slates have mostly been replaced with concrete tiles although many of the old sash windows and doors have survived.

Stone Street forms part of the main traffic route into the town centre so the highway is a functional place, and even the appearance of the concrete-paved footways is somewhat utilitarian (although some have noted this work to be of a high quality). The continuing role of the street as a traffic route around the edge of the town centre perhaps excuses the presence of the garage and petrol filling station, the form and appearance of which contrasts with the otherwise C19 character of the street.

#### **Cross Lane and central car park**

Cross Lane, running parallel with Stone Street, is a well-used footpath linking the town centre with the residential areas to the west. Rather broad at its western end it passes between brick-built garden walls, then close to Bank Street it is fronted by a run of C19 houses. Near to Preston Street, however, it squeezes alley-like between brick walls and old timber-framed buildings. The main town centre car park, established in 1952, is rather uncompromisingly juxtaposed with the outstanding historic environments of Preston Street, Market Place and West Street. It also provides the means of rear servicing to many town centre properties; in a number of instances the rear boundaries and yards abutting the car park are rather unattractive in appearance. Leslie Smith Drive, the service road at the back of West Street, has foreshortened the original property curtilages. The substantial bulk of the swimming pool, built, in the 1980s, marks the western edge of the car park, and the small Arden theatre building stands alongside.

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#### **Union Street**

Union Street/Victoria Place (on the south side of Stone Street) is another discrete enclave of small, rather workaday, C19 terraced houses; the closely-spaced buildings (some in red brick and some in yellow brick) create a tightly contained environment. Small workshops and yards, latterly converted to residential use, record the way in which homes and workplaces were then intimately entwined and provide the area with a measure of visual diversity. Dorset Place, where yellow brick, terraced houses front onto a footpath, runs parallel with Union Street on the line of a C19 rope walk. The land on the western edge drops sharply down into a long row of back gardens and marks the position where the old brickfield excavations finished.

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#### **Other streets between Ospringe Road/South Road and the railway**

This extensive area of housing is comprised almost entirely of rectilinear roads aligned roughly north-south and east-west, which nearly all date from the last two decades of the C19. Spillet Close and Hidden Meadow are, however, exceptions as both were built in the 1990s. Spillet Close stands on the site of the old Faversham grammar school (demolished in 1970), where terraced houses are now arranged in the form of a large horseshoe around a communal greenspace. Hidden Meadow just to the north is, by contrast, a rather private place where a

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small group of detached houses is hidden from public view within an old chalk quarry behind protective security gates.

The broad swathe of C19 development itself divides into three areas; the easternmost section is bounded by the rather spacious-looking Roman and Saxon Roads, the middle section is centred on the more tightly developed Plantation and Nightingale Roads, whilst the western section is edged by Cambridge Road and St Ann's Road. School Road (together with Cambridge Road) runs parallel with the railway line and marks the southern extent of this area.

Roman and Saxon Roads, plus the connecting Briton Road, are notable for their long rows of archetypal, late C19 terraced houses. Although they are superficially all of similar appearance the detailing of the various groups of houses is in practice quite varied. Houses in Roman Road are mostly in yellow brick with red or gault brick dressings but there are other combinations as well; the front entrances are mostly recessed but the surrounds are detailed in a variety of ways; and chimney stacks are variously built in red and yellow brick, but sometimes also with oversailing brick courses. In Saxon Road, however, the ground floor bays are stuccoed and rather plainer in appearance, and whilst the houses along Briton Road are similarly late Victorian in character, towards Forbes Road they are rather more Edwardian in appearance with Dutch gables and large shell motifs over the entrances.

Briton Road is unusual for the presence of an almost a complete set of original front garden walls and which, despite the absence of railings and gates, is the important means by which the architecture of the terraces is drawn together to create a coherent street environment.

However, in Norman Road (where the houses are rather later in date and generally in the form of semi-detached pairs rather than terraces) the front gardens are larger and a number have been converted into parking spaces, so that the continuity and fully connected-up appearance of the street environment is already starting to disappear as boundary walls, gates and hedges are removed and gaps occur.

Further to the west, Plantation Road, Kings Road and Nightingale Road continue the pattern of C19 rectilinear terraced streets (although Cavour Road is an exception being fronted mostly by modern development). Once again these streets are roughly aligned north-south but here they are generally narrower, the terraced houses are more closely packed together, the back gardens are much reduced in size and the front gardens are little more than yards. Mostly the houses are built in yellow brick but along Nightingale Road they are generally plainer in appearance, stucco fronted and front gardens are generally absent altogether. Exceptions to this somewhat unrelenting pattern of C19, yellow brick houses are rather few and far between, although there is an interesting clay-tiled C18/C19 stables-cum-coach house in Nightingale Road, and Havelock Terrace (almost opposite) is distinctive for being three storeys high and set onto a sharp gradient.

St Ann's Road lies towards the western end of the grid of C19 housing and was formerly part of the old Hangman's Lane (now cut in two by the railway line). Its deeper-rooted origins are reflected in the character of the road with slopes, retaining walls, trees and a variety of house designs all making a distinctive contribution (in contrast to the more uniform appearance and 'real-estate' character of the terraced streets around). The C19 houses along the western side are the principle feature of the road; they are substantial in size and rather showy in appearance and consequently relate to the florid properties around the corner in Ospringe Road. The vigour of Victorian architecture is here given full expression with stuccoed ornamentation, incised patterning on the gables, and decorative chimney pots. At the southern

end of the road, close to the railway line, the old grammar school site is set up above the sloping carriageway behind a two metres high yellow brick retaining wall, which is itself an important feature in the street scene. A number of mature trees along this edge (survivors from the days of the grammar school) bring a pleasantly green appearance to the road, especially welcome given the rather tree-less environment of the surrounding streets. But, now marooned within the small back gardens of modern houses fronting onto Spillet Close, the heavily-pruned appearance of these trees suggests that their presence is now permanently diminished.

Queens Road, Capel Road and Cambridge Road lie to the west of St Ann's Road and once again comprise small streets of terraced houses. Properties along Cambridge Road, and also School Road to the east, are restricted to the north side of the street where they overlook the railway line; date plaques of 1887 and 1888 are present on two of the yellow brick terraces in Cambridge Road. Traditional steel railings along the edge of the railway line to the east of the former railway crossing are neat and workmanlike in appearance, whereas the newer boundary along Cambridge Road (with cranked concrete posts and chain link fencing) is rather less pleasing.

The residential roads between South Road and the railway line are for the most part quiet and rather functional places where the street environments are highly ordered, surfaces are uniformly macadam-paved, street trees are rather few in number, and the colour, texture and incident afforded by front gardens is quite sparing (and sometimes altogether absent). The distinctiveness of these streets therefore rests on the authentic (if rather workaday) architecture of the terraced houses and their curtilages, including original roofing materials and brickwork/stucco detailing, original window and door designs, chimney stacks and pots, and also authentic boundary treatments. Consequently, the special character of this C19 pattern of terraced streets is vulnerable to detrimental change resulting from the widespread loss of these original features, including the use of unsuitable modern coatings and claddings, the substitution of old doors and windows with modern products, and also the removal of features such as boundary walls and railings.

## Chapter 9: East Street, Church Road and Orchard Place

### East Street

East Street is the shortest of the four arms of Faversham's medieval street pattern. Its historic origins are now only sketchily recorded in a somewhat thin scattering of older buildings towards its western end; for the most part the environment is now shaped by C19 and C20 work.

When Crescent Road was built in the 1960s East Street was effectively chopped in two. The western section is still very much an integral part of the town centre environment, daily thronged with people shopping and using the main post office. In the eastern section beyond the road junction, however, shops are suddenly absent (excepting those at Queen's Parade), housing predominates (although interwoven with a scattering of other uses), and the road itself serves as the principal traffic route into the town centre from the east.

East Street mutates into Whitstable Road where Park Road joins from the south alongside the recreation ground; further beyond to the east the frontage development largely dates from the early C20.

The original fine-grain of development in the western part of East Street is now somewhat fractured by the later and coarser footprints of C19 and C20 buildings. In addition, the post-war buildings on the south side of the street (comprising the main Post Office opened in 1957 and a functional-looking supermarket) are set back on a now-abandoned widening line; any real sense of the old street form has consequently vanished. Nevertheless, the buildings along the north side are of sufficient size and stature to maintain a good sense of visual continuity to the now foreshortened and widened street; their rather varied elevations include those of a C15 timber-framed building, the old post office built in 1897, and a Dutch-gabled three storey building dating from 1887.

A somewhat detached outpost of older cottages, small in scale and hugging the footway, survives just to the east of the junction with Crescent Road (on the north side of the road). This fragment of the 'old' East Street, though small, still illustrates the character and form of the place in former times and also provides an important sense of historical continuity hereabouts, especially now that just opposite is the modern John Anderson Court sheltered housing development.

Just beyond to the east is Cooksditch, built as a 'country house' on the edge of town but now used as a residential home for the elderly and surrounded by later C19 and C20 development. Considered by many to be the town's finest C18 house (and notable for its mathematical tiling) its much-changed setting means that it now forms part of a continuously built-up street frontage. However, the quality of its architecture, including its grand Ionic stone doorcase and elegant single storey pavilions, is such that it remains an outstanding presence in East Street; the front garden boundary still forms an appropriately robust edge to the highway despite the original pocketed railings having been replaced with simplified panels.

In contrast to the refined elegance of Cooksditch, the late C19/early C20 development further to the east is decidedly more commonplace in appearance. Much of it is comprised of terraced housing often now altered by changes to roof coverings, windows and doors, but public house buildings on corner sites (such as Market Inn with its distinctive architecture and busy signage)

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do much to enliven the scene. The workaday character of this built environment nevertheless reflects the C19 focus of the town when employment was concentrated in and around the small port, on the railways, and in the brick making and gunpowder industries. This part of East Street/Whitstable Road is nevertheless distinctive for the presence of yellow bricks from the town's own brickfields, for the unusual corrugated iron church of St Saviour's (built in 1885), and for the large open space of the recreation ground (where the iron gates are now the only remnants of the ironwork which once graced the front boundary). The distinctive-looking parade of six shops at Queens Parade (built in 1901 opposite Cooksditch) is also notable for the survival of its original shopfronts in more or less unaltered state.

The red brick paving in the western section of East Street matches that of Preston Street, Market Street and Market Place, and visually reinforces the 'town centre' role of the street; elsewhere East Street is conventionally surfaced. Traffic restrictions match the paving formats (vehicular access being restricted in the western part of East Street) and reinforce the present-day division of the street into two rather different sections. In common, therefore, with Court Street, West Street and Preston Street the continuity of the East Street environment has also been much affected by later changes.

#### **Whitstable Road**

Beyond Park Road, where East Street becomes Whitstable Road, the large open space of Faversham recreation ground is the principal feature. However, the terraced houses, dating from the late C19, on the north side of the road present a pleasantly coherent frontage to the road, with the interesting points of incident at St. Saviours tin church and the Park Tavern public house serving to strengthen the street corners. This frontage development is important for the survival of its C19 character, which both complements the Victorian character of the Faversham recreation ground and plays an important role in the authentic physical containment of the open space.

#### **Church Road**

Church Road is a quiet cul-de-sac running north from East Street alongside the eastern edge of the old 'Whitbread' brewery site on an alignment that probably once formed part of an old trackway leading to Preston church. The view north is special for the dramatic terminal feature of the Faversham church spire rising above the encircling churchyard trees and also the substantial red brick bulk of the former brewery. Both are landmark buildings in the town and a part of the special identity of Church Road. It is, nevertheless, the individuality of the buildings along its eastern side that is a defining feature of Church Road, although their individuality belies the linking thread of their civic origins as school buildings and the town's police station. The schools record the town's highly progressive and widely admired approach to education in the C19.

The Faversham National School, built in 1852 and now converted to housing, is a striking, two-storey building, and distinctive for its collegiate character (a high gatehouse gives access to an irregularly-shaped quadrangle) and its facing of coursed and galletted knapped flintwork. The adjoining Flint House, empty since 1998, was built as a Commercial School in 1857; the remarkable Gothic revival elevations are similarly faced with flint and dressed with stone. Private car parking on the old school playground at the front for the moment intrudes into the otherwise mature and largely C19 character of the road and somewhat diminishes the presence of Flint House.

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The police station is a substantial, rambling, red brick building, built in 1904 which continues to be used for its original purpose. The original coverings of precise-looking, machine-made clay tiles are still present on the array of pitched roofs. By contrast, Telfer Hall at the other end of the road is modest-looking, timber-clad, and dates from the 1930s; it has recently been converted from a school canteen to flats. Whilst the design is not amongst the most innovative of its time the distinctive inter-war architecture has produced a decidedly rare example, locally at least, of a building in the style of the Modern Movement.

The western side of the road is the functional edge of the supermarket car park and consists of a red brick retaining wall set onto the carriageway edge; the oldest section has a pleasant bellying profile. Its hard appearance is attractively tempered in the summer months by the canopy of leafy branches that spreads across from the sycamore trees on the edge of the car park. The northern end of the road is decisively terminated by a stone archway-cum-gate (built in 1882 to commemorate local benefactor Henry Hatch) positioned at the entrance to the churchyard.

The striking presence of flintwork in and around Church Road is, unquestionably, a feature of the built environment. These flints have been locally sourced from the upper layers of the North Downs chalk formations. The inner surfaces of the (best quality) flints when split or knapped reveal an attractive translucent black appearance that is highly susceptible to the play of light; galletting (the process of pressing small fragments of flint into the joints between the flints) was used in the best quality work to reduce the area of exposed mortar. The appearance of flintwork is so highly distinctive that it readily contributes to the local identity of the town and although its use in Faversham has been relatively sparing it is sufficiently widely present to be part of the local building vernacular.

The surfaces in Church Road are for the most part unremarkable but traces of granite sett paving are present in the drainage channels beneath the later macadam surfacing and the remains of banded granite sett paving are evident on one of the police station crossovers. These tell-tale survivals, together with one of the town's last-surviving, old-style, cast-iron lighting columns, form part of the history and character of the place. But notably missing from the period character of the street are two important lengths of railings from the front boundaries at the old National School and at the police station (although the old, overthrow lighting bracket still exists at the station entrance).

#### **Orchard Place**

Orchard Place runs parallel with East Street but connects back at either end. It rather uniquely has a sequence of four school buildings along the northern side, two from the C19 and now converted to residential use and two late C20 buildings owned and maintained by the local education authority. By contrast, the southern side of the road is fronted by two long terraces of relatively run-of-the-mill C19 houses (one has a plaque dated 1866). Out of term time Orchard Place is a quiet residential road, but on school days it is briefly busy twice daily with children, parents and their cars. It is, therefore, a place of rather widely varying cycles of activity.

The smallest of the four school buildings, now converted to housing, dates from the 1850s and is tucked into the corner of the road behind the old school yard where its school-like form and appearance remains instantly recognisable; two new 'lodges' in matching yellow brick now stand on either side of the entrance. Alongside to the east stands the mighty bulk of the

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William Gibbs school, made all the more imposing for its proximity to the workday little houses opposite. Built in Queen Anne style in 1882 it is remarkable for its impressive scale, red brick and stone dressings, decorative terracotta panels, and alternating bands of shaped roof tiles. Even the front boundary makes a powerful statement in the street scene, with railings set onto a sturdy red brick wall stopped off with 2.25m high gate piers and capped with massive oversailing coping stones. Although its original use as a school has ceased and it is now used as sheltered housing accommodation, the front of the building is little altered.

Beyond the William Gibbs building lies the modern St Mary of Charity junior school site, comprised of two building complexes both built in the 1980s in the form of single-storey, brick-built structures with shallow-pitched roofs covered with concrete pan tiles. Their contrasting form and appearance (to that of the William Gibbs school) forcefully reflects the changed priorities in school design. The buildings make little attempt to impress outwardly; they only indirectly address the street being set back behind a muddle of paths, planting, parking areas and forecourt, and the front boundary merits only a basic chain-link fence with a meagre-looking hedge.

Just three of the thirty or so yellow brick houses on the south side of Orchard Place retain their sash windows and all the original doors have been replaced; a handful have painted or rendered brickwork on the front elevations and all the roofing slates have been replaced with concrete tiles.

Orchard Place is conventionally surfaced in macadam and on-street car parking is ever-present. However, there are still some interesting remnants of paving along here; the vehicle crossover to the old school is paved in york stone strips, there are granite kerbs in front of the terraced houses, and stone setts are present in the crossover to the William Gibbs building, probably of Purbeck limestone. These modest fragments are, therefore, important facets of the street's character.

#### **The grammar school site**

The Queen Elizabeth's grammar school occupies a large site formerly known as the Shooting Meadows lying to the north of the two schools in Orchard Place (with access via Abbey Place). The main building complex lies to the north east of Faversham church and dates from the 1960s but there are many later extensions and ancillary buildings.

The eastern edge of the school grounds is marked by the course of the Cooksditch stream, the historical presence of which in the landscape is marked by a fringing line of trees. The school playing fields are generally flat and featureless but constitute an important area of greenspace in the town. The northernmost part of the playing fields contains the buried remains of Faversham Abbey.

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## Chapter 10: Upper St Ann's Road, London Road and Ospringe Place

### Historical background

Much of this part of Faversham was once occupied by two substantial C18 houses, The Mount and Ospringe Place. The houses still survive, but in substantially altered circumstances; both have been converted to flats and the grounds within they once stood have now been put to other uses. Their authentic country house settings have therefore vanished and the buildings themselves have, in effect, been absorbed into the urban environment of Faversham.

### London Road

The Mount is prominently positioned on the northern side of London Road at the top of a short rise out of Ospringe. It was used as a private residence until 1914, but was subsequently purchased in 1936 by the Borough Council with grant aid from the King George V playing field fund so that the open space around the house (previously the private grounds) could be laid out as a public recreation ground. Coincidentally this use reinstated an earlier sporting tradition, the land having been used in earlier times as a private cricket ground. This open space is now of special importance in the urban structure of Faversham as, aside from its recreational use, it is the last vestige of the once well-defined gap between the settlements of Ospringe and Faversham.

The recreation ground today is a flat and grassy area that wraps around the back of The Mount; its municipal use has brought with it a free-standing block of embattled-looking, brick-built changing rooms, a group of tennis courts and a children's playspace. The northern boundary alongside the railway track is attractively edged by a substantial, mixed-species tree-screen, whereas the eastern edge is decidedly suburban-looking with a straggle of thinly-spaced ornamental trees set parallel with the line of back-garden fences. Other trees are informally grouped along the London Road boundary including mature specimens of beech and lime, whilst distant views across to Judd Hill (on the other side of the Ospringe valley) connect the site with the countryside to the west.

Ospringe Place lies on the southern side of London Road close to the junction with Brogdale Road and like The Mount it originally stood within its own private, if rather modest sized, grounds. The two storey house was built in 1799 by Charles Beazley in pale yellow brick, although the sombre front elevation is dominated by a massive porch flanked by two pairs of fluted stone Doric columns. The roof, set behind parapet walls, is unusually topped by a round glazed lantern that lights a circular staircase within. A brick and weather-boarded cottage is attached at the back of the house, and two other cottages are separately positioned to the south. In the early 1980s sixteen, well-spaced, detached houses were built in the grounds around the house, informally laid out around two, winding, semi-private culs- de-sac branching off a newly built access road from London Road. Consequently, Ospringe Place house now finds itself in the centre of a small housing estate.

This housing estate is special, however, for its unusually spacious layout with large and generously planted areas of landscaping. The open-plan character of the scheme allows the planting to flow smoothly and almost seamlessly around the site, so that the formality of individual plot divisions is substantially blurred. Many of the mature trees including plane, horse chestnut and pine that previously stood in the grounds to the old house now form the basic structure to the landscaping around the new houses, supplemented by many other

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additional trees and shrubs. The green and spacious appearance of this development is its defining feature, and the contrast between it and the urban/suburban housing environments elsewhere in the town is very pronounced. That the special character of Ospringe Place house has survived tolerably intact is mostly due to the well-spaced form of the layout.

Frontage development elsewhere along London Road close to Ospringe Place is for the most part rather humdrum and suburban in appearance. A row of rather unremarkable inter-war and post-war houses (detached and semi-detached) is strung out along the northern side of the road; by comparison, the properties on the southern side are smaller in number but larger in size and rather earlier in date. A number of large mature trees do, however, make an important contribution to the street scene. The C18 Chapel House, on the corner with Brogdale Road, is notable for its white-painted brick, slate-covered roof and white-painted paling fence.

### Upper St Ann's Road

This quiet suburban road lies to the east of the municipal recreation ground and runs north from London Road. It forms the southern section of the old Hangman's Lane that once ran through to Ospringe Road but which is now cut in two by the railway line and a permanently-closed crossing gate.

St Ann's Road is special for its well-ordered early C20 residential environment, structured around a centrally placed line of fine, evenly sized, mature trees. The individually designed detached houses are spaced rather regularly along either side of the road and each is set within a good-sized garden. This plot-by-plot development of the road, over a period of some thirty to forty years, has by interesting chance created a rather special place where the evolution of domestic house design, from Victorian through Edwardian and into the 1930s, is substantially illustrated in a single road. With generous-sized gardens and mature trees being a prominent feature of the street scene, the spacious suburban character contrasts sharply with the many small and tightly-packed streets of houses built elsewhere in the town during the previous two decades of the C19.

The earlier houses (along the eastern side) mostly date from the very early years of the C20; they are substantial in size, highly individual in appearance, and for the most part have survived with rather few alterations. Their varied architecture reflects the significant change in domestic house design then under way. Some display the still-present influence of Victorian taste and are relatively flamboyant in appearance with impressive entrances framed with pilasters of moulded and patterned bricks, and with leaded and coloured glasses in the imposing front doors. But others are very Edwardian in appearance with characteristic features such as mock timbering in the gables, verandahs with timber balustrading and clay roof tiles laid in patterned bands.

In amongst these red and yellow brick houses is a contrasting example of a 1930s house design, reflecting the very different design influences brought to bear by the arts and crafts movement. The carefully crafted detailing, here re-interpreted at the level of an affordable, middle-class, suburban home, includes such traditional features as cottagey-looking, leaded-light casement windows and carefully-shaped roof pitches; the detailing even to the external works where a scallop-topped, close-boarded fence marks the front boundary.

The houses along the west side of the road more generally date from the 1930s and are characterised by their smaller size and pared-down architectural detailing. Included here is an

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example of the clean, smooth-rendered lines of a 1920s suburban house type popular at the time in the south of England and still with its characteristic steel windows and distinctive green-coloured roof pantiles. There is evidence here too of the emerging importance of the motor car with, in a couple of instances, small garages (served by private drives) forming an integral part of the original house design. However, later extensions and alterations, including replacement windows and doors, are in places cumulatively approaching a point where they could compromise the early C20 character and authenticity of this frontage.

The land along the eastern side of the road is generally set a metre or more above the footway, which additional elevation substantially reinforces the presence of the houses in the street scene. Mostly, the low retaining walls along the edge of the public footway are built in yellow burrs. These over-fired misshapen bricks (which fused together in the kiln) have been used elsewhere in the town in garden walls and other lesser situations, so that that the practice might be said to constitute a local building speciality. Here in St Ann's Road these lumps of fused yellow brick, now almost unrecognisably blackened and hardened with age, have been skilfully laid in the manner of random rubble stonework, strengthened with red brick piers and weathered with shaped, red brick copings. Often with shrubs and other plants now cascading over the brickwork, the boundary is a distinctive and attractive feature; it is also an important unifying element in the appearance of the road.

The turning from London Road is pleasantly squeezed on the eastern side by the corner plot where a panelled, yellow brick boundary wall, with its red detailing, projects into the road causing the footway to be omitted for lack of space. This small variation in the street layout brings a modest, but entirely pleasing, sense of variation to the corner. It is, however, the generous width of the 'public' space between the houses that is especially striking: alongside the main carriageway is a grassy verge and a separate unadopted and unsurfaced service road (serving the houses along the western side of the road). Stretching all along the 'central' verge is an impressive line of mature horse chestnut trees which when originally planted marked the edge of the old cricket ground attached to The Mount. These evenly sized, regularly spaced trees are by virtue of their size and prominence now a key feature of the street scene.

## Chapter 11: The Mall, Preston Lane and Preston Grove

### Historical background

This area of Faversham is centred on The Mall and extends south from the railway line towards London Road. Here, pockets of older buildings have been overtaken by surges of C19 and C20 development as the town expanded outwards towards the London-Canterbury road, with the consequence that the remnants of Preston 'village' have become absorbed into the C19 development of The Mall and Preston church has become surrounded by C20 housing.

The present distinctive form of The Mall dates from 1773 when the road was widened and laid out as a tree-lined promenade. It originally ran straight on north through Preston Street and into the centre of town but the route was severed when Forbes Road was built and the level crossing at the railway was closed. The detached end of Preston Street is therefore now a cul-de-sac accessed from The Mall, where there is a handful of older properties which, some would argue, once formed part of 'Preston village'.

Preston church, although now largely C19 in appearance, has in fact an Early English chancel dating from the C13 but it is thought that a church was present here even earlier in Saxon times. Until the start of the C20 the church still stood in a semi-rural setting but now it is substantially encircled with suburban housing and very firmly part of the built-up area of Faversham. Preston House, the 'big house' of the parish, was demolished in 1930; it stood more or less opposite Grove House and the grounds extended the length of what is now Preston Grove. Parts of the old boundary wall still survive, however, and a mid C19 octagonal wooden gazebo that stood in the grounds has been repositioned on the corner with London Road.

### Preston Street

Preston 'village' was largely obliterated when the railway was built, but Mall House, Wreights House and George House (formerly the George Inn but now converted to a house) continue to form an attractive historic enclave alongside the old Preston Street railway crossing.

Mall House, built in 1743, is the oldest, and most imposing of this group and notable for its fine Georgian brick front and impressive entrance. Wreights House, alongside to the north, dates from the early 1800s (or perhaps slightly earlier) and was the one-time home of local benefactor Henry Wreight. Both are set back behind small front gardens whereas the early C18 George House crowds forward to the edge of the footway as though signalling the prospective change in character on the north side of the railway. The high, red brick garden wall around the large side garden to Mall House, in combination with the line of bristly-trunked lime trees just behind, forms an important, well-defined and attractive edge to the street.

An unnamed public passageway, informally described in a local history as Tickle Belly Alley, squeezes between Wreights and Mall Houses and is special for the rather intimidating presence of old red brick boundary walls rising dramatically on either side to heights in excess of four metres. This local drama ends very quickly, however, as the passageway breaks through into the newer environment of Aldred Road.

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## The Mall

The broad thoroughfare of The Mall forms the principal entrance into the town from the south and is therefore constantly busy with traffic. However, the western edge of the road, set back from the main carriageway behind a parallel secondary service road, is noticeably quieter. Development along the eastern (and more prominent) side of The Mall occurred first, mostly during the first half of the C19, whereas the terraced houses on the opposite side followed some decades later in the 1890s. All the houses along the western side are still in private residential use, but along the other side of the road (much of which is also residential) there is a significant scattering of other uses including a motorcycle showroom/ garage, a builder's merchants, and two public houses. Whilst the residential uses and the C19 architecture of the built environment are, therefore, the special and unifying features of The Mall, the character and appearance of the principal (eastern) frontage is now enriched by other activities.

Development along the eastern side of the road is closely spaced and set close to, or directly onto, the edge of the footway. The liveliest looking section is around Nelson Street (which joins from the east) with its chromium-plated forecourt display of motorcycles, public houses with elevations decorated with signboards and flower baskets, and the large plate-glass window displays of the builder's merchant. However, it is the architecture of the C19 buildings that sets the special historical context and included here are small red brick houses built in 1853, groups of yellow brick properties built between 1829 and 1841 with railed basements and flying steps up to the front doors; a pair of red brick 'Tudor lodges', the three storey Crown and Anchor public house (circa 1846) and the stucco-fronted Elephant public house which occupies an end-of-terrace property extended across the front later in 1918.

A builder's merchant now rather appropriately occupies the site of a C19 brick and tile works and the early C18 house standing alongside to the south was originally the home of local brickmaker Thomas Barnes, so there is a sense here of an historical continuity with earlier activities. The modern single-storey showroom at the front of the site makes few concessions, however, to the architecture close by. The very southern end of The Mall ends on a slightly low note with two pairs of post war houses set back on a generous radius (perhaps a highway widening line) although a flint wall along the front boundary nevertheless marks the edge of the street in a locally distinctive way.

The three, archetypal Victorian terraces on the opposite side of The Mall are notable for their disciplined and carefully detailed appearance. The most impressive is the southernmost terrace where the semi-basements push the ground floors of the yellow brick houses well above street level, the front doors are approached up flights of steps, embellishments include decorative terracotta panels and elaborate brick detailing, and an array of gables produces a lively rhythmical appearance. The longer (but in some ways lesser) terrace to the north is more modest in appearance with houses just two storeys high and plainer brickwork; nevertheless, the repeating ground floor bays, paired windows with stone colonettes, and moulded brick eaves all combine to produce a pleasing composition. The northernmost terrace with its yellow brick and red brick dressings has a rather more subdued appearance although even here the facades are enlivened by the rhythm of the gables. Unusually, the brickwork, sash windows and front doors of the houses (in all three terraces) have survived with few alterations, although the roofing slates have largely been substituted with concrete tiles. The majority of the brick walls around the small front gardens have also survived as also have a few of the patterned tiled garden paths. The original sturdy-looking iron railings and gates have, however, disappeared leaving the upstanding brick piers looking curiously gaunt and naked; the absence from The

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Mall of this long run of Victorian ironwork is to the significant detriment of the street scene and has caused an important part of the original architecture to go missing.

The generous width of The Mall, which includes a 'central' grass verge, has allowed the 'avenue' of street trees to grow unchecked to full maturity, so that large specimens of plane, ash and other species are now a defining feature of the street (in a way that is probably unmatched anywhere else in the town). Their huge canopies now completely fill the road, although gaps in the planting pattern and sawn-off stumps suggest that the continuing presence of the trees in their present form is unlikely to be sustained.

The paving finishes are for the most part unremarkable; a granite sett crossover at the builder's merchants is a lone, but welcome, representative from earlier times and the granite horse trough (near to London Road) is an interesting item of street furniture. As elsewhere in the town, traffic management measures now divide The Mall into separate sections with kerb build-outs, road markings and traffic signs at Forbes Road (which direct through traffic into and out of The Mall) creating something of a hiccup in the visual flow of the street. Here, however, the visual strength of the mature street trees is for the time being sufficient to over-ride much of the effect.

#### **Edith Road**

A series of streets of terraced housing lie to the west of The Mall but the immediately adjoining Edith Road is unusual for having survived with relatively few alterations so that the street scene, comprised of two and three storey houses, is unusually authentic in appearance with most of its original late C19 architecture still present.

#### **Nelson Street**

Tucked in between The Mall and Preston Grove is an enclave of small, brick-built terraced houses dating from the mid C19 and which were perhaps associated with the nearby brick and tile works. A number of these little workers' properties are distinctive for being approached only by private footpath and also for having detached gardens.

#### **Preston Lane and Preston Grove**

These two residential roads lie to the east of The Mall. They are for the most part comprised of C20 housing but a few older buildings are nevertheless still present as the skeletal record of an earlier pattern of development.

Preston church and graveyard, the vicarage and the Sunday School building form an attractive little historical group, neatly positioned directly at the eastern end of Preston Lane. The old footpath connecting Faversham town with Preston Next Faversham still threads its historical way through the churchyard. Externally the church is now largely C19 in appearance and the black knapped flintwork illustrates the popularity of the material in the C19 for public buildings in Faversham. The churchyard is an attractive little oasis of greenspace dotted with trees including large mature yews. The C19, red brick, Sunday School building is tucked into the north-western corner, but later single-storey extensions have not enhanced its Victorian appearance. The C18 red brick front of the adjoining Preston vicarage in fact hides a rather earlier core; the surrounding garden is notable for its large mature trees including lime, sycamore and ginko which are now a significant presence and an important visual marker in the urban landscape of Faversham of this area of historical interest.

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Development along Preston Lane is otherwise suburban in character, mostly post-war, and rather unremarkable in appearance, although detached houses built in the 1980s on the south side of the road have a rather pleasing cottagey quality.

#### *Preston Grove*

Preston Grove is rather similar in character to Preston Lane insofar as residential development here also mostly dates from the C20, but its form and appearance are rather more varied. Grove House, an early C19 red brick house set side-on to the carriageway, is the key historical 'anchor' in the road; a large spreading copper beech tree in the road alongside gives it an additional sense of historical presence. Its large garden extends south to Nelson Street and is edged by an old red brick wall now attractively topped with a tangle of wisteria and other shrubs; this boundary, together with the open appearance of the garden behind, is a crucial part of the special character of the road. Further south is another interesting historical fragment, comprising a pair of three storey C18/early C19 red brick houses with steps up to the front doors and an unusual side profile.

Preston Grove is also distinctive for a row of archetypal, inter-war, detached houses built in the 1930s, all more or less identical in design with gabled and rendered fronts, bay windows, arched and recessed entrance porches, and machine-made clay roofing tiles. Although only one house now still has its original timber windows and only one other has an original front garden wall, the group is sufficiently well preserved to be a distinctive 'inter war' feature of the road. Just opposite is a small group of 1990s detached houses arranged around a short, winding concrete-block paved access road, where the development is very clearly the product of a late C20 'design guide' approach; incorporated into it is Grove Cottage dating from the C17/early C18 but now heavily refurbished.

The highway environment along Preston Grove has a slightly informal-looking appearance, with footways being absent for much of its length and the kerb-line being a somewhat disjointed affair. In consequence, the road has a rather relaxed and ill-disciplined appearance, perhaps affirming its early C20 origins before the full rigour of orderly highway layouts had been imposed. The isolated stretch of grass verge in front of the 1970 houses tends to reinforce the sense of informality, and the fact of walls and other boundaries (old and new) being set a little haphazardly onto the edge of the carriageway helps to set this street environment a little apart from that of other suburban areas in the town.

#### **London Road**

Just to the west of the junction of The Mall with London Road is a row of substantial semi-detached and terraced houses all built at the end of the C19. All are two storeys high and built of red or yellow brick, and rather unusually most of the original slate roof coverings still survive. Although they are individually different (occasionally with stylish cast iron embellishments) the close proximity of the houses one to another, and their similarity in overall form and general appearance, is such that the group reads as a single coherent entity.

The London Road itself has for some long time been seen to mark the southern edge of Faversham where the town ends and the countryside begins. In practice, this sharp divide is no longer as well-defined as it once was, but on the southern side of London Road close to the junction with Ashford Road two early C19 brick and weatherboarded cottages are still to be found set deep within a patch of old orchard at the end of unmade track, so that their peg-tiled roofs are viewed across the tops of old fruit trees. Just here, therefore, is a fragment of 'rural

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Kent' positioned right alongside the southern edge of the town. Despite the rather lacklustre appearance of the orchard (a collection of rather randomly spaced trees of varying sizes, varieties and vigour) the traditional Kentish character of the houses, the orchard setting, and the position on the very edge of Faversham town are in combination such that this remains a rather special place.

## Contact



### Urban Vision Enterprise CIC

uvecic.co.uk

info@uvecic.co.uk

01538 386221 (main office)

### Northwest Office

Suite 15 Oriel Chambers

14 Water Street

Liverpool

L2 8TD

### Midlands Office

Foxlowe Arts Centre (1<sup>st</sup> Floor)

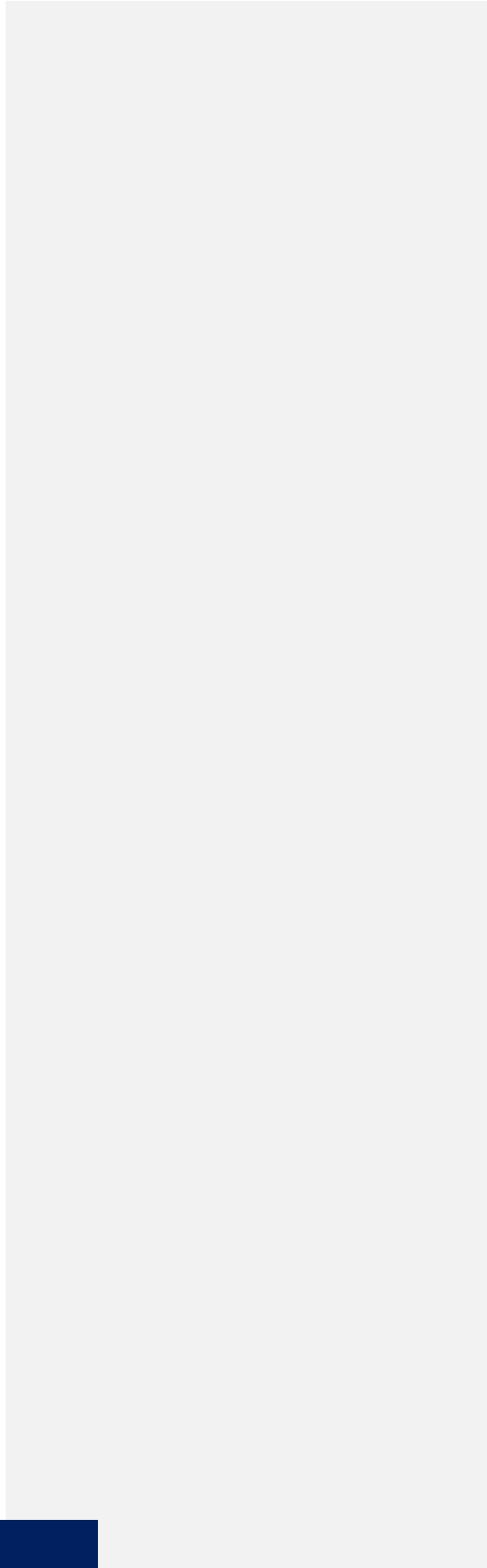

Stockwell Street

Leek

Staffordshire

ST13 6AD





Company No. 7690116  
Registered Address: Foxlowe Arts Centre (1<sup>st</sup> Floor), Stockwell Street, Leek, Staffordshire, ST13 6AD

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**Policy and Resources Committee Forward Decisions Plan – March 2024**

<b>Report title, background information and recommendation(s)</b>	<b>Date of meeting</b>	<b>Open or exempt?</b>	<b>Lead Officer and report author</b>
Local Development Scheme	April 2024	Open	Head of Service: Joanne Johnson Report Author: Stuart Watson
Scheme of Delegation and Committee Procedure Rules – proposed changes relating to Planning Committee	April 2024	Open	Head of Service: Joanne Johnson Report author: Joanne Johnson
Faversham Neighbourhood Plan	May 2024	Open	Head of Service: Joanne Johnson Report Author: Natalie Earl
Performance Monitoring – 2023/24 Quarter 4 / Year End	May 2024	Open	Head of Service: Lisa Fillery Report author: Tony Potter

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Item 6 – [Annual Climate and Ecological Emergency Progress Report](#), Minute No. 563

- (1) That moving forward, the Environment Committee goes paperless, with no agendas and minutes, unless a paper copy was requested by a Member, and it be recommended to the Policy and Resources Committee that other committees within the Council did the same.*

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

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