

Agenda

Environmental Services and Climate Change Committee Meeting

Date: Wednesday, 12 November 2025

Time 7.00 pm

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

Membership:

Councillors Shelley Cheesman, Alex Eyre, James Hunt, Carole Jackson, Elliott Jayes (Vice-Chair), Rich Lehmann, Peter Marchington, Claire Martin, Charlie Miller, Kieran Mishchuk, Pete Neal, Ashley Shiel, Paul Stephen, Sarah Stephen and Dolley Wooster (Chair).

Quorum = 5

Pages

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- (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 Meeting held on 10 July 2025 (Minute Nos. 164 – 179) as a correct record.

4. Declarations of Interest

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

5. Matters Arising

Update from the Chair on any matters from the previous meeting or upcoming agenda items relating to this committee.

6. Chairs Briefing

Items for Noting

- | | | |
|----|------------------------|-------|
| 7. | Forward Decisions Plan | 5 - 6 |
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Items for Decision by the Committee

- | | | |
|-----|--|---------|
| 8. | Mid Kent Environmental Health Enforcement Policy | 7 - 26 |
| 9. | A review of Council free car parks | 27 - 36 |
| 10. | Performance report for waste collection and street cleansing service (April 2025 - September 2025) | 37 - 78 |

11.	Public Conveniences Review - Consultation Outcome	79 - 122
12.	Barton's Point - considering future options for management of biodiversity	123 - 252
13.	Exclusion of the Press and Public	
	To decide whether to pass the resolution set out below in respect of the following item: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3.	
	3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	
14.	Public Conveniences Review - Consultation Outcome - Exempt Appendix III Business Case	253 - 266

Issued on Tuesday, 4 November 2025

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. To find out more about the work of this meeting, please visit www.swale.gov.uk.

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

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Report title, background information and recommendation(s)	Date of meeting	Open or exempt	Lead Officer and report author
Open Spaces Strategy – public consultation and approval	TBC	Open	Head of Service: Martyn Cassell Report Author: Jay Jenkins
Stray Dog kennel contract	TBC	Open	Head of Service: Martyn Cassell Report Author: Michelle Sampson
Litter Enforcement Service Review	TBC	Open	Head of Service: Martyn Cassell Report Author: Alister Andrews
Impact of Local Government Reorganisation on Council Environment Priorities and Projects	TBC	Open	Head of Service: Martyn Cassell
Local Cycling and Walking Infrastructure Plan consultation outcome	TBC	Open	Head of Service: Martyn Cassell Report Author: Michelle Anderson
Climate and Ecological Emergency Action Plan Annual Report	14 January 2026	Open	Head of Service: Martyn Cassell Report Author: Janet Hill
Procurement of minor maintenance and cleansing of public conveniences service – contract award for April 2026 onwards	14 January 2026	Open	Head of Service: Martyn Cassell Report Author: Alister Andrews
Coastal Communities Engagement Planning Update	14 January 2026	Open	Head of Service: Martyn Cassell Report Author: Mike Knowles
Parking Services Annual Report	14 January 2026	Open	Head of Service: Martyn Cassell

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Environmental services and Climate Change Committee	
Meeting Date	12 November 2025
Report Title	Mid Kent Environmental Health Enforcement Policy
EMT Lead	Lisa Fillery Director of Resources
Head of Service	Duncan Haynes
Lead Officer	Annmarie Goodwin & Clare Lydon
Classification	Open
Recommendations	1. That the Committee approves the refreshed Environmental Health Enforcement Policy

1 Purpose of Report and Executive Summary

1.1 The Environmental Health team's existing enforcement policy needs to be refreshed. A new corporate overarching enforcement policy was approved by Cabinet in December 2020. The Environmental Health team's document is intended to complement the overarching corporate policy with team specific detail and information. This report seeks endorsement of the new policy.

2 Background

2.1 The Environmental Health team have a wide range of enforcement powers and tools available to resolve issues when necessary. This policy highlights some of these and explains how and when they may be used in conjunction with the principles outlined in the agreed corporate policy.

2.2 It is good practice to have a function specific policy in place that helps to promote consistent, efficient and effective approaches to regulatory inspection and enforcement as a means of improving regulatory outcomes without imposing unnecessary burdens.

2.3 The overarching corporate policy sets out the principles of good regulation (consistent, targeted, transparent, accountable, proportionate and helpful) which should be applied to all the Council's enforcement activity.

2.4 This policy will ensure consistency in enforcement. It sets out a statement of what those who are on the receiving end of enforcement action should expect from the Council in how it discharges its responsibilities.

3 Proposal

3.1 The Committee is requested to approve the refreshed Environmental Health Enforcement Policy.

4 Alternative Options Considered and Rejected

- 4.1 The alternative option is to use our existing team policy. This is not recommended as the that policy is out of date and does not account for changes in legislation and regulations.

5 Consultation Undertaken or Proposed

5.1 The Environmental Health Manager and Environmental Protection & Food and Safety Team leaders within the Environmental Health team have reviewed the document and provided comments.

5.2 The contents of the enforcement policy are strictly governed by the legislation being enforced, therefore, given there is minimal scope for changes it was felt unnecessary to widen the consultation for this policy.

6 Implications

Issue	Implications
Corporate Plan	This policy aligns with several priorities in the corporate plan, especially community and environment.
Financial, Resource and Property	The Enforcement policy can be delivered with existing staff resource. Where allowed in legislation, the Council will recover its reasonable costs from the appropriate party where these are incurred in enforcement.
Legal, Statutory and Procurement	This policy is intended to ensure that regulatory inspection and enforcement is carried out in a fair, practical and consistent manner. It is good practice to have this in line with the Regulators' Code, which sits under the Legislative and Regulatory Reform Act 2006. RIPA guidance and legislation may be relevant and is considered on a case-by-case scenario.
Crime and Disorder	The policy makes clear that enforcement activity is targeted on those whose activities give rise to the most serious offences.
Environment and Climate/Ecological Emergency	Effective and visible enforcement is key to tackling environmental crime and protecting food safety and people's health & safety along with fulfilling the council objectives. Reducing environmental health crime will reduce council costs.
Health and Wellbeing	

	A cleaner healthier borough enhances residents' wellbeing and allows residents to enjoy open spaces as well as food establishments and safe workplaces.
Safeguarding of Children, Young People and Vulnerable Adults	Follow the Safeguarding Policy and liaise with officers from the Safeguarding Team within the Community Safety Unit, we will complete all necessary referrals
Risk Management and Health and Safety	None identified at this time
Equality and Diversity	N/A
Privacy and Data Protection	Data of individuals will be collected and stored in line with DPA 2018 & GDPR guidelines.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
Appendix I: Environmental Health Enforcement policy

8 Background Documents

The Regulators' Code: <https://www.gov.uk/government/publications/regulatorscode>.

Swale Borough Councils overarching enforcement policy
<https://services.swale.gov.uk/assets/Strategies-plans-and-policies/Enforcement%20Policy/Enforcement%20Policy.pdf>

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Appendix I

Environmental Health Enforcement Policy

2025

ENVIRONMENTAL HEALTH ENFORCEMENT POLICY 2025

1. INTRODUCTION

- 1.1. The Council has a responsibility to enforce specific legislation identified within the Council's Constitution. We also have a responsibility to ensure that we enforce these regulations following the statutory principles of good regulation. Each case is unique and will be considered on its own merits, but this document has been prepared to set out our approach, the general principles to be applied and the factors to be taken into consideration when determining the enforcement actions to apply or recommend.
- 1.2. Our primary function is to achieve regulatory compliance in order to protect the public, legitimate business, the environment, consumers and workers.

2. AIMS OF POLICY

- 2.1. To ensure that enforcement decisions are consistent, transparent and proportionate and that people, businesses, organisations and the community are aware of the basis on which enforcement action is taken.
- 2.2. To provide a clear framework for officers undertaking regulatory enforcement work clearly setting out the factors to consider to achieve the principles of good enforcement identified in the policy.

3. SHARED ROLE/PARTNERSHIP

- 3.1 Regulatory enforcement can in many situations overlap with enforcement responsibilities of external agencies or other services within the council. Officers shall consider this wider context of enforcement if there is a shared or complementary role with internal and external partners. The main organisations and services are listed below (this is not an exhaustive list):

Internal partners:

- Waste Services/Environmental Response/Cleansing
- Licensing
- Development/Building Control & Planning Enforcement
- Housing

External partners:

- Trading Standards [Trading Standards - Kent County Council](#)
- Kent Police [Home | Kent Police](#)
- Social and Mental Health Services [Welcome to Kent and Medway Mental Health NHS Trust - Kent and Medway Mental Health NHS Trust](#)
- Housing Associations - various
- RSPCA [The Largest Animal Welfare Charity in the UK | RSPCA - RSPCA - rspca.org.uk](#)
- Voluntary sector organisations - various
- Environment Agency [Environment Agency - GOV.UK](#)
- Kent Fire and Rescue [Kent Fire and Rescue Service | Kent Fire and Rescue Service](#)
- Drinking Water Inspectorate [Drinking Water Inspectorate](#)
- Kent County Council [Home - Kent County Council](#)

4. GOVERNANCE AND ETHICS

4.1. Equality, Diversity and Inclusion

We will consider the legal and procedural implications of The Human Rights Act 1998 and European Convention on Human Rights.

We will also have regard to our responsibilities as described in the Swale Borough Council Equality, Diversity and Inclusion Policy. We recognise there is diversity within the community. Care will be taken to ensure enforcement actions are clearly understood by all. For example, we will provide documents in an appropriate language wherever possible. We may also arrange for an interpreter.

Many of the activities which we seek to control happen out of office hours. Within our resource and if considered necessary we will arrange for some enforcement to take place out of usual office hours. This will include monitoring enquiries, etc.

4.2. Legislative and Regulatory Reform

This policy has been prepared with regard to the current principal legislation and statutory guidance including:

The Regulatory Enforcement and Sanctions Act 2008

Enterprise Act 2016

Co-ordination of Regulatory Enforcement Regulations 2017

Legislative and Regulatory Reform Act 2006

Legislative and Regulatory Reform (Regulatory Functions) Order 2007 as amended in 2009 2010 and 2014

Regulators Code April 2014

Regard is also given to

The Code for Crown Prosecutors

We are committed to delivering our regulatory activities in a manner that is risk-based, proportionate and consistent and we aim to be transparent and accountable about our regulatory approach and activities, in accordance with the statutory principles of good regulation.

4.2.1 When we take enforcement action we aim to:

- protect the victims of crime and anti-social behaviour
- change behaviour
- change attitudes in society to offences which may not be serious in themselves, but which are widespread
- eliminate any financial gain or benefit from non-compliance
- be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction
- be proportionate to the nature of the offence and the harm caused
- restore the harm caused by regulatory non-compliance, where appropriate
- deter future non-compliance

4.2.2 When considering formal enforcement action, we will, where reasonably practicable, discuss the circumstances with those suspected of a breach of regulation and take any information gained into account when deciding on the appropriate enforcement approach. However, in some situations, for example, where immediate action is required to prevent or respond matters of imminent risk to public health or where such an approach will defeat the purpose of the proposed enforcement measure, we may not be able to do so.

4.2.3 Where businesses are in a Primary Authority Partnership under The Regulatory Enforcement and Sanctions Act, we will, where required, comply with the agreed provisions for enforcement and notify the business's Primary Authority of the enforcement action we propose to take. We may under that Act also refer the matter to Office for Product Safety and Standards if appropriate.

5 METHODS OF ENFORCEMENT

There are a wide range of actions available to the authority and we may respond with one or more of them as is proportionate. There are some cases where we may take enforcement action after compliance has been achieved if it is in the public interest to do so:

- a) No Action
- b) Informal Action - Advice and Guidance
- c) Formal Written Warning
- d) Statutory Notices, Community Protection Notices, Public Spaces Protection Order
- e) Fixed Penalty Notices
- f) Prosecution
- g) Simple Caution
- h) Seizure and Detention
- i) Works in default

- j) Forfeiture Proceedings
- k) Refusal/Suspension/Revocation of a licence
- l) Injunctive Actions and other Civil Sanctions

We believe in firm but fair enforcement and will follow enforcement proportionate to the offence. Where there is a serious or flagrant breach of legislation, or there is an imminent risk to the health or welfare of people immediate enforcement action may be considered.

5.1 **No Action**

In some circumstances reports are made to the council which fall outside any legislation that they have a responsibility to enforce in which case the complainant will be informed that the council or other agency has no statutory role. Where legislation does apply the only circumstance where no action should be taken is when the breach was a result of a genuine mistake where, once identified, immediate action was taken to comply.

5.2 **Informal Action – Advice and Guidance**

The term informal action means offering advice and guidance to persons, businesses, or organisations, this can be verbally or in writing. If it is included in forms or letters it will be clearly identified as such. Situations which may be dealt with through informal action are generally but not exclusively where:

- The act or omission is **not serious enough** to warrant formal action or,
- From the past history it can be reasonably expected that informal action will achieve compliance or,
- Where we seek to educate and inform of 'good practice'

5.3 **Formal Action**

As an authority we can take action through more formal means to achieve compliance or protect the public, this includes the following options.

5.3.1 **Formal Written Warning**

A formal written warning is used where the act or omission is **serious enough** to warrant formal written warning and must contain the following:

- All the information necessary to understand what is required and why it is necessary,
- The legislation contravened and measures which enable compliance to be achieved,

- Clearly differentiate between legal requirements and recommendations of good practice, and
- A reasonable date for compliance

Where the recipient of the letter disagrees with any requirement and there is a “right of appeal”, where identified in legislation, this should be made to the relevant Team Leader/Manager.

5.3.2 Statutory Notices

Notices may be served in circumstances where there is a **serious contravention, imminent risk to safety or health, or continuing non-compliance**. Notices include, but are not limited to:

Hygiene Emergency Prohibition Notices (food) or **Prohibition Notices** (health and safety) which require contravening activities to cease immediately and may close all or part of a premise.

Hygiene Emergency Prohibition Notices (food) must be followed by an application for a Hygiene Emergency Prohibition Order to a Magistrates Court made within 3 days of service of the HEPN.

Hygiene Improvement Notices (food) or **Improvement Notices** (health and safety) may be served to correct specific contraventions of the legislation and specify a compliance date. In both cases, the Notice must state what provision is being contravened, and what is necessary to comply with it.

Environmental Protection Act notices may be served for contraventions of appropriate legislation e.g. for the existence of a statutory nuisance. Notices shall be served to require persons, businesses or organisations to cease contravening activities, or take steps and / or improve conditions to comply with legislation within a reasonable time.

The Environmental Permitting (England and Wales) Regulations 2016 Notices can be served under this legislation for failure to comply with conditions contained in an Environmental Permit. Enforcement Notices can include steps to remedy any issues and bring a Permitted business back into compliance. Where, in the opinion of the Council, there is a risk of serious pollution, a Suspension Notice can be served which requires the business to cease operating until the remedial steps have been taken.

Community Protection Notices (CPNs) may be issued under the Anti-social Behaviour, Crime and Policing Act 2014 will always be preceded by a community protection warning. A CPN can be issued where the unreasonable conduct of an individual or body is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality. The scope of use for CPNs is extremely broad, for example:

- Anti-social behaviour
- Bonfires and other nuisances
- Public Health issues including vermin
- Noise

Where the legislation contains an appeal process no further action will normally be taken until the appeal period is completed unless this will negate the purpose of the notice. Officers will revisit to confirm the notice has been complied with. Failure to comply with a Notice is an offence in itself and may result in prosecution.

Private Water Supplies Notices, Regulation 18 Notice requires that if any private supply of water intended for human consumption constitutes a potential danger to human health, a local authority must serve a notice on any “relevant person”. A Notice may also be served under the Water Industry Act 1991 on any relevant person to ensure a private water supply is wholesome or sufficient.

5.3.3 Fixed Penalty Notices

Fixed Penalty Notices (FPNs) can be issued under specified legislation and enables people to discharge their liability for prosecution by accepting and paying a FPN; the amount to pay varies according to the specified legislation and can include reduced amounts for early payment where adopted or required.

If a FPN is paid in full within the prescribed period no further action will be taken by the Borough Council. If a FPN is not paid in full within the prescribed period legal proceedings will be considered.

We cannot accept payments in instalments. If paying the full amount of a FPN is a problem we can offer a 30 day extension of time to pay, from the date of the original offence. If there is a particular case of hardship, the recipient can request a longer extension. This must be made in writing and must be supported by evidence of hardship, such as income details.

There are no grounds of appeal against a FPN. However, representations may be made by the person upon whom a FPN is served. **This is not an appeal system** but an opportunity for information to be presented to the authority for consideration about the FPN. Representations must be made in writing before the payment period expires.

5.3.4 Prosecution

The authority to prosecute will be given in accordance with the council's constitution. The decision to prosecute will be made by the Head of Mid Kent Legal Services Partnership having regard to the authorisation from the relevant authorising officer and the Full Code Test as set out in the code for Crown Prosecutors which has two stages which must be satisfied:

1. The Evidential Stage – is there sufficient evidence to provide a realistic prospect of conviction against the offender
2. The 'Public Interest' Stage – is it in the public interest for the case to be brought to court?

This can be found at:

http://www.cps.gov.uk/publications/code_for_crown_prosecutors

The decision to recommend the institution of proceedings will in general be in respect of those persons or organisations that:

- Engage in ongoing nuisance or antisocial behaviour
- damage the environment;
- blatantly disregard the law;
- fail to achieve basic legal standards, (often following previous contact with the Services); or
- who put the public at risk

The investigating officer, when deciding on whether it may be appropriate to seek a prosecution shall also take the following criteria into account:

- **Community Benefit**

Legal proceedings may be taken on the first occasion of certain events because of the seriousness of the case and/or Community benefit from a prosecution and its likely deterrent effect.

- **Blatant Breach of Law**

Where there is a breach of law is such that public health, safety or wellbeing or the local environment is or has been put at risk, it would be appropriate to take legal proceedings.

- **Failure to comply with a Statutory Notice**

Legal proceedings, seizure of equipment or works in default will usually be appropriate, in cases of failure to comply with improvement or prohibition notices or other notices requiring or prohibiting action.

- **Failure to comply with Lawful Requirements**

If a person or business fails to comply with lawful requirements, having been advised on previous occasions, legal proceedings will usually be taken.

- **History of Non-compliance**

If there is a history of non-compliance with legislation by a person or business, then legal proceedings will usually be taken.

- **Obstruction**

Legal proceedings will be taken in cases of deliberate obstruction of an officer.

5.3.5 **Simple Cautions**

The decision to offer a simple caution will be made by the appropriate Head of Service or Director having received a recommendation from their Service Manager in consultation with the Head of Legal Services.

We may use a simple caution as a proportionate alternative to prosecution and in accordance with Ministry of Justice guidance 'Simple Cautions for Adult Offenders' (dated 13.4.15).

A simple caution will only be considered:

- Where we are satisfied that there is sufficient evidence to provide a realistic prospect of conviction against the offender,
- The offender admits the offence,
- The offender consents to being cautioned, and
- It is in the public interest to offer a simple caution in respect of the offence rather than to prosecute

Where a simple caution is offered and declined, we are likely to consider prosecution.

5.3.6 **Seizure and Detention**

Certain legislation enables authorised officers to seize goods or equipment. This includes unsafe food or dangerous pieces of work equipment, noise generating equipment or vehicles associated with certain waste crime etc. Receipts will be issued to the person from whom the goods are seized. Where the law requires, seized goods will be dealt with in accordance with the relevant legislation, for example taken before a Magistrate e.g. unfit food.

5.3.7 Works in Default

Under certain legislation a council can undertake work in default and recover the cost from the occupier or owner. This may be appropriate for example, when:

- It is necessary to carry out work in the public interest and/or the costs are not prohibitive,
- There is a failure to carry out work covered by a statutory notice,
- Immediate action is required, or
- It is unlikely that work will be carried out unless done in default

Where works in default are undertaken the council will, where legislation permits seek to recover its reasonable costs from the appropriate party.

5.3.8 Forfeiture Proceedings

In certain situations, it may be appropriate for the council to seek forfeiture of property to address a contravention. This would only occur where the legislation gives the Council the power to do so and would be through an application to the Court.

5.3.9 Refusal / Suspension / Revocation of Licence / Approval / Authorisation

Licences, Approvals and Authorisations are issued under specific legislation and will only be refused, suspended or revoked following appropriate procedures and consideration of all relevant evidence.

Certain food business manufacturing or handling high risk food products require approval to allow their foods to be sold. For the approval to be refused, suspended or revoked, one or more of the following criteria must be met:

- Failure to comply with legal requirements
- Have ignored written warnings or statutory notices
- Are producing unsafe food products likely to harm human health
- Obstructed an officer undertaking their duties

5.3.10 Injunctions and Civil Sanctions

An injunction can be used to deal with a wide range of behaviours, many of which can cause serious harm to victims and communities. If a person 'engaged or threatens to engage in anti-social behaviour' an application may be considered.

Many of the civil sanctions available to the authority are already identified in section 5.3. Other appropriate options may be considered such as restoration or stop notices.

5.3.11 Other Enforcement Action

The diverse and evolving nature of the legislation used across the services named in this policy means that other enforcement tools can be appropriate, but it is not practical to list them all here. Where other enforcement action is used its use will be proportionate and only by officers that are trained and authorised in writing to do so in accordance with section 6 below.

6 AUTHORISATION

- 6.1 Officers carrying out enforcement work will be suitably trained, experienced and authorised to do so in writing.
- 6.2 Officers authorised to sign and serve various documents will have the level of competence and ability required. Officers authorised will carry identification and will have evidence of their authorisation.

7 DECIDING ON ENFORCEMENT ACTION TO BE TAKEN

- 7.1 For infringements resulting in 'no action', 'advice and guidance' and 'formal written warning' the case officer will decide upon the appropriate course of action.
- 7.2 The case officer's decision will be based upon professional judgement, legal guidelines, statutory codes of practice, guidance. Advice and confirmation can be obtained from colleagues and the Team Leader.
- 7.3 For infringements resulting in enforcement methods not listed at 7.1 the case officer will consult with the Team Leader to decide the appropriate course of action. This will include service of Hygiene Emergency Prohibition Notices (food), Prohibition Notices (health and safety), refusal / suspension / revocation of licences / approvals / authorisations. Where the Team Leader is unavailable, the Environmental Health Manager or other senior manager will be consulted.

- 7.4 In the case of service of Hygiene Emergency Prohibition Notices (food) and Prohibition Notice (health and safety), agreement of the Food and Safety Team Leader, the Environmental Health Manager or other senior manager may not be possible where there is an imminent and serious risk to safety or health. Officers will inform them as soon as practicable.
- 7.5 In exceptional circumstances officers, on consideration of the evidence and the risk to health or the environment, may depart from the policy.
- 7.6 In the case of a work-related death, the case officer must inform and liaise with Kent Police in accordance with the protocol 'Work Related Deaths: A protocol for liaison'. This may result in a joint investigation. Where Kent Police/Crown Prosecution Service decides not to pursue a manslaughter case, consideration will be given to a health and safety prosecution, in-line with this policy.

8 APPLICATION OF THIS POLICY

- 8.1 The principles contained within the enforcement policy shall be applied to the enforcement of legislation within the remit of the Mid Kent Environmental Health Service.
- 8.2 The preparation of this policy and any supplementary supporting documents will involve, where appropriate, consultation of affected parties.

9 APPROVAL

- 9.1 The enforcement policy will be approved by Committee.

10 ACCESS TO THE POLICY

- 10.1 The policy is available on the Swale Borough Council website and at the Swale Borough Council offices. The case officer will be able to provide a copy of this policy given suitable notice. On request and where practicable this policy may be made available on tape, in Braille, large type, or in a language other than English.

11 REVIEW OF POLICY

- 11.1 The Policy will be kept under review to take account of changes in legislation and amendments found necessary as a result of internal monitoring.

12 COMPLAINTS

- 12.1 If a person feels we have not followed the enforcement policy or has a complaint about the application of the policy complaints may be made through the Corporate Complaints process accessed from the website swale.gov.uk.

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Environmental Services and Climate Change Committee Meeting	
Meeting Date	12 November 2025
Report Title	A review of Council free car parks
EMT Lead	Emma Wiggins, Director and Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Martyn Cassell, Head of Environment and Leisure
Classification	Open
Recommendations	1. This committee approves that charges should levied year-round at the following car parks, at the standard tariff rate, from 1 April 2026; a) Little Oyster, Minster on Sea b) Park Road, Queenborough c) Library car park, Queenborough d) Front Brents, Faversham e) Grafton Road, Sittingbourne f) Halfway road, Halfway 2. Officers to proceed to formal Off-Street Parking Order consultation for each of the above. 3. Removal of the 30-minute tariff for all car parks starting 1 April 2026.

1 Purpose of Report and Executive Summary

- 1.1 This report follows up a discussion at Economy and Property committee on the motion submitted at Full Council on 2 April 2025, about transferring free car parks in Sheppey to the relevant town and parish councils. After amendment (as set out in 2.4), the matter was to be referred to the relevant committee(s).
- 1.2 Economy and Property committee reviewed the Parking Policy and Property Asset Strategy and in order to consider best consideration legislation is adhered to, requires this committee to debate whether certain free car parks could generate income for the Council and therefore would not meet the criteria for transfer.
- 1.3 The Council Parking Policy sets out the Council's principles for the management of on and off-street parking across the Borough. The report also discusses the key elements of the Property Asset Strategy.

- 1.4 This report recommends that Members agree to add charges to a number of car parks across the Borough, that are currently free to use, in order to help the Council achieve a balanced budget for 2026-2027. This also would then allow consideration of transferring some car parks at Economy and Property Committee should Towns or Parishes be interested.

2 Background

- 2.1 The Council operates 57 car parks across the Borough. 29 are free to use (six in Sittingbourne, 6 in Faversham and 17 in Sheppey). 28 are pay and display car parks where fees are charged. 40 are managed by parking services and 17 are operated by the greenspaces team, based at recreation grounds, open spaces and country parks. Some are in key town centre locations, others are in rural and lower footfall areas.
- 2.2 The existing pay and display car parks are forecasted to bring in over £2.7m in revenue for the Council in 2025-26 financial year, which helps to cover the costs of operating them and provides funding for other crucial council services.
- 2.3 A motion was presented to Full Council on 2 April 2025 which stated;

It is proposed that Swale Borough Council offer the Little Oysters car park at the Leas Minster and Queenborough Library Car Park (Castle Connections) in Queenborough to the relevant Parish and Town Councils through the appropriate committee and council procedures. Parish and Town councils are best placed to decide what is in the best interests of the people of Sheppey for these car parks going forward. If this approach is successful for these car parks, then the Council should offer other free car parks to Parish or Town Councils or to local not for profit organisations. Council refers this issue to the relevant service committee for exploration and ultimately, decision. Following devolution, it is likely fewer councillors will be representing Sheppey, and a repeat of the proposal for charging at these two car parks will raise its head again and the outcome may not align with the wishes of the people of Sheppey. It is hoped that all members can support this motion

- 2.4 The Council debated the motion, and the final amended wording was;

Resolved:

(1) That Swale Borough Council offer its free car parks across the borough to the relevant Parish and Town Councils through the appropriate committee and council procedures and Council refers this issue to the relevant service committee for exploration and ultimately, decision.

2.5 Car parks have remained free over the years for a host of reasons - low usage, encouragement for residents to use off-street parking to free up crowded streets, and political preference/policy.

2.6 The Council's Parking Policy states that parking charges are set annually by Councillors as part of the fees and charges process of budget setting (Policy and Resources and Full Council).

'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.'

2.7 But it also states that;

'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.'

On that basis, it is assumed that where tariffs are not in place e.g. free car parks, the Environmental and Climate Change committee, which has the responsibility for off-street parking, will need to debate any implementation of charges.

2.8 On free car parks, the policy identifies;

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

2.9 As the motion focussed on the transfer of the assets, this motion was sent initially to Economy and Property Committee for consideration. They resolved that;

That the matter on charging at free car parks be referred to the Environmental Services and Climate Change committee, to ensure best value principles are followed.

2.10 The Council's Property Asset Strategy makes it a priority that the Council retains land and property where it makes strategic or financial sense to do so. This should be:

- to deliver services in line with corporate priorities,
- to generate income,
- to provide a return on investment,
- to enable regeneration, or
- to provide social value.

- 2.11 Whilst the motion states that it is better for local organisations to make decisions on the car parks, this Council is required to consider best value for its assets. When disposing of assets (as would be the case in a transfer to a town or parish), the Council is subject to statutory requirements, in particular to the overriding duty, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for a disposal. This duty is subject to certain exceptions that are set out in the General Disposal Consent (England) 2003. Within financial limits, this gives Councils wider powers to dispose of land and property at less than market value, where it could be demonstrated that they promote the economic, social and environmental well-being of the area.
- 2.12 The Council's medium term financial plan still predicts a funding gap for future years. Where a car park could generate an annual revenue income, the Council must consider that option. The Disposals Policy sets out criteria for determining the potential disposal of an asset, which include financial viability, and specifically within that, the potential for income generation.
- 2.13 Officers have been tasked with identifying additional income streams to help address the council's budget position and the introduction of charges for free car parks would help to meet that instruction.
- 2.14 Appendix I sets out some detail for each of the car parks. Some are listed as being feasible for charging, some are possible considerations and some are suggested as not suitable.
- 2.15 Two of the car parks on the list are found in key seafront locations (Little Oyster, Minster and Park Road, Queenborough). Most popular beach locations across the country have 'paid for' parking. Minster Leas has a long stretch of free on-street parking, but it often gets busy in peak periods. The Little oyster car park has approximately 30 spaces and is in a prime location, where it is believed that visitors would pay a premium to use.
- 2.16 Park Road in Queenborough has approximately 25 spaces and is a central location to access the seafront and the town centre. It used by those launching from the slipway and visitors to the boats at the all-tide landing, along with general use for those visiting local shops/restaurants. Most other town centres across the Borough have paid for car parks. The same goes for Library car park at Queenborough (known locally as Castle Connections). It also allows access to the shops and is often full, preventing users of the library from accessing it.
- 2.17 Halfway Road car park is a tarmac surface with approximately 40 spaces and serves local businesses in the area. Consideration should be given to charging at this location as it is a well-maintained facility, serving a busy area.
- 2.18 Grafton Road in Sittingbourne is a small off-street parking area very close to the high street. It does provide some dedicated disabled bays and is used for short trips to the high street. However high street parking bays offer the same service and so it is felt that this location is suitable for charging.

- 2.19 Front Brents in Faversham is a small, surfaced car park next to the creek. The car park will be used by boat users and customers of nearby pubs/restaurants along with a small number of local residents without off-street parking. Charging should be considered at this location, with the potential to offer resident parking permits to a limited number of local properties.
- 2.20 A couple of car parks on the list, service residential areas where on-street parking is difficult (Ospringle and Shortlands Road). Ospringle prevents cars parking on the busy A2 and Shortlands road assists in taking cars off the road in tight, terraced properties. As these support traffic flow, they are not considered sensible for general charging, with the potential to push cars back out onto the roads. However, other car parks across the Borough do offer resident parking permits for use of the car park, so Committee could consider implementing in these locations. These are lower cost than full car park season tickets and are generally offered to a limited number of properties in very close proximity to the car park.
- 2.21 None of the recreation ground, country parks or woodlands are proposed for charging at this point. They are not in locations that create issues with commuter or shopper parking and encourage active lifestyles. These however, need to be monitored over time for changing usage.
- 2.22 Any decisions taken on charging at these car parks would be subject to public consultation using the national Off-Street Parking Order legislation. A delegation is requested to allow officers to start this process immediately. If agreed tonight, these would be launched over the winter and reported back to the committee if major objections were received.
- 2.23 As the Parking Policy refers to time period decisions sitting with the service committee, Members are also asked to consider the 30-minute tariff that is currently in place across Short and Long Stay car parks. The tariff does not encourage residents to stay longer in the high streets. Removing the tariff would require users to pay for an hour tariff as a minimum. This could generate additional income for the Council. On an assumption that 80% of those who buy a 30-minute ticket would buy 1 hour, it would generate a projected additional £150,000 a year. Whilst shorter tariffs encourage higher turnover of cars, leaving the potential for greater income and greater availability for residents, none of Swale's car parks are perceived to be at full capacity across the day and therefore a shorter time tariff is not required.
- 2.24 Policy and Resources Committee will debate further tariff related matters when the Council's draft fees and charges for 2026-27 are presented in November. This includes consideration of the hourly rate amount and a possible review of evening charges. We are also reviewing the cost of 'all day' parking to make sure our tariffs are competitive with privately operated car parks. All of the changes to parking charges need to be considered alongside each other as part of the budget setting and fees and charges process and therefore the decisions of this committee are critical to achieving this.

3 Proposals

- 3.1 This committee approves that charges should be levied year-round at the following car parks, at the standard tariff rate, from 1 April 2026;
- a) Little Oyster, Minster on Sea
 - b) Park Road, Queenborough
 - c) Library car park, Queenborough
 - d) Front Brents, Faversham
 - e) Grafton Road, Sittingbourne
 - f) Halfway road, Halfway
- 3.2 Officers to proceed to formal Off-Street Parking Order consultation for each of the above.
- 3.3 Removal of the 30-minute tariff for all car parks from 1 April 2026.

4 Alternative Options Considered and Rejected

- 4.1 Do nothing and keep all free car parks as they are. This is not proposed as explained in the main report, that some would be suitable for charging and the Council is required to deliver a balanced budget for 2026-27.
- 4.2 Charge for a larger number of car parks – this is not recommended as the appendix shows the context and identifies some as not being suitable for charging – condition/location/purpose.
- 4.3 Not to remove the 30-minute parking tariff. We want visitors to stay longer in the high streets and this will further help the Council's budget.
- 4.4 To only remove the 30-minute tariff from long stay car parks. This will likely not generate additional income as users will simply move to short stay car parks.

5 Consultation Undertaken or Proposed

- 5.1 Formal consultation of changes will be undertaken by the Council under the Road Traffic Act 1991 and Traffic Management Act 2004. This includes an 8-week consultation period that is advertised in all of the affected car parks and adverts in the local newspapers. Depending on the level and type of objections received, results may need to be reported back to committee.

6 Implications

Issue	Implications
Corporate Plan	Community – Complete the Parking Policy Review Running the Council – maximising income
Financial, Resource and Property	Maintaining free car parks is a cost to the council that could be mitigated by transferring to town or parish councils or by the introduction of charges where possible. Introducing charges where appropriate would meet the member requirement to increase income opportunities to support the budget position. The draft budget proposal predicts an additional £35,000 per year would be generated at the car parks proposed. Removal of the 30-minute parking tariff is projected to bring in an additional £150,000 per annum. The one-off cost of installing payment machines in the locations would be covered by the Civil Enforcement Fund reserve.
Legal, Statutory and Procurement	Off-street parking is controlled through the Road Traffic Act 1991 and Traffic Management Act 2004. When disposing of assets, the Council is subject to statutory requirements, in particular to the overriding duty, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for a disposal. This duty is subject to certain exceptions that are set out in the General Disposal Consent (England) 2003.
Crime and Disorder	Free car parks have fewer restrictions on them and vehicles can therefore be left abandoned. This costs the council through enforcement and removal. Charging at car parks may displace vehicles into unsuitable parking locations. This will need to be controlled using the powers available to the Council.
Environment and Climate/Ecological Emergency	There is an argument that in order to encourage fewer private journeys, favouring active travel and support the climate emergency, that no car parks should be free. However as discussed above, some car parks are there to support other functions such as on-street vehicle management.
Health and Wellbeing	Not applicable to this report

Safeguarding of Children, Young People and Vulnerable Adults	Not applicable to this report
Risk Management and Health and Safety	The Council needs income to enable the required repairs and maintenance to be made to our car parks. Free car parks are currently subsidised by pay and display car parks, however, receive less investment than them, with the minimum spent in order to meet basic health and safety standards.
Equality and Diversity	Undefined, free car parks may reduce access for disabled users. Blue badge holders benefit from free parking in our car parks.
Privacy and Data Protection	Not applicable to this report

7 Appendices

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

- Appendix I: List of free car parks across the Borough.

8 Background Papers

8.1 [Full Council 2 April 2025](#)

8.2 A link to the [Council's Parking Policy](#).

8.3 Property Asset Strategy

8.4 6 March 2024 [Parking Policy Report and Minutes](#)

	SPACES	DISABLED	TOTAL	Term stay	Context	Potential for Charging	Town or Parish Council
Sittingbourne Free Car Parks							
Grafton Road	10	2	12	Long stay	Small number of parking spaces on small street next to High street. Popular with disabled parkers.	Yes	n/a
Shortlands Road	35	0	35	Long stay	Small gravel car park providing off-street parking for local houses due to narrow street. Relatively close to town centre and train station (10 minutes walk). Spaces estimated as no bays marked out. Making as a season ticket car park is not possible due to close proximity. Option could be to add as a Resident Permit car park. This would cost just over £100 for the year and income would go to Civil Enforcement ringfenced fund.	Possible - resident permit scheme	n/a
Milton Rec	42	0	42	Long stay	Small car park used by visitors of the park, tennis courts and private gym.	No	n/a
Milton Creek Country Park	55	0	55	Long stay	Gravel car park recently improved for country park. Automated gate and height barrier. Spaces estimated as no bays marked out.	Possible	n/a
King Georges Playing Field	35	2	35	Long stay	Serves recreation ground and community hall.	No	n/a
Grove Park, Borden	28	0	28	Long stay	Serves recreation ground. Not near town centre.	No	n/a
Total:	205	4	207				
Faversham Free Car Parks							
Front Brents	14	0	14	Long Stay	Small car park next to the creek. Mainly used by residents without off-street parking, Faversham boat moorings or overflow for pub.	Yes	Faversham Town Council
Ospringe	30	0	30	Long Stay	Car park providing residential parking for properties to keep cars off the main A2. Need to check for any covenants as part of built houses.	Possible - resident permit scheme	Faversham Town Council
Park Road (Faversham rec x 2)	20	0	20	Short Stay	Parking for park users e.g. sports pitches, play areas, tennis and bowls club.Traffic Restrictions to dissuade all day commuter parking. Spaces estimated as no bays marked out. Could be used by residents walking into town. Would need permission by landowner Faversham Municipal Charities.	No	Faversham Town Council
Oare Gunpowder Works	18	0	18	Long Stay	Gravel car park servicing the country park and visitor centre. Complicated ownership (leased site) and access requirements for other private users. Spaces estimated as no bays marked out.	Possible	Faversham Town Council
Perry Wood x 2	29	0	29	Long Stay	Users of the woods. Could operate on pay by phone only but limitations as no presence on-site	Possible	Selling Parish Council
King George's Playing Field (The Mount)	18	0	18	Long Stay	Serves recreation ground. Main facilities for the grounds are leased to football club.	No	Faversham Town Council
Newington village hall				Long stay	Tarmac car park. Serves village hall. But also close to train station and in recent times has been used by new development residents. Potential for transfer.	Possible	Newington Parish Council
Total:	129	0	129				
Sheppey Free Car Parks							

Shellness Coastal car park	250	0	250	Long Stay	Open seafront car park near to Neptune Café and Leysdown Football club. Used for access to seafront and coastal park but very limited footfall.	No	Leysdown Parish Council
Halfway	41	0	41	Long Stay	Tarmac car park with bays marked out. Serves local shops	Yes	n/a
Library, Queenborough	44	0	44	Long Stay	Car park behind the library and close to open space/play area. Also used by residents accessing the High Street.	Yes	Queenborough Town Council
Guildhall, Queenborough	10	0	10	Long Stay	Situated behind the guildhall. If other car parks in Queenborough were charged for then this would need some level of restriction.	No	Queenborough Town Council
Park Road, Queenborough	25	0	25	Long Stay	Prime position for town centre and seafront.	Yes	Queenborough Town Council
Old House at Home, Queenborough	8	0	8	Long Stay	Parking near seafront/harbour and Elephant park. On an access road to SBC owned land. If other car parks in Queenborough were charged for then this would need some level of restriction.	No	Queenborough Town Council
Little Oyster	30	2	32	Long Stay	Prime seafront location car park. Laid to concrete matting. Spaces estimated as no bays marked out apart from disabled spaces. Members to consider annual or seasonal charging.	Yes	Minster Parish Council
Seathorpe Avenue	20	0	20	Long Stay	Small car park at top of cliffs. Walkway down to promenade and beach huts but fairly remote.	Possible	Minster Parish Council
Abbey	17	0	17	Long Stay	Car park situated in between Minster Working Club and Minster Abbey. Limited usage.	No	Minster Parish Council
Cliff Drive, Warden	20	0	20	Long Stay	Gravel car park next to residential properties. Used mainly by visitors to seafront, but limited. Existing restrictions on no overnight stays. Spaces estimated as no bays marked out.	No	Warden Parish Council
Jetty Neptune Terrace	6	0	6	Long Stay	Limited spaces next building owned by SBC (Neptune Terrace). Possible restrictions to allow parking for tenant of that building rather than public parking. Requirement to solve nuisance parking on the ramp up to the spaces.	Possible	Sheerness Town Council
Leysdown Coastal car park	100	0	100	Long Stay	Grass car park where the beach huts and café are situated. 100 spaces is estimated with no bays marked out. Previously a charged for car park, but limited income and lots of vandalism/theft on machine. Beach hut users currently retain access out of hours.	Possible	Leysdown Parish Council
Barton's Point Coastal Park	42	0	42	Long Stay	Serves the café and park. Access can be controlled by a future operator.	Possible	Minster Parish Council
Dicksons Field, Eastchurch	6	0	6	Long Stay	Small gravel car park serving the recreation field.	No	Eastchurch Parish Council
Thistle Hill community woodland	16	0	16	Long Stay	Serves the woodland. Low usage	No	Minster Parish Council
Scrapsgate Road Field	12	0	12	Long Stay	Small gravel car park serving the recreation field.	No	Minster Parish Council
Kingsborough Manor Woodland, Plough Road	13	0	13	Long Stay	Small gravel car park serving the woodland	No	Eastchurch Parish Council
Total:	660	2	662				
Grand Total:	994	6	998				

Environmental Services and Climate Change Committee Meeting	
Meeting Date	12 th November 2025
Report Title	Performance report for waste collection and street cleansing service (April 2025 – Sept 2025)
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment & Leisure
Lead Officer	Alister Andrews, Environmental Services Manager
Classification	Open
Recommendations	1. To review and discuss the contents of this performance update.

1 Purpose of Report and Executive Summary

- 1.1 This is the first Swale Borough Council mid-year waste collection and street cleansing report since the annual report was presented to this committee in June 2025. This update is a '*lighter touch*' report. It covers the service performance from April 2025 to Sept 2025.
- 1.2 Overall, the waste collection service has settled and is performing in-line with the contract requirements. Street cleansing continues to be an area of focus.

2 Background

- 2.1 Suez were awarded the contract for Mid Kent in 2023. The Mid Kent Waste Partnership includes Ashford Borough Council, Maidstone Borough Council and Swale Borough Council. Suez undertake bin collections for all councils and street cleansing for Ashford and Swale only.
- 2.2 The contract is an eight-year contract that started in March 2024.
- 2.3 In July 2025 Officers updated Members at the Environmental Services and Climate Change committee on annual performance. It was recommended that a *lighter touch* mid-year update report was presented to members in Autumn 2025.
- 2.4 This report delivers against the 2025 Waste and Street Cleansing Scrutiny review recommendations.

Strategic Matters

- 2.5 The final contract prices have been agreed for 2025/26. This included complex agreements over TUPE figures and other parameters such as indexation for

some elements and property number increases. The future uplifts will be less complex as they will be primarily indexation calculations with annual adjustments for property number changes.

- 2.6 At the time of writing, the financial performance mechanism figure for 2024/25 is likely to be agreed as per contract terms and conditions.
- 2.7 The packaging Extended Producer Responsibility (pEPR) year 1 payment figures were reviewed by DEFRA and revised letters were sent to Local Authorities in July 2025. The revised figure for Swale was £2.31M to be paid in increments in Nov (double payment); Jan; and March. This figure was approximately £1M more than the previous notification from DEFRA. However, the full figure is not guaranteed and is dependent on what the scheme administrators receive from producers. The government have, for this transitional year only, guaranteed the same £1.4M that we received last year for 2025-26. Future years carry no guarantees. The figure is based upon a Pack UK Local Authority Packaging Cost and Performance (LAPCAP) model. The LAPCAP model considers factors such as frequency, pattern and types of collections alongside population densities, property types and accessibility (rurality) and levels of deprivation.
- 2.8 DEFRA sent a further letter in May 2025 to advise that they will be appointing a Producer Responsibility organisation (PRO). It will play an important leadership role in pEPR delivery. Pack UK will appoint the PRO in March 2026. Over time it is likely that the PRO will absorb some of the functions of Pack UK. DEFRA recognises that some LA's may have concerns, but they feel that producer led schemes are necessary to achieve efficiencies.
- 2.9 The regulator will have the power to deduct 20% of EPR payments if the LA does not reach the necessary '*efficient and effective*' standards. The criteria used to determine 'efficient and effective' are not yet totally clear.
- 2.10 The Kent Joint Municipal Waste Management Strategy 2025- 2030 (KJMWMS) is currently being reviewed by KCC and partners and is likely to be shared wider later this year/ early 2026.

Simpler Recycling

- 2.11 As detailed earlier in this report, food waste collections will be required from all residential premises by April 2026.
- 2.12 National trials for collections of films and flexible plastics have completed (Findings are available to read in the FlexCollect report – a link can be found in the background papers). Discussions are taking place between the waste disposal authorities and the material recycling facilities regarding how these materials should be collected once the new burden to collect these arrives in March 2027. It seems there are questions around collection methodologies, infrastructure and markets for these materials which are still being discussed.

- 2.13 Deposit Return Schemes for plastic drinking bottles are still due to launch in England in October 2027. The intention is to reduce litter and increase recycling. Removing plastic bottles from kerbside collection schemes will impact composition dynamics and disposal/ waste value figures.

Waste Collections

- 2.14 Under 'Simpler Recycling', all properties in Swale must have waste food collections by April 2026. A project is ongoing by officers to deliver this. Although the vast majority of individual properties in the borough already receive weekly food collections, there are a small number of roads where these food bins need to be delivered alongside an educational offer to ensure reasonable take up of the scheme.
- 2.15 The main focus for waste food roll-out has been at communal properties and holiday camps. These are more complex services to provide at such premises. Communal properties may have limited space for additional bins. Officers have been visiting every bin store to capture data on space, services and bins already present. Many of these properties currently receive weekly refuse collections. The current project plan intends to roll out recycling services to these premises as well as food. This will bring these residents in line with the rest of the borough by receiving alternate weekly collections (refuse and recycling) with weekly food. Nationwide data shows that in some communal properties, the shared responsibility for success may reduce the effectiveness of the scheme, so positive roll out, support and education are key.
- 2.16 Suez did undertake a communal round re-route in the summer. This improved collection rates. However, further round changes will be necessary to accommodate the alternative weekly collection requirements. Suez are well aware of these requirements and they are considering the procurement of new communal collection vehicles to ensure this is completed as efficiently as possible.
- 2.17 Swale received £58.5K capital funding for food containers in 2023/24. DEFRA also notified Swale that a revenue payment of £77.5K will be received. This consisted of £60.5K in 2024/25 for container delivery and project management and £17K will be awarded in 2025/26 for comms & procurement. No funding was received by Swale from DEFRA for new vehicles. Quarterly reporting to DEFRA is required on how new burden food grants are being spent.
- 2.18 From April 2026, it is understood that the ongoing resource funding for food waste will be provided through the finance settlement rather than as a separate new burdens grant.
- 2.19 A recent joint project with KCC promoted food waste awareness and recycling in Swale by placing stickers on wheelie bins. The project was more successful than expected with food waste tonnages increasing significantly and remaining at about 30% higher than last year.

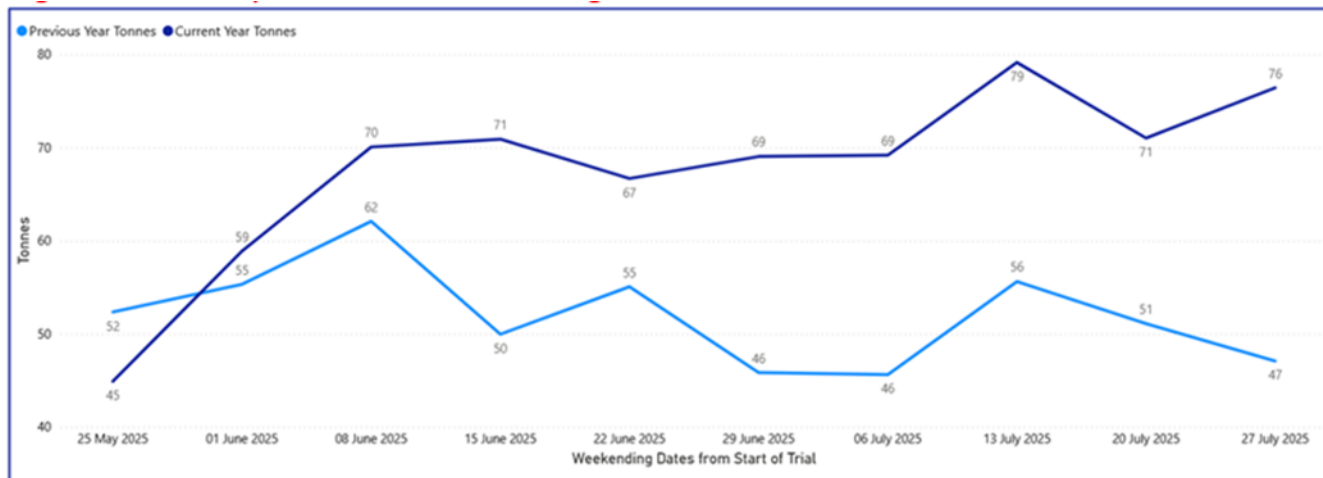


Figure 1 – Graph to show food tonnages in Swale

- 2.20 The project resulted in residents requesting over 8000 food bins. The excessive figures resulted in some delays to bin deliveries. Consequently, food tonnages remain higher in 2025 than in 2024. At the moment there is not enough data to determine if this resulted in a corresponding decrease in residual household waste tonnages.
- 2.21 Collection performance has continued to improve. Figure 2 shows that over 99% of wheelie bins collected between April and September 2025 were collected on their scheduled day. August and September showed further improvements on this figure. *Please note that roads that were attempted to be collected but access prevented collection, are counted as 'completed' from a performance perspective.*

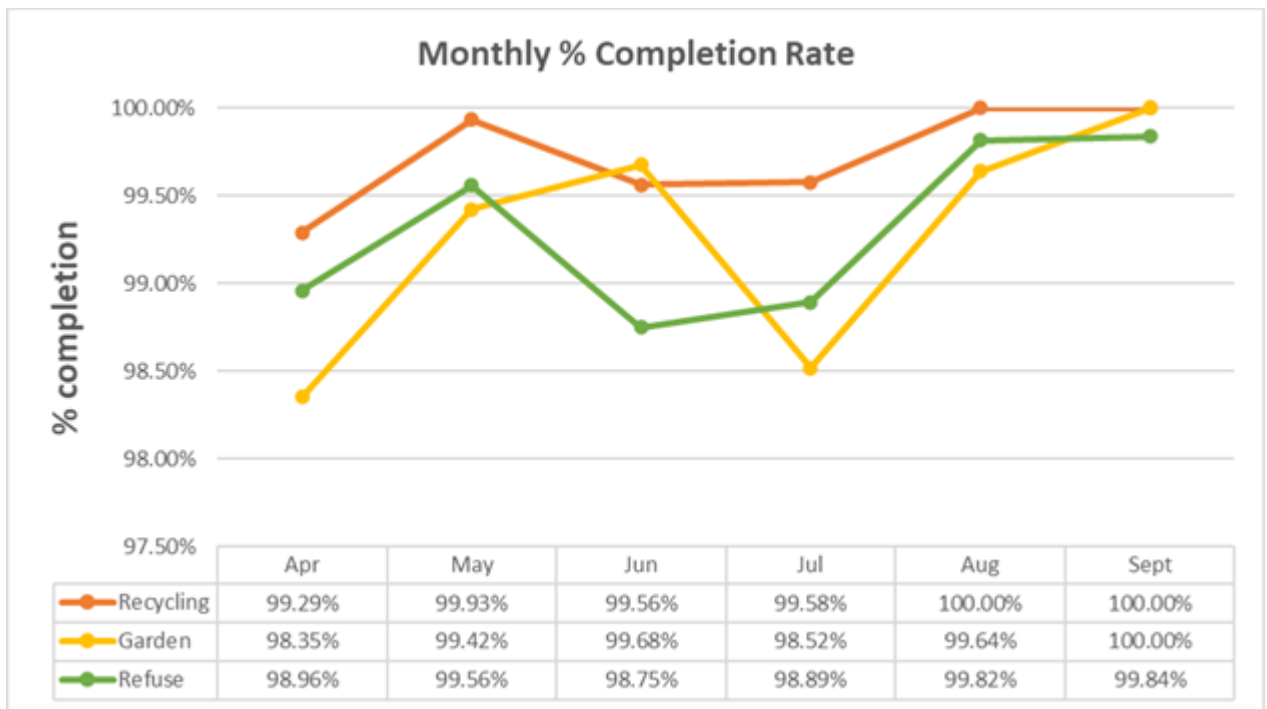


Figure 2 – graph to show collection performance from April – Sept 2025

The following graphs show that missed bin collections for recycling and refuse continue to reduce month on month.

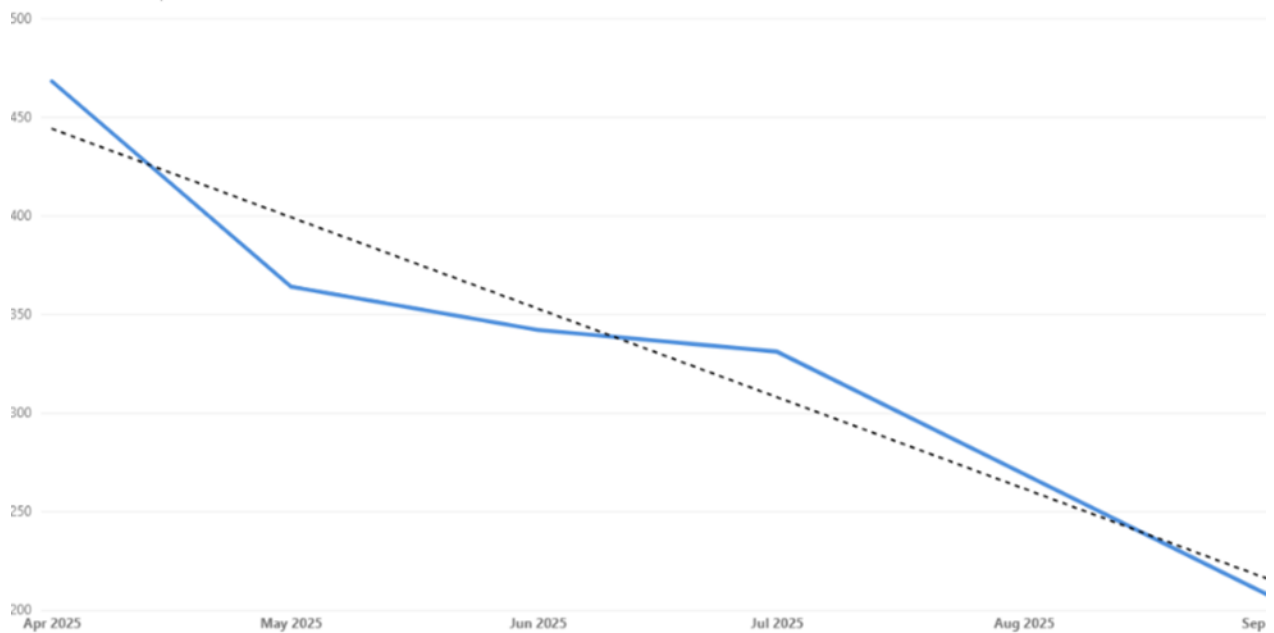


Figure 3 – Graph to show the number of reported missed recycling collections since April 2025

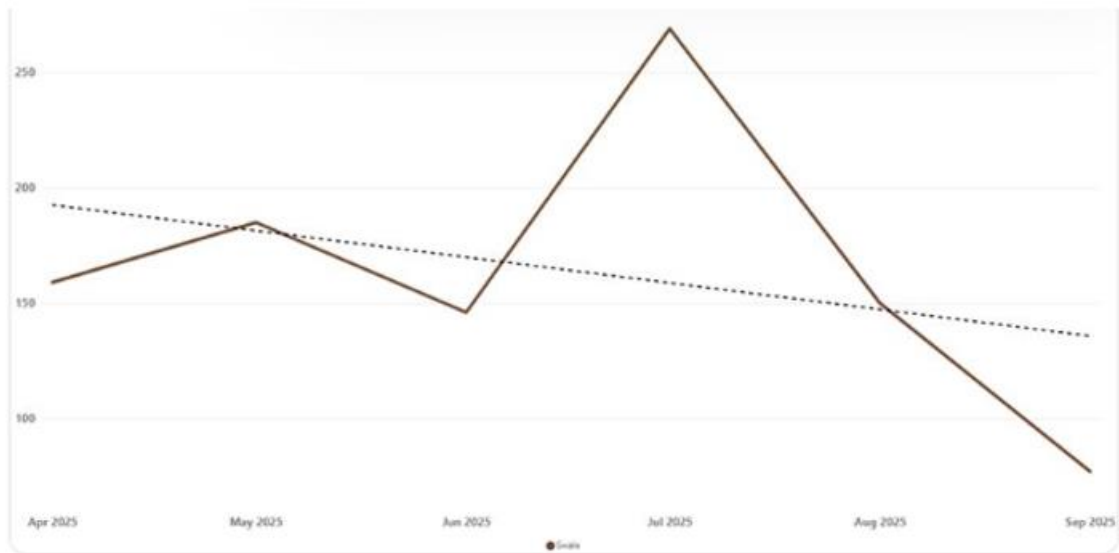


Figure 4 – Graph to show the number of reported missed refuse collections since April 2025

- 2.22 It is also important to recognise that performance has improved for rectifying missed bins once reported by residents. Since May 2025, the number of missed bins that were not returned for within 24 hours has steadily fallen, with the vast majority being collected the following day.
- 2.23 Feedback from operational officers advise that this past summer has been impacted by fewer staff related issues and absences than in many of the previous years (including under the previous contractor). Suez advise that this is because they have far better mechanisms and procedures in place.
- 2.24 There has been ongoing recycling education and social media posts over the past few months. A focus was during national recycling week at the end of September. These posts were well received by residents. The posts continue to advise on what can and cannot go in certain bins.
- 2.25 Contamination of recycling bins remains a concern. It is not uncommon for entire lorry loads to be re-categorised as ‘residual waste’ if the contamination levels are excessive. Consequently, these materials are lost from the circular economy forever as residual waste goes for incineration (energy from waste). The overall cost of incinerating waste is higher than recycling it. This is likely to become even more of an issue for future unitary authorities and waste disposal authorities as Emission Trading Schemes expand to encompass the waste sector in the coming years.
- 2.26 Officers are working with Suez to ensure more recycling bins are being checked at the point of emptying, with bins being left if contaminants are present. Bins should have a tag placed on them to advise residents of the reason why the recycling bin was not taken. Crews should also photograph the contents in case of complaints. The intention is for the scale of these operations to increase over

coming months to target specific contamination items in the areas where we have the highest rejection rates.

- 2.27 The main contamination items that cause the rejected recycling loads are food waste; black bin bags, textiles and used dirty nappies.



Figure 5 - contamination in recycling bins

- 2.28 At the time of producing this report, recycling data was only available for Q1. The data is yet to be verified but it is indicating a recycling rate around 36.6% for Q1.
- 2.29 Through the Kent Resource Partnership (KRP), the 12 LA Members commissioned a consultancy to consider whole system costs for waste collection and disposal. This work was commissioned to identify possible savings. It will also assist Swale BC in writing an assessment to explain why the authority is not collecting paper and card (fibres) separately to the other recyclables. The report suggests that there are no whole system financial savings to be made within Swale by collecting fibres separately. However, separating paper and card remains the government's preferred model.
- 2.30 The report uses 2023/24 data, which highlights that Swale residents produce more Kg/HH/year of residual waste than many other Kent LA's. The 2023/24 data also shows that Swale residents recycle less than some other Kent LA's. This may be partly due to the high contamination levels in Swale recycling bins e.g food, black bags, textiles etc.
- 2.31 2025 composition studies have concluded in Swale for residual bins and food bins. The main summary findings identify that 27% of waste in the green wheelie bins was food waste. 86% of this food waste was avoidable. Half of all discarded food in the green wheelie bins was still packaged.
- 2.32 43.1% of residual waste could have been recycled at the kerbside (over 2kg/HH/week)

- 2.33 Food waste bins have very little contamination. Residents who use these are using them well, although 72% of the waste food in the bins could have been avoided. The future focus needs to be on better participation by residents in food waste collections.

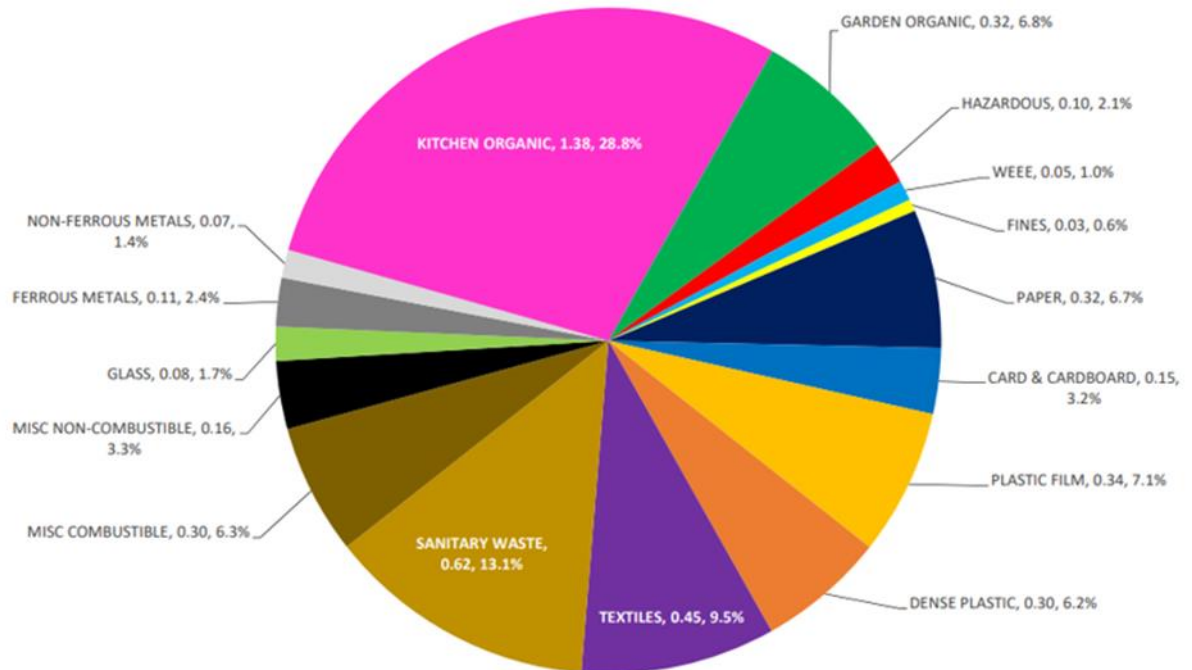


Figure 6 – pie chart to show average Swale residual bin waste composition (Kg/HH and %)

Street Cleansing

- 2.34 With waste collection performance continuing to improve, our focus remains on making improvements to street cleansing.
- 2.35 Suez have completed their road cleansing scheduling. This information is ready to be uploaded into the Suez Software system called 'CORE'. Once uploaded it will allow much better monitoring of performance.
- 2.36 The upload will take place once all litter bins have been identified and recorded on the cleansing schedule. This process was delayed due to staff issues. The remainder of the litter bin audit work is being undertaken by Suez officers so as to progress as swiftly as possible. The litter bin data will be checked by Swale BC officers prior to upload.
- 2.37 In parallel with the audit, Swale BC officers will continue the work of placing QR codes on litter bins to allow residents to report issues with litter bins using their mobile device. There have been issues with the initial stickers used and this is being rectified with the original company used.

- 2.38 At the time of writing this report, the autumn leaf cleansing schedule has commenced to target roads where leaf litter is more of an issue.
- 2.39 Environment officers have undertaken two partnership enforcement events since April. These operations target drivers of vehicles possibly committing waste related offences. Between April 2025 and September 2025, ten fixed penalty notices (FPNs) have been issued for waste related offences.
- 2.40 Fly tipping events have reduced by 388 incidents (25%) between April – Sept in 2025 compared to the same period in 2024.

Fly Tipping Incident Data		
	01/04/2024 to 30/09/2024	01/04/2025 to 30/09/2025
Land Type	Number of Incidents	Number of Incidents
Totals	1533	1145
Year	2024	2025
Unclassified	15	9
1A - Highway	891	618
1B - Footpath or Bridleway	92	55
1C - Back Alleyway	326	297
1E - Council Land	154	131
1F - Agricultural	6	0
1G - Private Residential	24	21
1H - Private Commercial	4	4
Industrial		
1J - Watercourse or Bank	21	10
Waste Type	Number of Incidents	Number of Incidents
Totals	1533	1145
Year	2024	2025
Duplications	31	22
2A - Animal Carcasses	1	0
2B - Green	49	37
2C - Vehicle Parts	13	20
2D - White Goods	124	99
2E - Other Electric	30	13
2F - Tyres	29	14
2G - Asbestos	32	7
2J - Construction/demolition	141	82
2K - Black Bags Commercial	11	17
2L - Black Bags Household	133	102
2M - Chemical Drums Oil or Fuel	13	14
2N - Other Household Waste	815	608
2O - Other Commercial Waste	56	35
Other Unidentified	55	75

Tip Size	Number of Incidents	Number of Incidents
Totals	1533	1145
Year	2024	2025
Duplications	31	22
3B - Single Item	247	243
3C- Car Boot load or less	230	236
3D - Small van load	586	421
3E - Transit van load	421	203
3F - Tipper lorry load	18	20

Figure 7 – comparison of fly tipping from April – Sept 2024 compared to the same period in 2025.

- 2.41 At the start of October, officers commenced a preliminary market engagement exercise to explore opportunities for future additional environmental enforcement contracts. Previous similar contracts tackled issues such as littering and dog fouling. Updates will be shared with this committee as feedback is received.

Social Value

- 2.42 As a partnership, Swale, Suez and CXK (a training provider) delivered its first 'Upcycle Your Skills' programme. The scheme took place on the Isle of Sheppey.
- 2.43 Upcycle Your Skills is a five-week programme designed to boost young people's employability and introduce them to local employers. Participants were not currently in education, employment, or training (NEET), or they were at risk of becoming so. Upcycle Your Skills equipped participants with vital skills, confidence, and opportunities.
- 2.44 The report is attached as Appendix I. It achieved some remarkable successes. One beneficiary has already been offered a Street Cleanser role with Suez after impressing them in interview.
- 2.45 Suez continue to explore opportunities to provide 'two minute litter pick stations' around the borough. Suez are also continuing to explore how they can assist Repair Cafes with WEEE recycling (waste electronic and electrical equipment). This may involve some area-based roadshows.
- 2.46 Suez have produced their first ever 'Social Value and Impact Report'. The report is for Mid Kent and Suez would be keen on feedback (see Appendix II). The report uses 15 monetised metrics and suggests that contract year 1 had a total social value impact of £4.15M.
- 2.47 The 'Active Citizenship Together' scheme (ACT) has continued this year. This is currently funded via income from Fixed Penalty Notices for waste related offences. Between April – September the team of prison offenders have undertaken 22 days of work which included clearing fly tipping, litter picking and tidying land where the ownership is unknown; canal clearance; rubbing down and re-staining benches; painting goal posts and allotment clearances.

3 Proposals

- 3.1 To review and discuss performance between April 2025 and September 2025.

4 Alternative Options Considered and Rejected

- 4.1 Stop providing councillor updates - The council are not statutorily obliged to produce these reports. However, members have specifically requested updates on performance of this contract so the 'do nothing' option is not recommended.

5 Consultation Undertaken or Proposed

- 5.1 Satisfaction surveys were undertaken prior to the new contract launching. Consultations were also undertaken as part of the member led waste scrutiny review process (published in January 2025). Officers are considering undertaking a further waste collection and street cleansing satisfaction survey in late 2026 and members views on this would be appreciated.

6 Implications

Issue	Implications
Corporate Plan	The waste collection and street cleansing contract is the council's largest contract and it impacts every resident in the borough. Therefore, it is relevant to many of the corporate priorities.
Financial, Resource and Property	The costs of this contract will be reported in the end of year financial reports. The new fleet cost over £7M for Swale. The streets element of the contract is circa £2.4M and the waste collection element is circa £5.4M. There are also some services which are payable by residents. In 24/25 garden waste subscriptions generated £1,184,169 and bulky waste services generated £108,138 to offset costs against the overall service price. DEFRA have suggested that packaging Extended Producer Responsibility (pEPR) contributions in 2025/26 may increase to £2.31M. However, this full amount is not guaranteed and a lesser amount of around £1.4M may be awarded if the scheme administrator does not receive all payments due from packaging companies. Swale received £58.5K capital funding for food containers in 2023/24. DEFRA also notified Swale that we will receive a revenue

	payment of £77.5K spread across 2024/25 and 2025/26. Reporting is required back to DEFRA by end of October 2025 on how revenue grants for food waste new burdens are being spent. These reports will be required quarterly.
Legal, Statutory and Procurement	The council are legally required to provide waste collection and street cleansing services. Under the 'Simpler Recycling' regime, Local Authorities will need to provide weekly food recycling services to all residential premises by April 2026. Under 'Simpler Recycling', Local authorities will need to start collecting films and flexible plastics by 2027. KCC are yet to advise on the collection methodology. Discussions are ongoing with the material recycling facilities. The Deposit Return Scheme (DRS) for plastic drink bottles is expected to come into force in England in October 2027.
Crime and Disorder	The swift removal of litter and fly tipping assists in reducing the 'broken window' effect and keeps the borough clean. Officers continue to tackle waste related crime.
Environment and Climate/Ecological Emergency	This was fully discussed throughout the contract award as it was a key priority for Members. The new fleet have electric bin lifts and are Euro VI compliant which reduces emissions. The full round re-routes for collections reduced mileage of vehicles, thus reducing vehicle emissions. Suez are currently reviewing further alternative fuel options for the existing fleet. Improving recycling rates by tackling contamination will improve environmental performance further.
Health and Wellbeing	Adequate street cleansing reduces litter, detritus and dusts building up on roads and becoming airborne.
Safeguarding of Children, Young People and Vulnerable Adults	The collection routes have been developed to avoid busy areas like schools at the busiest times of the day. The impact of disrupted services can affect vulnerable residents more, so specific attention is paid to assisted and clinical collections.
Risk Management and Health and Safety	Service was unsatisfactory at the start of the contract. However, improvements were consistently made. Service is currently in a much better position than in contract year 1. The team are meeting regularly with Suez to ensure the communal food roll out goes as smoothly as possible by April 2026. At

	present the team intend to deliver food and dry recycling to many of these premises at a similar time. Suez are advising that they will adjust collection schedules for these specific premises. The street cleansing modules and scheduling have been developed but they are yet to be uploaded and put into effect. This is being managed through regular meetings and action plans.
Equality and Diversity	The service provides for every resident in the borough. Additional measures have been implemented to ensure all residents have access to the waste collection service. For example, residents can request 'assisted collections' if they are unable to put bins out themselves. The contractor also collects clinical waste and sharps from residents on prescribed medication.
Privacy and Data Protection	None

7 Appendices

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

- Appendix I: Upcycle Your Skills Swale – End of programme report (July – August 2025)
- Appendix II: Mid Kent Waste Partnership Social value and Impact Report 2024/25.

8 Background Papers

The waste collection and street cleansing annual report that was presented to the Environment Services and Climate Change Committee in July 2025 (along with the minutes of that committee meeting) are available here:

https://services.swale.gov.uk/mwg-internal/de5fs23hu73ds/progress?id=u11573ahKQ0_wPr7aHwhWpb1brVkkVXOtXCbCnRhXSk,

The full waste scrutiny report by the cross party member group (published Jan 2025) can be found here <https://news.swale.gov.uk/news/waste-scrutiny-review#:~:text=The%20review%20worked%20to%20identify,responses%20to%20the%20public%20survey>.

FlexCollect report <https://flexibleplasticfund.org.uk/flexcollect-report-2025>

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Upcycle Your Skills Swale

End of Programme Report

July to August 2025



Successes and Strengths

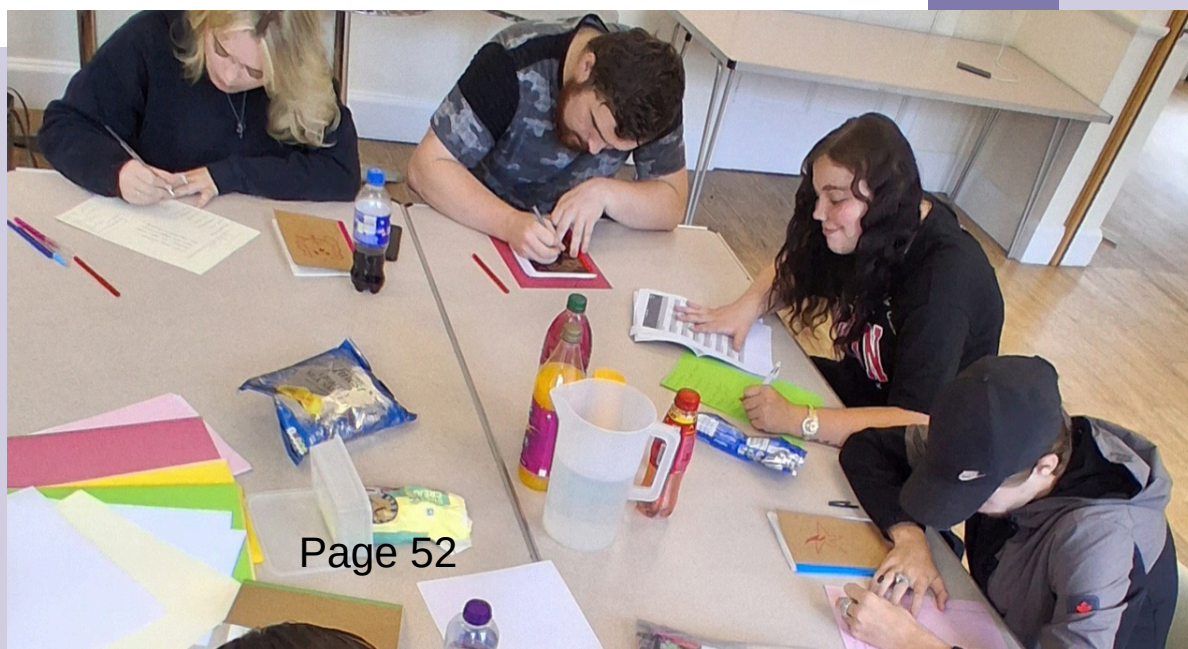
CXK successfully delivered its first Upcycle Your Skills programme in partnership with SUEZ and Swale Borough Council in summer 2025.

Upcycle Your Skills is a five-week programme designed to boost young people's employability and introduce them to local employers. Supporting young people in Swale who were not currently in education, employment, or training (NEET), or at risk of becoming so, Upcycle Your Skills equipped participants with vital skills, confidence, and opportunities. The course paved the way for those who took part towards brighter futures.

The comprehensive programme offered a blend of personalised and group support. Participants began with a one-to-one goal-setting session to set personal aspirations. This was followed by twice-weekly interactive group sessions focusing on essential skills such as team building and communication, CV writing, interview techniques and how to explore local training, apprenticeships, and employment options.

A distinguishing feature of Upcycle Your Skills was the access participants gained to employers. Through meet-and-greet sessions and behind-the-scenes insights, young people learned about the SUEZ operations and the diverse career paths available.

Crucially, SUEZ also provided participants with the direct opportunity to interview for live vacancies, offering a tangible pathway into employment. One CXK beneficiary has already been offered a Street Cleanser role with Suez after impressing them in her interview.



Successes and Strengths



During the programme, we supported 10 local young people who were unemployed and completely disengaged from all provision. With mentoring and guidance from our Engagement and Employability Coaches, we saw their motivation and determination to succeed grow immensely. All participants built the confidence to attend sessions regularly, with three even achieving 100% attendance – a huge step for them and something they had never managed before.

Each participant was supported to successfully engage with, consider, and apply for work or training placements, including opportunities with SUEZ, the NHS, construction agencies, and apprenticeships. Some have already secured offers, including employment as a Care Assistant, Warehouse Operative, and Street Cleanser with SUEZ. In addition, another young person has been offered a volunteering opportunity with a local children and families centre.

Recruitment to the programme was supported by The Education People, Sheerness and Sittingbourne Jobcentres, and the Youth Justice Team, alongside self-referrals generated through our social media channels.

We are incredibly proud of the young people who took part and the journeys they have been on. It has been a privilege to play a role in their stories and to open up the opportunities made possible through Upcycle Your Skills.

Community Partnerships

CXK is always delighted to work alongside partner organisations and community groups, and Upcycle Your Skills has been no exception.

We are particularly pleased to have established a new partnership with SUEZ and Swale Borough Council, whose contribution to the programme has been invaluable. From delivering a Guess My Job session to hosting a Mini Careers Fair, as well as engaging in informal conversations throughout, they have provided young people with meaningful exposure to a wide range of career options and brought different pathways to life.



The Summer 2025 programme also benefited from the support of The Pyramid Project, Jacobs, Community Church Sheppey, Seashells Children's and Family Centre, Oasis Community Hub, the NHS, and Sheerness County Youth. Each organisation offered something unique, helping participants take important steps forward in their journeys. We are deeply grateful for their commitment and collaboration.

We are incredibly proud to have teamed up with CXK and SUEZ to offer this much-needed support to the young people within Swale. A huge thank you to our partners and the young people who took part in the training, committing their time and effort to helping themselves succeed.” - Swale Borough Council

Impact

Beneficiaries were asked to rate their skills on a scale of 1-5 at the beginning and end of the programme. Look how many more said they rated their skills as good or above by the end of the programme compared to the start!

Survey Statistics	Rated Good or Above	Rated Good or Above
	Week 1	End of Programme
Do you feel confident, and that you can succeed in achieving your goals?	50%	100%
Do you feel that you can learn what you need to achieve your goals?	66.7%	75%
Do you feel prepared to successfully find work?	66.7%	100%
Do you feel like you have people that you can contact, who can support with your career and future aspirations?	66.7%	75%
Do you feel able to access help to support with your current situation?	66.7%	100%
Do you feel that you can overcome various challenges thrown at you?	50%	100%
Do you feel like you can easily communicate with people from different settings?	50%	100%

Good News Stories

Here are some of the key milestones and outcomes achieved by the young people who took part.

Georgina - From Exploration to Employment

When Georgina joined Upcycle Your Skills, she wanted to explore the career options available to her. During an interactive group exercise, her eyes were opened to roles such as mental health nurse, carer, and travel guide. At the mini careers fair, she spoke with a qualified nurse, gaining valuable insight into NHS opportunities. Before the programme had even finished, Georgina successfully interviewed for a Carer position and was offered the job.

“
It's been helpful to know I'm getting something out of this course.
”

Steven - Building a Future

Steven joined Upcycle Your Skills determined to make positive changes for himself and his new family. He showcased leadership and initiative throughout the sessions and learned more about apprenticeships as a route to earning while gaining qualifications. Initially unsure about the idea, Steven gained a clear understanding of the benefits and was motivated to apply for his first apprenticeship role by the end of the programme.

“
This course has given me more understanding about what skills I have and what skills I need.”
”



Sian - Back on Track

After a period of ill health, Sian was eager to return to work. She seized every opportunity available through Upcycle Your Skills and, by the end of the programme, secured full-time employment as a Warehouse Operative.

Katy - Rebuilding Confidence

At just 18, Katy came to Upcycle Your Skills after leaving college due to a traumatic life event that had derailed her dream of becoming a midwife. Through the programme, Katy regained her confidence and began exploring opportunities in healthcare once again, as well as considering other possible career paths.



Good News Stories



Jesse Finds His Voice

With a poor experience of school, a diagnosis of ADHD, and low confidence around new people, Jesse set himself the goal of speaking in front of a group. Through Upcycle Your Skills, he achieved this on multiple occasions and grew in confidence with every session.

Dan Discovers His Potential

Referred by the Youth Justice team, Dan joined Upcycle Your Skills to improve his communication skills and connect with others. Interested in scaffolding and construction, Dan was surprised when his peers identified qualities suited to roles such as social worker, site manager, or counsellor. His natural curiosity shone through as he spoke up in group discussions and grew in confidence during employer visits.

By the end of the programme, Dan had the motivation and self-belief to pursue opportunities and secured a promising employment lead.

“

I loved the experience, it was very eye opening. I learned a lot of different things about finding jobs but also about myself as well and everyone I met was so lovely. I am glad I had the chance to do it.

”

Paul Gets interview Ready

Paul joined Upcycle Your Skills to improve his skills and job prospects. He took part in a mock interview with an international employer - something he had never done before.

The experience and positive feedback gave Paul new confidence, and he now feels much more prepared for real job interviews.

Ricky - Growing in Confidence

Ricky joined Upcycle Your Skills to build skills and gain new experiences, as he lacked confidence in meeting and speaking with new people, especially in groups. Week by week, Ricky's confidence grew, and he became an active contributor in group discussions. By the end of the programme, Ricky had secured a new volunteering role at a local children's centre.



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Mid Kent Waste Partnership social value and impact report

01 April 2024 – 31 March 2025



Foreword

This report is an important milestone in our contract with the Mid Kent Waste Partnership. In our first year, we have been able to demonstrate not only the delivery of essential services, but also the wider social value that this contract brings to the communities of Ashford, Maidstone, and Swale.

The data here speaks volumes. Behind these numbers lies a story of people, communities, and shared progress: from providing stable local jobs and supporting community groups to opportunities for young people and measurable improvements for our environment.

While we are proud of these achievements, we also recognise that this is just the beginning. Year 1 has provided us with valuable insights and a strong foundation on which to build. The lessons learned, combined with the commitment of our teams and the support of our local partners, give us confidence that we can achieve even greater results in the years ahead.

We are grateful to everyone who has played a role in delivering these outcomes so far. Our vision remains clear: to embed social value in everything we do, ensuring that our services deliver lasting benefits beyond the day-to-day.

Vincent Masseri

General Manager – Municipal South
SUEZ recycling and recovery UK

Introduction

This report provides an overview of the social value generated during Year 1 of SUEZ's contract with the Mid Kent Waste Partnership. This analysis is based on 15 monetised metrics, with total social value calculated at £4,149,373.47.

Social value refers to the combined environmental, social and economic impacts an organisation creates. This includes outcomes such as providing jobs and training, as well as protecting the environment. By understanding and quantifying these effects, we can capture the wider contribution of our services beyond their immediate function.

Included in this report is a breakdown of how this social value is created across the three elements that make up social value – economic, social and environmental impacts – and by each of the 15 individual metrics. In presenting this total, we also distinguish between the social value generated through the delivery of core services and the specific value delivered against the contractual social value commitments. This approach makes clear that the contractual commitments represent only part of the overall impact, while also highlighting the additional value SUEZ brings through its core service delivery.



Approach to social value

At SUEZ, creating social value is at the heart of what we do. We recognise that our role goes beyond delivering essential environmental services and that we are also a partner in supporting thriving, resilient communities.

We track our impact using a bespoke social value measurement framework underpinned by the National Social Value Standard (SVS) through the Loop platform. This gives us a robust and credible way of assessing outcomes across economic, social, and environmental metrics. Our custom dashboard monitors 88 KPIs across wellbeing, employment, community initiatives, supply chain activity, and environmental enhancements. This ensures that our results are consistent, transparent, and aligned with best practice.

It is important to note that the figures reported here are specific to SUEZ and are not designed to be compared directly with those of other organisations. The purpose of using the bespoke Loop tool is to enable us to track our own performance year on year, recognising that other organisations may use different metrics, even if also working with Loop. In addition, the Loop platform is regularly updated, which may require us to revisit and adjust previously reported figures in future years. This ensures that comparisons are always made on a like-for-like basis and reflect the most up-to-date methodology.

At a glance – Headline figures

Total social value achieved for the Mid Kent Waste Partnership

£4,149,373.47

Social value ROI % for the Mid Kent Waste Partnership

120.00

Social value ROI ratio for the Mid Kent Waste Partnership

£1.20

Social

£11,348.20

Environmental

-£163,979.23

Economic

£4,302,004.50

Achieved total social value from contractual commitments

£13,189.79

Social value ROI % from contractual commitments

63.00

Social value ROI ratio from contractual commitments

£0.63

Social

£727.45

Environmental

£314.01

Economic

£12,148.33

Impact by theme

This reporting period demonstrates the significant positive impact created through the contract, with a total social value of £4,149,373.47 generated across economic, social, and environmental impacts.

This represents a social value Return on investment (ROI) of 120% and an ROI ratio of £1.20, illustrating that for every £1 invested, additional value is being created. This demonstrates both efficiency and effectiveness in delivering impact and provides a strong base from which to build in future years. Importantly, this figure represents tangible benefits for local communities and the environment in Maidstone, Ashford and Swale.

If we focus specifically on the contractual social value commitments, the outcomes achieved in Year 1 equate to £13,189.79 in social value generated, representing a return on investment (ROI) of 63%. These commitments go beyond the core collection and cleansing services, requiring the delivery of associated social and environmental initiatives, which are managed by a dedicated member of staff. This strong performance demonstrates the tangible impact of these initiatives in delivering meaningful benefits for local communities in Mid Kent.

This achievement shows how wide-reaching the benefits have been in Year 1 of the partnership. From supporting community wellbeing and opening up new opportunities employment and training for individuals, to building stronger links with local organisations, the impact goes beyond the

headline numbers. By making social value a core part of how we work, we're going beyond core service delivery, and delivering social, economic, and environmental benefits with long term impact.

Economic impact

The most significant contribution was generated in the economic domain, with a total value of £4,302,004.50. This figure reflects the direct and indirect ways our activities have strengthened the local economy.

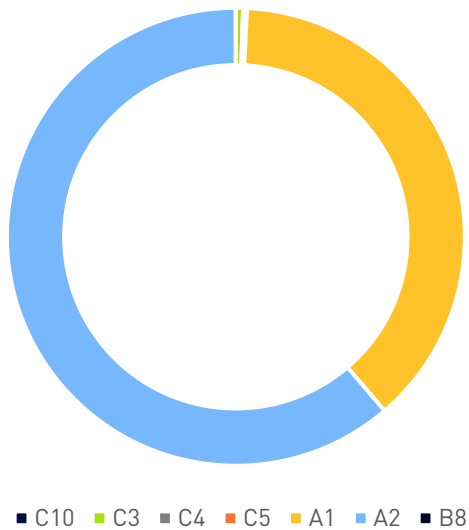
A total of seven metrics have been used to calculate the economic value generated during the first year of the Mid Kent Partnership contract (see Figure 1). These measures provide a well-rounded picture of how our activities have contributed to the local economy. They cover a range of factors including employment opportunities created, spend with local suppliers, support for small and medium-sized enterprises (SMEs), training and skills development, and other forms of investment that circulate money back into the community. By applying this multi-metric approach, we can demonstrate not only the scale of the financial impact delivered but also the breadth of ways in which value has been created for people, businesses, and the wider economy.

Figure 1 – Details of metrics used to calculate the generated economic value for Year 1 of the Mid Kent Waste Partnership

Metric	Description	Achieved	Achieved value
C10 - Monetised - Supply chain - Payments made within 30 days	£s spent with suppliers in the UK where payments were made within 30 days. This metric can be used with the other supply chain metrics without causing over counting because it focuses on the payment on time aspect.	£147,148.81	£560.37
C3 - Monetised - Supply chain - Supply chain spending - Small business	£s spent in the UK where it related to a small sized business. Do not double-count the spend with any of the other supply chain spending metrics. For further information on how this is defined by the UK government, please refer to the SVS glossary.	£602,379.49	£21,104.62
C4 - Monetised - Supply chain - Supply chain spending - Medium business	£s spent in the UK where it related to a medium sized business. Do not double-count the spend with any of the other supply chain spending metrics. For further information on how this is defined by the UK government, please refer to the SVS glossary.	£507,506.05	£8,890.34
C5 - Monetised - Supply chain - Supply chain spending - Large business	£s spent in the UK where it related to a large sized business. Do not double-count the spend with any of the other supply chain spending metrics. For further information on how this is defined by the UK government, please refer to the SVS glossary.	£355,246.21	£3,111.55
A1 - Monetised - Employment and economic - Jobs - General	This metric represents all the jobs in your organisation which are not apprenticeships. This is recorded as full-time equivalents (FTEs). The duration can also be altered accordingly.	354.75 FTE	£1,637,286.63
A2 - Monetised - Employment and economic - Gross operating surplus	This metric represents the economic value of an organisation aside from the income paid in wages. This portion of value is referred to as gross operating surplus and combined with wages makes up gross value added.	N/A	£2,641,529.04
B8 - Monetised - Health, training, and skills - Training - Hourly - General	Total number of hours of training provided. This should not include hours which would later be counted in the completed qualifications/apprenticeship metrics.	9.00 hours	£197.00

The largest contributors to the economic value achieved by the contract in Year 1 are general employment and gross operating surplus.

Figure 2 – Social value achieved across economic impacts for Year 1 of the Mid Kent Waste Partnership

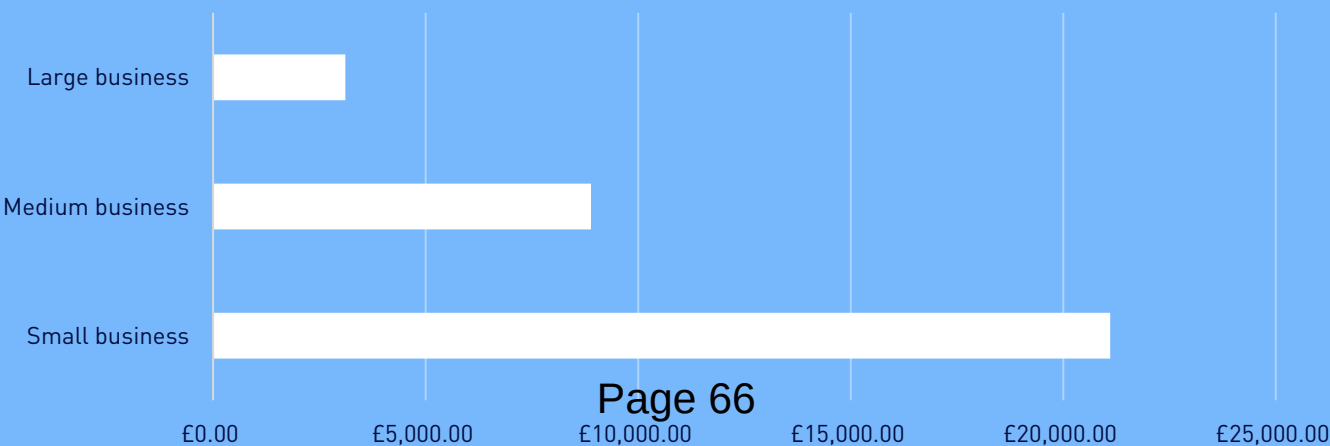


General Employment (A1) accounts for 354.75 full-time equivalent (FTE) positions, generating £1,637,286.63 in social value. This reflects the direct impact of the contract on local employment, providing stable jobs and income for individuals while supporting workforce development.

Gross Operating Surplus (A2) represents the value generated by the organisation beyond wages, totalling £2,641,529.04. This is not profit, but a standard measure of the wider economic contribution captured through the contract. It reflects the resources and activity that support operations, services, and supply chains, and makes up a substantial portion of the total economic value achieved (£4,302,004.50). Together with wages, it highlights how the contract contributes to the broader economy and delivers long-term social and economic benefits for communities.

In addition to employment and operational activity, spending with UK businesses has also created social value. This supply chain spending generated £33,106.51 in social value, which is about 0.8% of the total economic value of the contract, demonstrating how routine procurement within our business can positively impact communities, supporting growth, opportunities, and wider social benefits. Where possible, we aim to spend with local suppliers in Mid Kent to ensure that the economic benefits of the contract are realised in the local area, further supporting jobs, business growth, and community development.

Figure 3 – Social value achieved via supply chain spending for Year 1 of the Mid Kent Waste Partnership



The contract also delivers social value through training and skills development. One example is the delivery of British Heart Foundation (BHF) RevivR training, which provided 9 hours of training across our three sites and generated £197 in social value under the B8 metric. This training supports staff development, improves wellbeing, and equips individuals with life-saving skills that benefit both colleagues and the wider community. By investing in training opportunities like this, the contract not only enhances workforce skills but also reinforces the broader social impact of the work we do.

The scale of economic contribution reflects our contract's ability to deliver value beyond the delivery of its core services. By focusing on local jobs and working closely with local businesses, we have not only generated significant social value but also created opportunities that support long-term growth. This investment helps to stimulate the local economy by supporting individuals into employment, strengthening business networks and creating future opportunities for people and organisations across our communities. While the scale of these benefits will vary over time and depend on a range of factors, this approach demonstrates a clear commitment to driving sustainable economic impact.

CASE STUDY

British Heart Foundation RevivR training

As part of our ongoing commitment to staff wellbeing, community engagement, and personal development, we partnered with the British Heart Foundation to deliver RevivR training sessions across our Mid Kent sites. This initiative aimed to equip staff with vital lifesaving skills while fostering stronger connections between team members.

The RevivR programme is an innovative, digital-first approach to learning CPR which was introduced to our staff in engaging sessions delivered by our Wellbeing Team.

Designed to be practical and accessible, the training was met with great enthusiasm. Staff from across the sites actively participated, and we were delighted to welcome members of Maidstone Borough Council's waste team, whose involvement demonstrated the wider community value of this initiative.



Economic impact generated by the contractual social and environmental initiatives

Focusing specifically on the economic impact of the contractual social and environmental initiatives, the total value achieved in Year 1 is £12,148.33. This figure highlights the social value delivered by the contract, above and beyond the core essential services. It demonstrates that we are actively generating measurable benefits for the community, supporting employment, workforce development, and wellbeing.

It shows how the targeted social value commitments contained within the contract, such as roles dedicated to delivering social outcomes or training initiatives for our staff, translate into tangible benefits for local communities.

Figure 4 – Details of metrics used to calculate the economic value generated by the contractual social and environmental initiatives

Metric	Description	Achieved	Achieved value
A1 - Monetised - Employment and economic - Jobs - General	This metric represents all the jobs in your organisation which are not apprenticeships. This is recorded as full-time equivalents (FTEs). The duration can also be altered accordingly.	354.75 FTE	£1,637,286.63
A2 - Monetised - Employment and economic - Gross operating surplus	This metric represents the economic value of an organisation aside from the income paid in wages. This portion of value is referred to as gross operating surplus and combined with wages makes up gross value added.	N/A	£2,641,529.04
B8 - Monetised - Health, training, and skills - Training - Hourly - General	Total number of hours of training provided. This should not include hours which would later be counted in the completed qualifications/apprenticeship metrics.	9.00 hours	£197.00

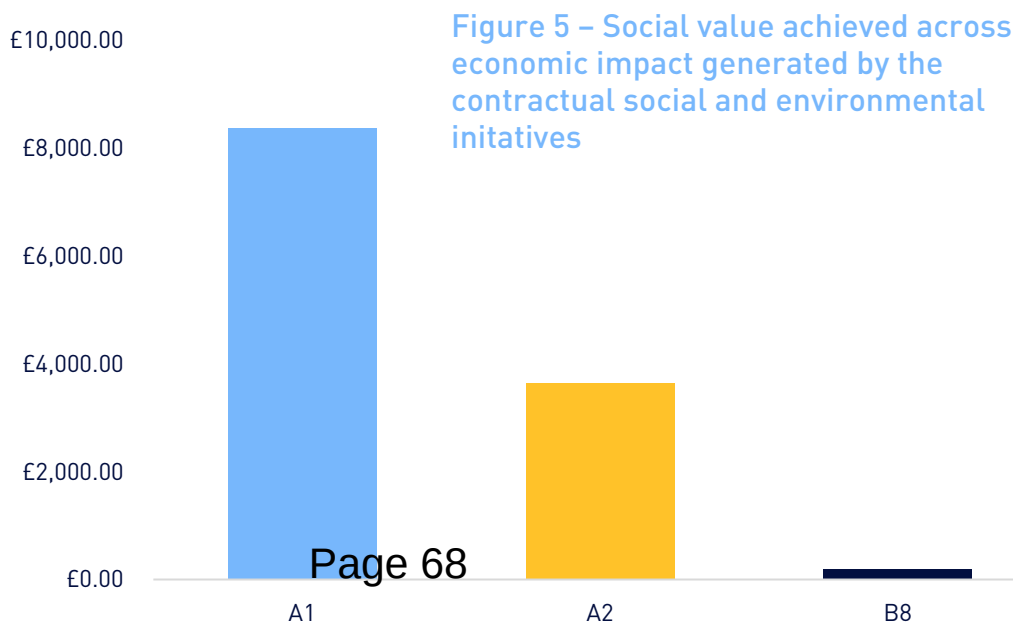


Figure 5 – Social value achieved across economic impact generated by the contractual social and environmental initiatives

Social impact

In the first year of the contract, a total of £11,348.20 in social value was generated across four key social impact metrics (Figure 7), representing some of the most meaningful impacts for local communities and individuals.

Figure 6 – Social value achieved across social impact metrics for Year 1 of the Mid Kent Waste Partnership (excluding metric A1)

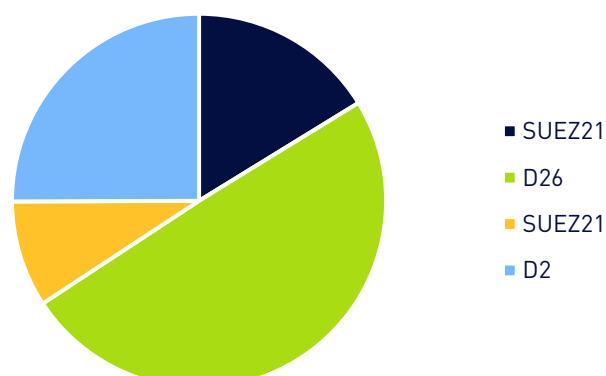


Figure 7 – Details of metrics used to calculate the generated social value for Year 1 of the Mid Kent Waste Partnership

Metric	Description	Achieved	Achieved value
A1 - Monetised - Employment and economic - Jobs - General	This metric represents all the jobs in your organisation which are not apprenticeships. This is recorded as full-time equivalents (FTEs). The duration can also be altered accordingly.	354.75 FTE	£1,637,286.63
SUEZ21 - Monetised - Community - Stakeholder engagement - Hourly - Education	Stakeholder engagement and consultation events, recorded as hours. Examples include: community consultation events, business briefings, individual meetings with community and third parties, design consultations and site visits. This only includes the hours input from staff.	9.00 hours	£171.16
D26 - Monetised - Community - Donations - Cash donations	Donations to heritage groups, local, national and/or international charities, groups, initiatives or events. Can include in-kind donations of goods, materials and services.	£350.00	£333.33
D2 - Monetised - Community - Volunteering - Hourly - Full impact	The number of hours volunteered by staff during working hours, or are compensated through time off in lieu or additional pay. This metric includes both the wellbeing benefit to the volunteer and a standardised assumption on the impact of the volunteering itself. If enough evidence is available on the specific impact of that volunteering and it can be captured separately with other SVS metrics then please use the 'Impact on volunteer' metric which just includes the volunteer wellbeing impact and therefore can be combined with other metrics.	8.00 hours	£168.66

CASE STUDY

In December 2024, our Mid Kent colleagues dedicated their time to supporting two vital community organisations. At Demelza's Larkfield Distribution Centre, our team partnered with Maidstone Borough Council to help process donated clothing and electrical items, gaining valuable insight into the charity's work providing care for children with serious or life-limiting conditions, and their families.

At the same time, our colleagues also volunteered at Repton Connect Community Centre in Ashford, where they carried out hall cleaning to support the centre's operations, donated food, and helped sort stock for the community foodbank. This hands-on contribution ensured the centre could continue to serve local families in need.

Together, these activities highlighted the power of volunteering to create positive impact. They strengthened community partnerships, supported vital local services, and gave staff the opportunity to work as a team while making a difference to the lives of others.



CASE STUDY

As part of our commitment to community engagement and environmental education, we took one of our recycling trucks to Ashford Oaks Primary School to deliver a hands-on learning experience for their Eco Club. The session focused on the waste hierarchy and the importance of proper waste disposal at home, helping students understand how everyday actions can make a difference for the environment.

The Eco Club members had the opportunity to explore the recycling truck and see how it operates, guided by our Contract Manager and Assistant Contract Manager. In total, we spoke to around 120 students, including the Eco Club. Students asked questions about recycling, sustainability, and the different jobs within waste management, gaining insight into the important role our team plays in supporting their community.

This interactive visit not only raised awareness about recycling and sustainability but also inspired students to think about how they can contribute to their community and make environmentally responsible choices. It demonstrates how practical, hands-on engagement can deliver direct educational and social benefits, fostering understanding, curiosity, and a sense of responsibility among young people.

Together, these initiatives show how the contract is delivering measurable social value, supporting communities, enhancing wellbeing, and creating opportunities that extend beyond the organisation's core operations.



Social value generated by the contractual social and environmental initiatives

Looking specifically at the social impact of the contractual social and environmental initiatives, the total achieved in Year 1 is £9,042.70.

Even small amounts of time or resources can create meaningful outcomes when measured through the social value metrics.

The social value created by these initiatives that are delivered alongside the core essential services, illustrates how focused social initiatives generate measurable benefit. It highlights our commitment to supporting communities, fostering opportunities, and creating positive social outcomes that extend beyond core operational work.

Figure 8 – Details of metrics used to calculate the social value generated by the contractual commitments

Metric	Description	Achieved	Achieved value
A1 - Monetised - Employment and economic - Jobs - General	This metric represents all the jobs in your organisation which are not apprenticeships. This is recorded as full-time equivalents (FTEs). The duration can also be altered accordingly.	1.00 FTE	£8,369.55
SUEZ21 - Monetised - Community - Stakeholder engagement - Hourly - Education	Stakeholder engagement and consultation events, recorded as hours. Examples include: community consultation events, business briefings, individual meetings with community and third parties, design consultations and site visits. This only includes the hours input from staff.	9.00 hours	£171.16
D26 - Monetised - Community - Donations - Cash donations	Donations to heritage groups, local, national and/or international charities, groups, initiatives or events. Can include in-kind donations of goods, materials and services.	£350.00	£333.33
D2 - Monetised - Community - Volunteering - Hourly - Full impact	The number of hours volunteered by staff during working hours, or are compensated through time off in lieu or additional pay. This metric includes both the wellbeing benefit to the volunteer and a standardised assumption on the impact of the volunteering itself. If enough evidence is available on the specific impact of that volunteering and it can be captured separately with other SVS metrics then please use the 'Impact on volunteer' metric which just includes the volunteer wellbeing impact and therefore can be combined with other metrics.	8.00 hours	£168.66

Environmental impact

In the first year of the contract, significant volumes of waste were managed in ways that generate measurable environmental value.

Figure 9 – Details of metrics used to calculate the generated environmental value for Year 1 of the Mid Kent Waste Partnership

Metric	Description	Achieved	Achieved value
SUEZ19 - Monetised - Environmental - Bird boxes	The number of bird boxes purchased and installed by the reporting organisation.	3.00	£314.01
E644 - Monetised - Environmental - Carbon dioxide equivalent (CO2e) - Option B - use tool to sum components of CO2e - Waste disposal (CO2e) - Refuse - Organic: garden waste - Composting	Waste disposed in the relevant reporting period. Waste disposal figures should be used for end-of-life disposal of different materials using a variety of different disposal methods.	-23,699.69	£38,511.49
E654 - Monetised - Environmental - Carbon dioxide equivalent (CO2e) - Option B - use tool to sum components of CO2e - Waste disposal (CO2e) - Refuse - Recycling	Waste disposed in the relevant reporting period. Waste disposal figures should be used for end-of-life disposal of different materials using a variety of different disposal methods.	-40,176.88	£155,917.01
E636 - Monetised - Environmental - Carbon dioxide equivalent (CO2e) - Option B - use tool to sum components of CO2e - Waste disposal (CO2e) - Refuse - Household residual waste - Combustion	Waste disposed in the relevant reporting period. Waste disposal figures should be used for end-of-life disposal of different materials using a variety of different disposal methods.	92,435.84	-£358,721.74

A total of 23,699 tonnes of garden waste was collected and sent for composting. This generated £38,511.49 of social value, reflecting the lower emissions profile of composting compared with other disposal routes. Composting organic material not only diverts waste from energy recovery but also reduces greenhouse gas emissions, supporting more sustainable waste management practices and leading to a positive value.

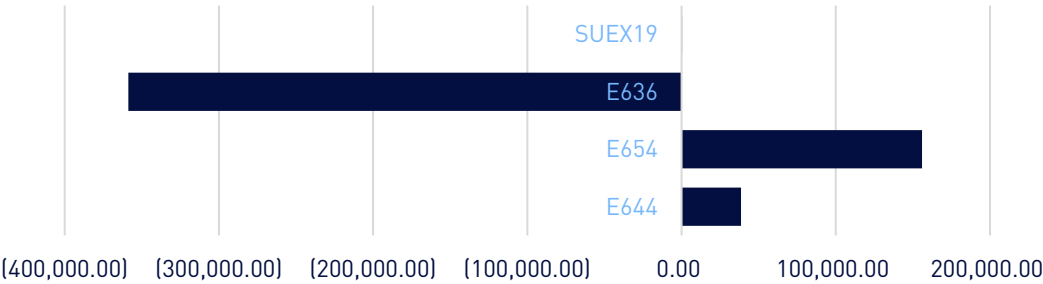
Alongside this, 40,176 tonnes of recyclable materials were processed, generating £155,917.01 in social value. Recycling has a particularly high impact because it reduces the need for raw materials, conserves energy, and lowers carbon emissions compared with producing goods from virgin resources. The scale of recycling achieved represents a significant environmental benefit and demonstrates the impact of sustained efforts to encourage residents to recycle more.

The largest tonnage is associated with E636 (Household residual waste), where 92,435 tonnes of residual waste were sent for energy recovery. This stream carries a negative social value of -£358,721.74, reflecting the carbon emissions released when waste is incinerated, even though it generates energy. While combustion is preferable to landfill in terms of carbon impact and recovery offsets some demand for fossil fuels, the size of this waste stream underlines the importance of continuing to drive waste prevention and increasing diversion into recycling and composting.

In addition to the measurable environmental impacts shown through waste tonnages and associated carbon outcomes, at SUEZ we have introduced a set of sustainability principles that guide everyday decision-making. These principles provide a consistent framework across all sites to help reduce consumption, cut waste, and protect natural resources.

The principles cover reducing single use items, lowering energy, fuel, and water consumption, encouraging re-use and recycling, and promoting sustainable purchasing. They also extend to wider actions such as supporting biodiversity, engaging with local communities, and encouraging sustainable travel. Together, these principles ensure that sustainability is embedded not just in the outcomes of the contract, but also in the way our services are delivered. Each site has a sustainability champion who helps colleagues put these principles into practice, ensuring that environmental improvements are driven forward at a local level. This means that, alongside the large-scale environmental benefits achieved through waste diversion and carbon savings, the contract also delivers everyday actions that support long-term sustainability in Mid Kent.

Figure 10 – Social value generated by waste disposal and sustainability initiatives



CASE STUDY

At SUEZ, we recognise that sustainability is not only about reducing our environmental impact but also about creating social value for local communities. By embedding sustainable practices into everyday operations, we contribute to a healthier environment, support our communities, and promote responsible behaviours across our organisation.

Across our three depots, we have introduced a range of sustainability initiatives. From installing bird boxes and bug hotels to support local biodiversity, to encouraging our team members to take part in volunteering opportunities throughout the year, we are committed to making a meaningful difference. We have also embedded re-use practices across our sites, reducing waste and making better use of resources.

We remain dedicated to maintaining these standards and continually seeking new ways to enhance the local environment and improve sustainability in local communities.

Taken together, the results from Year 1 show both the scale of environmental impact and the importance of continued progress. Significant benefits have been achieved through composting and recycling, which together demonstrate the positive outcomes of sustainable waste management and community participation. At the same time, the volume of residual waste going to energy recovery highlights the ongoing challenge of waste prevention and the need to further increase diversion to re-use and recycling.

By combining measurable outcomes with everyday sustainable practices, we ensure that environmental responsibility is embedded at every level. From reducing carbon emissions through recycling and composting, to encouraging behavioural change via our sustainability principles, this approach helps build a more sustainable future for Mid Kent.

As this is the first year of reporting, we have presented the data using total tonnages, as this provided the most complete picture available. However, in future years it may be more useful, to present significant changes on the previous year’s tonnages – whether increases or decreases – to provide a view of the evolving waste and environmental landscape in Mid Kent.

Our sustainability principles

These are our minimum environmental and social standards for every site to meet and are part of our goal to balance the needs of people, planet and prosperity through how we operate. They have been created using employee feedback on how we can have the biggest local impact. Everyone can play a part in helping their site meet these principles and every site has a dedicated sustainability champion to lead the way in taking action.

Your sustainability champion is:

Insert name here

Speak to them about how you can get involved or if you have an idea about how your site can improve its environmental and social impact.



- 1 **Avoid unnecessary single-use items or packaging**
Identify and remove or replace single-use items where there are appropriate alternatives available.
- 2 **Reduce paper use**
Review how we use paper on site, identify ways to reduce how much we buy and not waste what we do use.
- 3 **Lower our utility use**
Review our water, electric, gas, fuel and oil use and identify ways to reduce our consumption.
- 4 **Reuse**
Reuse items on site or with others before buying new.
- 5 **Recycle**
Have facilities on site so everyone can recycle.
- 6 **Purchase sustainably**
Choose the products we buy based on their environmental benefits as well as their financial cost.
- 7 **Travel smarter**
Reduce the need to travel by following the sustainable business travel hierarchy.
- 8 **Connect with our community**
Take part in or organise at least two local community events per year.
- 9 **Take action for nature**
Support local wildlife on site.
- 10 **We all play our part**
Everyone on site contributes and takes action.

Looking forward

The contract has been delivering meaningful, measurable outcomes across economic, social, and environmental social value metrics from its inception. The value created provides not only a strong foundation for continued growth but also clear insight into new opportunities to deepen our contribution to local communities in Mid Kent.

The achievements set out in this report give confidence that the contract is generating real impact today, while also positioning it to deliver greater benefits in the years ahead.

Looking forward, we are excited to continue to work in partnership with Ashford, Maidstone and Swale Borough Councils to identify innovative ways of maximising value, ensuring the contract consistently delivers outcomes that extend well beyond its core services.

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Environmental Services and Climate Change Committee	
Meeting Date	12 th November 2025
Report Title	Public Conveniences Review - Consultation Outcome
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure (for service provision) Joanne Johnson, Head of Place (for property assets)
Lead Officer	Andre Bowen, Service Improvement & Project Manager
Classification	Open
Recommendations	1. To note the outcomes of the consultation exercise, as shown in Appendix I. 2. To close three public conveniences from 01 April 2026; 1. Milton Regis High Street 2. The Forum, Sittingbourne 3. The White House, Minster 3. a) To offer to transfer seven public conveniences to Town and Parish Councils or other appropriate local organisations; 1. Oare Gunpowder Works Visitors Centre 2. Central Car Park, Faversham 3. Rose Street, Sheerness 4. Beachfields, Sheerness 5. Leysdown Beach Services 6. The Spinney, Leysdown 7. Queenborough Park b) To include these toilets for a 12-month period to the contract whilst negotiations continue with the above Town/ Parish councils. Should the transfers not occur within this timeframe, options for these public conveniences will come back to this committee in order to achieve the budget requirements as detailed in 2.21 and 2.22. 4. To aim to introduce a Community Toilet Scheme in the areas impacted by closure.

	5. To authorise officers to undertake a tender process for the opening, cleansing and maintenance of the remaining facilities, considering the matters raised in 2.27 – 2.30. 6. Should the recommendations not be approved and as such the savings not achieved, committee are asked to identify where else savings could be made within the scope of this committee.
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1 Purpose of Report and Executive Summary

- 1.1 On 10th July 2025, the Environmental Services and Climate Change Committee considered a report on the Business Case and Consultation Launch of the Public Conveniences Review. The purpose of the report was to consult with residents on matching the service with the budget in the medium-term financial plan.
- 1.2 A public consultation was launched on 11th July 2025 for 12 weeks. The purpose of the consultation was to get the views of Swale residents, visitors, community groups and businesses. Everyone was encouraged to share their honest opinions, particularly from representative groups such as those with a disability, older people, families with young children or those who are pregnant.
- 1.3 This report and the accompanying appendices set out the details of the consultation, the responses and the formulation of the recommendations.

2 Background

- 2.1 Swale Borough Council currently maintains 16 public conveniences for use by the general public free of charge. The majority of public conveniences are open between 07.00 and 19.00 Mon – Sun, with some facilities having seasonal changes. There is one public convenience which is currently closed due to previously identified structural issues. The full list of public conveniences is as follows:
 - The Forum, Sittingbourne
 - Library Car Park, Sittingbourne
 - Rose Street, Sheerness
 - Central Car Park, Faversham
 - Leysdown Beach Services, Leysdown
 - Minster Leas, Minster
 - Faversham Recreation Ground, Faversham
 - Milton Regis High Street, Milton Regis
 - Queenborough Park, Queenborough
 - Bartons Point, Minster
 - The White House, Minster (temporarily closed)
 - Oare Gunpowder Works Visitors Centre, Faversham
 - The Spinney, Leysdown

- King George V Playing Field, Sittingbourne
- Milton Creek Country Park, Sittingbourne
- Beachfields, Sheerness

- 2.2 There has not been a major review of toilet provision for a long time, and this was needed to ensure the service remains fit for purpose. As such, the Council carried out a full review of public toilet provision to determine the future of each facility. This has involved looking at usage data, proximity to other facilities, condition of the facilities, interest of town and parish councils in operating the facilities and a public consultation.
- 2.3 Additionally, various options for service delivery were considered such as in-house, contracted out operating models, charging for public convenience use, transferring to Town/Parish Councils or other appropriate local organisations and community toilet schemes.
- 2.4 The Council recognises the key role that public conveniences play in the community. They encourage visits to the town centre, tourism, help enhance health and wellbeing and support our vulnerable residents. Many residents consider the availability of toilets when choosing to visit areas.
- 2.5 To ensure that as many Swale residents, visitors, community groups and businesses as possible shared their views on the proposals, everyone was consulted and encouraged to share their honest opinions through both paper and online forms. We also targeted particular organisations/representatives of groups who are likely to be impacted by the proposals.
- 2.6 Over 750 individuals and several community groups responded to the public consultations, with demographic data indicating that the sample closely reflects the makeup of Swale's population. Respondents largely agreed with some proposals and disagreed with others, as shown in Appendix I.

Closing public toilets

- 2.7 Those who completed the public toilet facilities survey and answered when asked which public toilets should be closed, stated that Milton Regis High Street (30%), The Forum Sittingbourne (22%) and The White House, Minster (21%) should be closed.
- 2.8 Many of the respondents suggest not closing any public conveniences. There was a petition signed by 124 individuals asking Swale Borough Council to reconsider the proposal to close or transfer ownership of the public toilets on the Spinney. The petition stated that the toilets are a vital public service, which serves the residents and holiday makers of Leysdown alike and their closure will severely impact the local community. There was also another petition signed by 245 individuals requesting that neither the Forum nor the Library Car Park public conveniences should be closed. Written submission from Swale's Senior Forum also highlighted the importance of the Forum and Library Car Park public toilet

facilities to those who are older, families with young children and/or those who have specific health conditions. The Swale's Senior Forum also advised that toilets aid in allowing vulnerable people to shop, socialise and lead a normal life.

- 2.9 There were several alternative suggestions, including charging Swale residents and visitors for the use of public toilets. While charging per use of public conveniences, would generate an income, this was previously explored and found to be not viable. Charging at public conveniences incurs additional costs to operate for the Council. The income gained from charging for the use of public conveniences would be insufficient to cover the costs. Coupled with the expected reduction of public conveniences users, where charging is introduced and with the adverse impact on those with lower incomes, charging was not recommended.
- 2.10 Other recommendations from the public included cut spending from elsewhere. This was not part of the original brief for the review but clearly if the Committee decides not to close or transfer the facilities, then budget savings from other services will need to be found as part of the 2026-2027 budget setting process. Additionally, insourcing of public conveniences was also explored but was found to provide the least amount of savings and introduce the most risks.
- 2.11 Area Committee recommendations included not closing any public toilets prior to the local government reorganisation. However, until the reorganisation is completed, district and county councils are responsible for ensuring services are delivered in the best interest of their residents and a balanced budget is a requirement by Local Government legislation.
- 2.12 Throughout the consultation, it was also clear that members of the public want well maintained public toilets. Opportunities to improve the condition of the remaining public conveniences, while improving energy and water efficiency where applicable, can be explored following the outcomes of the review. This could be through the use of existing external grant funding like the UK Shared Prosperity Fund or the Council's reserves/capital funding.
- 2.13 It is recommended that the Milton Regis High Street, Forum and the White House public conveniences are closed based on the findings of the review and public consultation and in order to meet the required savings.
- 2.14 In particular, the poor condition of the Milton Regis High Street, Forum and the White House public conveniences has led to this recommendation. It is estimated that the planned maintenance works costs required for these facilities between 2023 and 2032 would cost the Council £350k. The Whitehouse is currently closed due to the disabled block suffering from subsidence.
- 2.15 In addition, the Milton Regis High Street and the White House public conveniences have the lowest amount of visits from Swale residents and visitors, and are the most cost ineffective to operate with neither having any baby

changing facilities. The Whitehouse toilets are in close proximity to a range of other facilities (namely Minster Leas and Barton's Point).

- 2.16 While the Forum does not have low usage, it is located within close proximity to the Library Car Park public convenience which is central to both ends of the high street and the Forum also has some of the highest reports of antisocial behaviour in Swale. As explained earlier, funds could be used to upgrade the Library car park facility to ensure it could cope with the increased usage.

Town or Parish Councils or other appropriate local organisations managing the public toilets in their respective areas

- 2.17 Seven toilet facilities in parished areas were suggested for transfer. Initial discussions have been held between the Property team and the relevant Councils. Whilst there has been some initial interest, the timescales required to legally transfer property mean it is virtually impossible that any transfers will be achieved by the time we need to release the tender.

1. Oare Gunpowder Works Visitors Centre
2. Central Car Park, Faversham
3. Rose Street, Sheerness
4. Beachfields, Sheerness
5. Leysdown Beach Services
6. The Spinney, Leysdown
7. Queenborough Park

- 2.18 Consultation respondents mostly indicated that there were no concerns with Town or Parish Councils or other appropriate local organisations managing the public conveniences in their respective areas.

- 2.19 Several respondents indicated that they were unsure how the costs would be covered. Town and Parish Councils have the statutory authority to set their own annual budgets. This enables them to plan and allocate resources independently to support and enhance a wide range of local services and amenities such as parks, community centres, and public toilets.

- 2.20 At Area Committees, concerns were raised if there would be any benefit to Town or Parish Councils for taking on public conveniences. Town and Parish Councils and some other appropriate local organisations are able to effectively keep public conveniences open in their respective areas where the Borough may choose to close them and respond to local demand e.g. amended opening hours. These proposals intend to make savings that will help the Borough council reach a balanced budget position based on transferring 7 public conveniences to Town and Parish Councils. If Town and Parish Councils or other appropriate local organisations do not take on management responsibilities of these 7 public conveniences, then two further considerations will need to be made by the Council a) additional proposals for closure b) further saving from other services to reach a balanced budget position.

- 2.21 Picking up on a), there are a range of considerations. The existing budget would not allow for all 7 to be placed back into the contract. The two facilities at Leysdown are very close to each other. In the discussions at Area Committee, Leysdown Parish Council acknowledged this and therefore a reduction of one site (recommended the Spinney) would help to achieve further savings.
- 2.22 At the time of publishing, we are recently aware of a potential interest in a local organisation taking on Milton Regis toilets. We have not pursued this fully and need to investigate the terms of our Deed and whether a transfer of this facility is feasible. This does not change the fact that the facility is one of the lowest used, and in poor condition, so the recommendation is still for closure.

Businesses allowing the public to use their facilities free of charge during their operating hours

- 2.23 Most Swale residents and visitors responded that they would be in favour of a community toilet scheme.
- 2.24 However, several potential disadvantages have been suggested, such as insufficient suitable premises, businesses turning away people, the public being deterred from some places such as public houses, the costs and opening hours. These concerns could be addressed by regularly monitoring participating businesses and advertising, with only suitable, inclusive well-placed businesses with convenient operating hours eligible to take part in the scheme.
- 2.25 At Area Committees, it was also highlighted that all participating businesses in the community toilet scheme must be accessible and long-standing. This would be included in the selection criterion.
- 2.26 In the decision-making process, due regard has been given to the public sector equality duty and an Equality Impact Assessment (EIA) has also been completed to test this, as seen in Appendix II. Closures of public conveniences may have a negative impact on service users, with some groups—such as older people and disabled individuals—potentially being disproportionately affected. Although there are recommended closures of public conveniences in some areas, this is to ensure the service can operate within budget and not impact on other council services. Public conveniences are a non-statutory service and statutory services have to be prioritised with the limited council budget available. Furthermore, most of the closures are recommended in areas where another suitable facility is in close proximity. These recommendations align with the ‘Running the Council’, ‘Environment’ and ‘Economy’ Corporate Plan objectives. The public conveniences review aims to provide public conveniences on a sustainable basis by working with local businesses and Town and Parish Councils. This is to increase the number and improve the standard of toilets that are available for public use within Swale and mitigate the negative effects of closures of less used public toilets that are in poor condition.

Decisions needed for the continuation of the service from April 2026

- 2.27 The existing public toilet cleansing and maintenance contract is due to expire on 31st March 2026. There is no further provision to extend and subject to approval from this committee, the intention is to go straight to tender in November. The committee debated the business cases for insourcing and outsourcing in July 2025.
- 2.28 It is expected that the unit rate per facility will go up since the last time we tendered the service. Therefore, if Members decided to keep the service the same, then not only would it not generate the intended savings, but it would add further budget growth/pressure.
- 2.29 Officers have approached the market to consider whether reductions in Attendants (cleaners based at the facilities during the day) or times of opening would reduce the budget. It is proposed that the tender will therefore include variant bids to allow Members to make final decisions when the Contract award report comes to committee.
- 2.30 Due to the fact that any asset transfers are unlikely to be confirmed at the time of tender submission, it is proposed to undertake two lots. Lot 1 would be for the six facilities proposed to remain in the Council's service. Lot 2 would include those proposed for transfer with a separate pricing mechanism based on 6-month periods of operation. This would allow continued service during the transfer process but a clear indication that they would be removable when the transfer was completed.

3 Proposals

- 3.1 To note the outcomes of the consultation exercise, as shown in Appendix I
- 3.2 To close three public conveniences from 01 April 2026;
 - 1. Milton Regis High Street
 - 2. The Forum
 - 3. The White House
- 3.3
 - a) To offer to transfer seven public conveniences to Town and Parish Councils or other appropriate local organisations;
 - 1. Oare Gunpowder Works Visitors Centre
 - 2. Central Car Park, Faversham
 - 3. Rose Street, Sheerness
 - 4. Beachfields, Sheerness
 - 5. Leysdown Beach Services
 - 6. The Spinney, Leysdown
 - 7. Queenborough Park
 - b) To include these toilets for a 12-month period to the contract whilst negotiations continue with the above Town/ Parish councils. Should the transfers

not occur within this timeframe, options for these public conveniences will come back to this committee in order to achieve the budget requirements as detailed in 2.21 and 2.22.

- 3.4 To aim to introduce a Community Toilet Scheme in the areas impacted by closure
- 3.5 To authorise officers to undertake a tender process for the opening, cleansing and maintenance of the remaining facilities, considering the matters raised in 2.27 – 2.30.
- 3.6 Should the recommendations not be approved and as such the savings not achieved, committee are asked to identify where else savings could be made within the scope of this committee

4 Alternative Options Considered and Rejected

- 4.1 In the July 2025 Environmental Services and Climate Change Committee decision, a range of options were rejected. These were do nothing and continue with the current contract, insourcing the service or charging for the use of public conveniences.
- 4.2 To close more or fewer public conveniences facilities. These options all have potential negative consequences and such have been rejected for the reasons below;
 - a) Closing fewer public conveniences: While some members of the public do not want any public conveniences closed, the required budget savings cannot be achieved otherwise.
 - b) Closing more public conveniences: Although further savings could be achieved from closing more public conveniences, members of the public have highlighted a need for public conveniences where they are well used and maintained, and the financial savings can be achieved by the current recommendations.
- 4.3 To transfer more or fewer public conveniences facilities. These options also have potential negative consequences and such have been rejected for the reasons below;
 - a) Transferring fewer public conveniences: If fewer public conveniences are transferred to Town or Parish Councils, then the required budget savings cannot be achieved.
 - b) Transferring more public conveniences: Not all public conveniences are within Town or Parish Council footprints, but those that are within a Town or Parish Council that are not being transferred, it is not possible to do so. That is, there are several public convenience that are a part of a larger building not specifically related to public conveniences.

5 Consultation Undertaken or Proposed

- 5.1 Officers from across the Council which includes representatives from the Property Team, Contract Management and Legal have reviewed the public convenience provision provided by the Council and proposed the recommendations which formed the basis of the consultation.
- 5.2 A public consultation was carried out based the recommendations in the July Committee report. The public consultation lasted 12 weeks was opened to Swale residents, visitors, community groups and businesses to ensure as many people could take part. There were also posters in all the public toilet facilities, posters in all Council offices along with paper forms, advertised on the Swale website and social media, shared with the local press, Area Committee presentations and directly contacting representative organisations (such as, Swale CVS, Age UK, Swale Seniors Forum, Freedom Centre and others). The summary of the over 750 responses received can be seen in Appendix I. An Equality Impact Assessment (EIA) has been completed to show how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making, as seen in Appendix II.
- 5.3 Parish and Town Councils were contacted about the review of public conveniences and asked to share their views including whether they would be interested in taking over responsibility. Collectively, there are 7 public conveniences that Parish and Town Councils that have set out an initial interest in taking on management responsibilities.
- 5.4 Where there were possible closures of public conveniences, local businesses were asked if they would consider opening their facilities to the public. A total of 6 businesses expressed an interest.

6 Implications

Issue	Implications
Corporate Plan	The proposed way forward will support several Corporate Plan objectives. These include 'Running the Council' by working within our resources, and delivering in a transparent and efficient way. The 'Environment' objective is supported by reducing the environmental impact on the air and treated water wastage. While the 'Economy' objective is supported through working with businesses to increase customer footfall and free facilities for local people.
Financial, Resource and Property	The financial impacts of each option will vary. The 'do nothing' option would create no savings and the costs would increase each year with inflation.

	For 25/26, officers commissioned the +1 option available within the tender. The costs were in excess of budget c.£196k, due to both contract inflation and to the application of a £100k budget reduction in 2023. The recommended mitigation for this is to close some facilities on a permanent basis (including the removal/transfer of those closed at Eastchurch and Rushenden), which would deliver the savings proposed in the medium-term financial plan. If all of the proposals were accepted then it is estimated that an annual saving of circa £250,000 could be made, although this would be phased depending upon the time taken for asset transfers and any investment in remaining facilities. Transferring the assets to Town or Parish Councils may likely require a public convenience time-limited dowry payment to take on the assets, to cover maintenance liabilities / consumables / legal fees. If the proposed closures are not agreed, the Council will be unable to realise the planned savings, and the revenue budget will face additional growth pressures. Research from other Councils, shows that Community toilet scheme partners would require a small fee to retain interest and protect provision for residents. A ring-fenced allocation for toilet improvements has been made in the UK Shared Prosperity Fund grant for 25/26 totalling £40,000. Closed public toilets will be secured / declared as surplus / disposed of appropriately in line with the agreed Disposals Policy. The anticipated savings cannot be realised until the asset transfers are fully completed.
Legal, Statutory and Procurement	There is no statutory requirement for the Council to provide public conveniences. Transferring the assets to Town or Parish Councils and 'Community toilet' agreements would require Legal input. A timescale for completing the asset transfers ahead of 31st March 2026 is unviable. As such, the Council will need to make temporary arrangements until the asset transfers are completed.
Crime and Disorder	Public conveniences are partly attended where there is a higher risk of crime / vandalism if unattended. Future investment needs to 'design out' problems. Evidence of this can be seen in recent new build toilet provision.

Environment and Climate/Ecological Emergency	The closure of several public conveniences reduces the impact of water wastage and emissions from Council and Contractor operations. Any investment plan should look at reducing emissions from carbon reduction mechanisms such as LED lighting, timed lighting, reduced water usage etc.
Health and Wellbeing	The provision of public conveniences can bring health and wellbeing benefits to members of the public. Residents with health issues may rely on public toilets when making decisions to visit local areas.
Safeguarding of Children, Young People and Vulnerable Adults	Toilet provision is important to some vulnerable residents. Public conveniences may be particularly beneficial for older people, those with disabilities, pregnant women and children.
Risk Management and Health and Safety	There are financial and legal risks associated with asset transfers and the community toilet scheme. However, advice has been sought from the Head of Finance and the Head of Legal to address these concerns. There is a risk of reputational damage through closure of facilities. Residents have been consulted on the proposed changes, efforts will be made to explain the decision clearly and in future signage/website information to help direct residents and visitors to Swale Borough Council facilities. There is risk of reputational damage if the 'community toilet' scheme fails to meet commitments. Through regular inspections, legal agreements and intensive promotion, these risks are minimised. There are risks of vandalism from a reduced service or removed service.
Equality and Diversity	Closure or reduced provision may impact particular groups more than others as identified in the Equalities Impact Assessment, as seen in Appendix II. However, this approach represents a proportionate means for the Council to deliver a balanced budget, considering that public conveniences are not a statutory requirement for the Council and there are mitigations in place to reduce the impact on those with protected characteristics that are likely to be impacted.
Privacy and Data Protection	None.

7 Appendices

Appendix I: Public consultation summary
Appendix II: Equality Impact Assessment
Appendix III: Business Case

8 Background Papers

[10 July 2025, Environmental Services and Climate Change - Public Conveniences Review - Business Case and Consultation Launch](#)

Public Conveniences Review Consultation Summary

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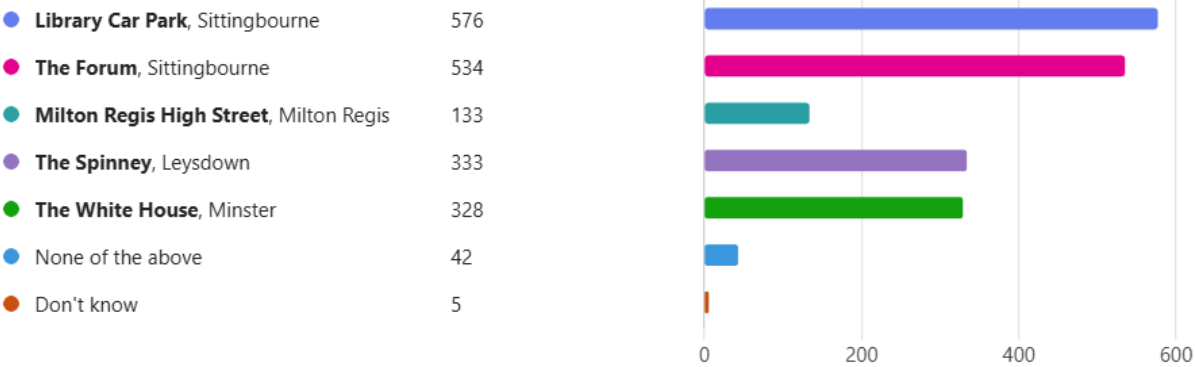
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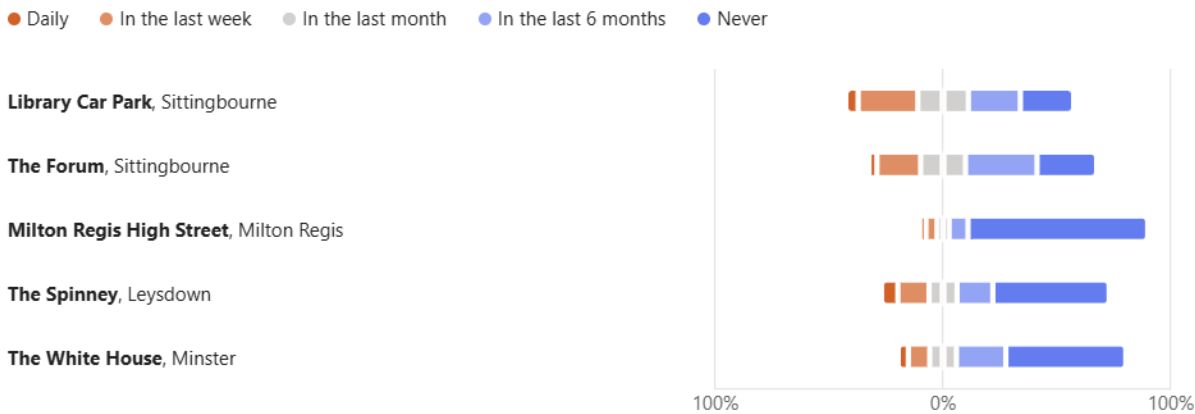
Public Toilet Facilities Consultation Results

Everyone

1. Which, if any, of the following public toilets have you previously used?



2. Which, if any, of the following public toilets do you use regularly?



3. Was the toilet in acceptable condition on your last visit?

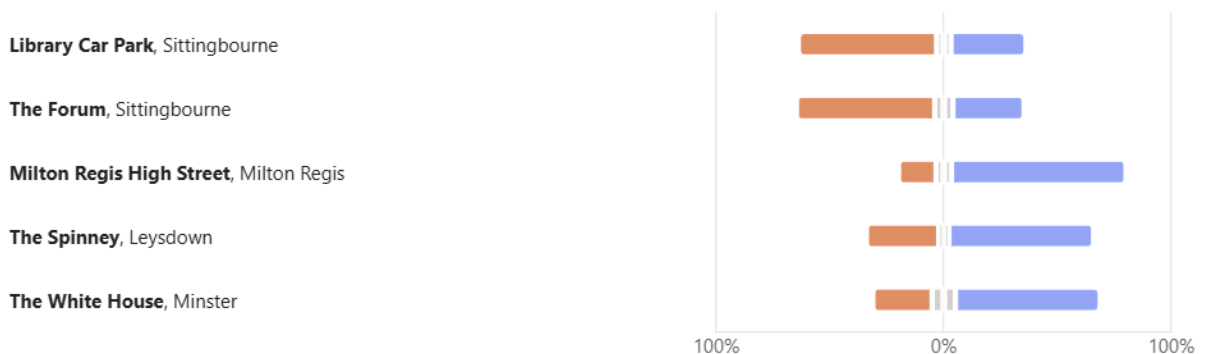


4. If no, please explain?

Theme	Example
<u>Cleanliness failures:</u> Persistent reports of dirty, smelly conditions that deter use	"Dirty and in need of cleaning"
<u>Closed/locked or limited access:</u> Facilities reported as closed/locked or restricted	"Forum ones were closed and on the previous visit so dirty I went to the library ones"
<u>Missing supplies:</u> Missing basics (toilet roll, soap) and faulty taps/hand-wash units	"No loo roll, not sure it had been cleaned in months. Water trickled out of tap and no soap."
<u>Outdated/poor condition:</u> Blocks are deemed to be old/run-down; calls for refurbishment or modern units	"Very old fashioned but when in need useable"

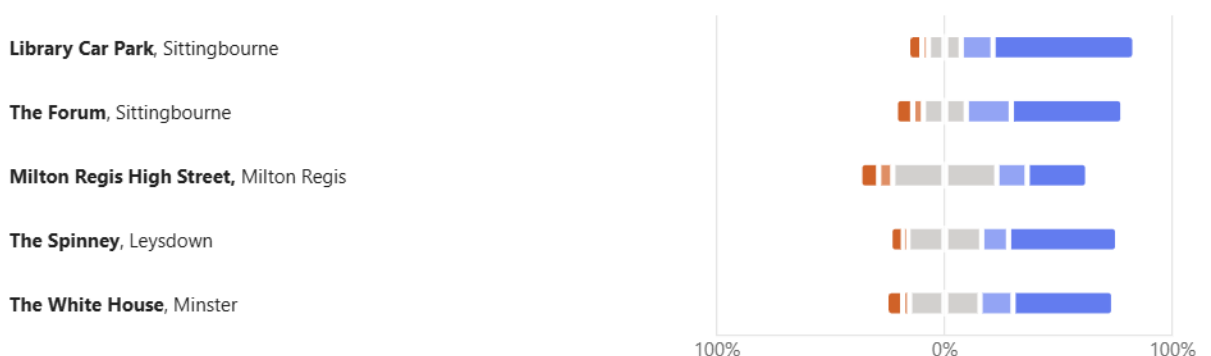
5. In order to meet your specific needs, are the following public toilets accessible?

● Yes ● No ● N/A



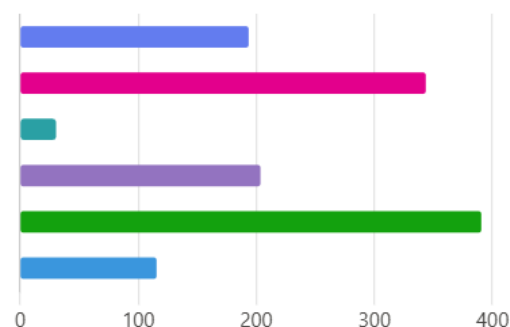
6. I consider the following public toilets to be important?

● Strongly disagree (1) ● Disagree (2) ● Neutral (3) ● Agree (4) ● Strongly agree (5)



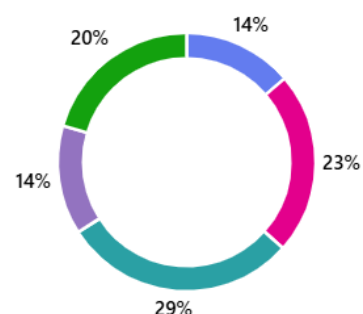
7. Would the closure of any of the facilities impact your daily life due to any of the following?

● A long term physical or mental ill-health / disability	193
● Long standing illness or condition (such as Crohn's disease, urinary incontinence,...)	343
● Pregnancy	30
● Caring for children	203
● Problems related to ageing	390
● No impact	115



8. In your opinion, acknowledging closures have to happen, which of the below public toilets should be closed?

● Library Car Park, Sittingbourne	155
● The Forum, Sittingbourne	257
● Milton Regis High Street, Milton Regis	330
● The Spinney, Leysdown	154
● The White House, Minster	230

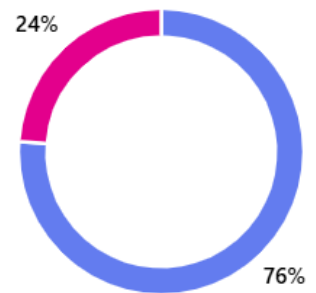


9. Please tell us why you chose those public toilets?

Theme	Example
Forum toilets: Forum block viewed as substandard or redundant given nearby business/cinema toilets	"The forum ones are always dirty smells never no toilet roll in there most times plus I always use the cinema ones as there cleaner and in better condition"
White House: Leas alternatives; White House closed/awkward access/expensive	"Cleaner toilets have been provided not too far away from the white house toilets. As previously mentioned the library toilets constantly look dated and like they aren't maintained at all"
Milton Regis: low footfall/awareness	"There is not that much in milton to attract people and use the toilets"
Leysdown: Tourism & coastline	"Leysdown has two toilets. The spinney toliet is outdated and not cleaned properly. The other toliet in leysdown has an attendant is used so much more"

10. Would you like to see more businesses allow the public to use their facilities free of charge during their operating hours?

● Yes 616
● No 193



11. Are there reasons why Town or Parish Councils or other appropriate local organisations should not manage the public toilets in their respective areas?

Theme	Example
No reason: No reason identified	"No"
Cost: Devolving to parishes shifts costs.	"Yes, we pay our council tax to Swale Borough Council for this service. The Town and Parish Councils have very limited resources and being tiny they cannot make economies of scale so it will cost us, the council tax payers, more in the long run."
Borough responsibility & public health: Toilets should remain a borough duty for public health/ equality/ access.	"There is no excuse for these toilets NOT to be managed by Swale Borough Council or the Town Council for use by the public (who are also the people who vote for their Council)..."
Scepticism: Others expressed uncertainty.	"Not sure 😞"

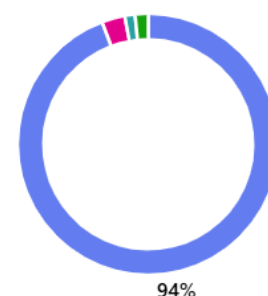
12. Do you have any additional comments or suggestions regarding the future of public toilets?

Theme	Example
<u>Keep toilets open:</u> There were several comments that suggested keeping all toilets open.	"They are essential for me as I use them regularly."
<u>Tourism & place vitality:</u> Sheppey/beaches require facilities for visitors and hygiene were suggested.	"Without public toilets NONE of our beaches can be designated bathing areas."
<u>Operational improvements:</u> Seasonal hours, attendants/CCTV, signage, modern pods; and small fees were among the suggestions.	"I support removing as many as possible that are under used. How much would people be happy to pay to keep them open for such small handful of people. Many businesses would be happy for the public to use their toilets, but as a business owner myself, you would need to compensate them some how. Being honest, the impact on trade is nil. They will not get new customers using the toilet, so you need to stop thinking that it is a benefit in itself. A very small relief on business rates would suffice and is used elsewhere in the UK. Additionally, if you close them, the building need to be disposed of or demolished. If you leave them closed and looking derelict, it will contribute to why parts of Sheppey and Sittingbourne look lie some shanty town. As an example, the ones in Leysdown, please close them, but you need to then knock the building down and replace it with a flower bed or something. Alternatively, the ones in Minster and Sheppey, you could start charging a very small fee to use them. Look at toilets in Europe hotspots, only a handful are free. However, with a charge, they are better kept and not a burden on the taxpayer. OR, if charging is not an option, you could mothball those ones over winter so that they are only open in the peak times of Summer for tourists. I can guarantee all the £000k is going on repairs for vandalism in the winter when one user a day would be classed as busy. I fully support bathrooms for public use, if anything I would support more. But nobody in their right mind thinks £4 per user is taxpayer money well spent. The council needs to find a solution that delivers value. Swale council is always a million years behind other councils, so I would recommend you look at what other councils have been up to over recent years. Any plans should be run past Reform UK, as our current council of

	wets are incompetent and would see £4 per user as money well spent. Well if that is the case, they can give their councillor allowance to keep them operating.”
Human need & medical dependency: Essential for elderly/disabled and conditions (IBS, Crohn’s, incontinence).	“People who are old or disabled need close public toilets especially at public places like the beach , closure will force people to relieve themselves in other places like alleyways ect.”

13. In what role are you responding to this survey?

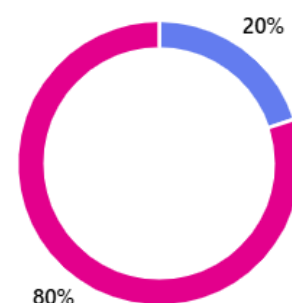
Swale resident	756
Swale visitor	23
Representative of a VCS/charity/community group	10
Representative of a business or private sector organisation	0
Other	13



Representative of a VCS/charity/community group

14. Would you consider exploring the opportunity to take responsibility for a public convenience to prevent its closure?

Yes	2
No	8
Maybe	0



15. Please provide the name of your organisation, contact details and how you intend to maintain the public toilet?

Redacted

Representative of a business or private sector organisation

16. Are you interested in the Community Toilet Scheme and would like further information?

Yes	0
No	0

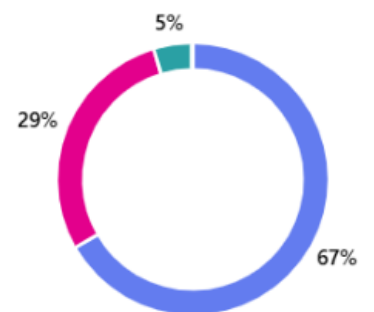
17. Please provide the name of your organisation and contact details?

N/A

Swale resident / visitor

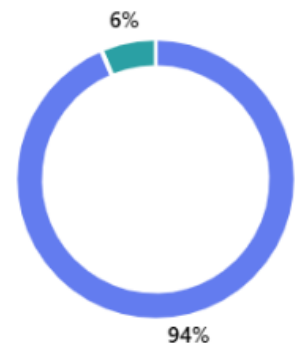
18. How would you describe yourself?

Female	516
Male	222
Prefer not to say	35
Other	1



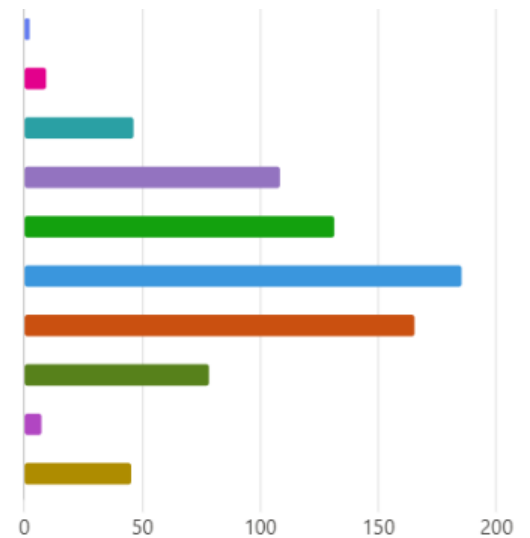
19. Is the gender you identify with the same as your sex registered at birth?

Yes	717
No	1
Prefer not to say	48



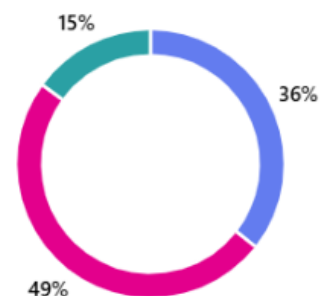
20. What was your age on your last birthday?

17 years old or under	2
18-24	9
25-34	46
35-44	108
45-54	131
55-64	185
65-74	165
75-84	78
85 or above	7
Prefer not to say	45

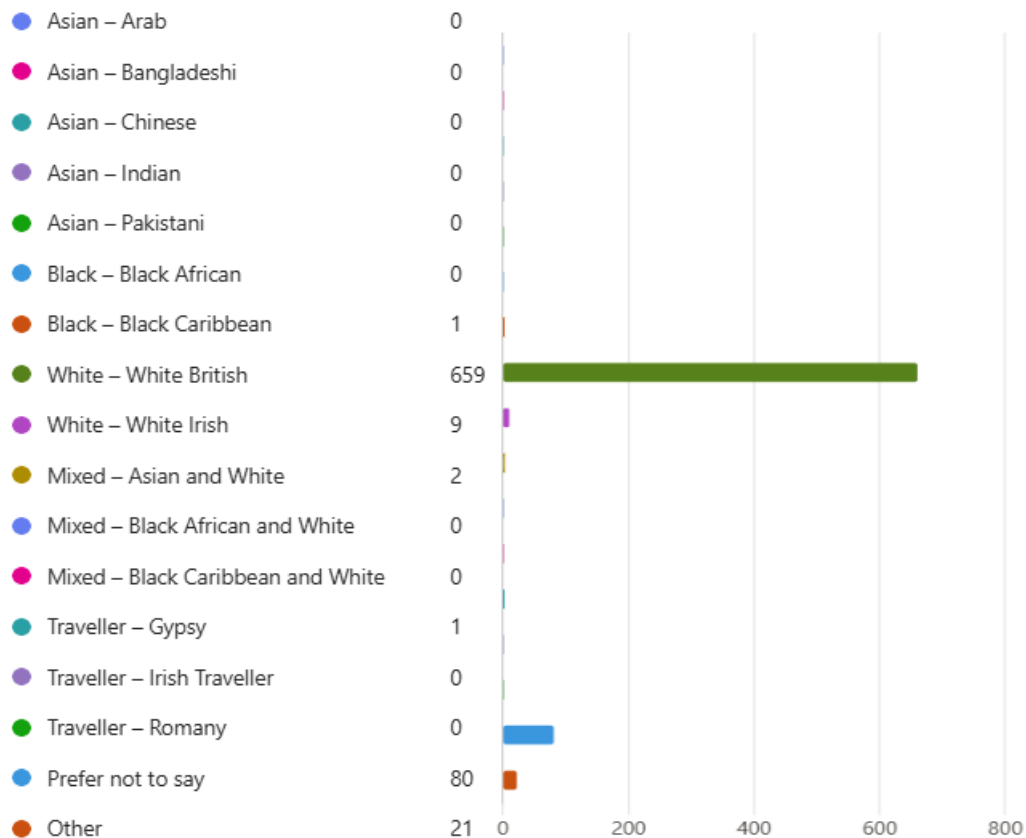


21. Do you consider yourself to have a disability?

Yes	276
No	383
Prefer not to say	116

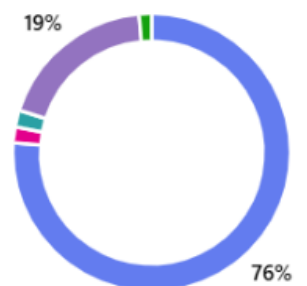


22. What is your ethnic group?



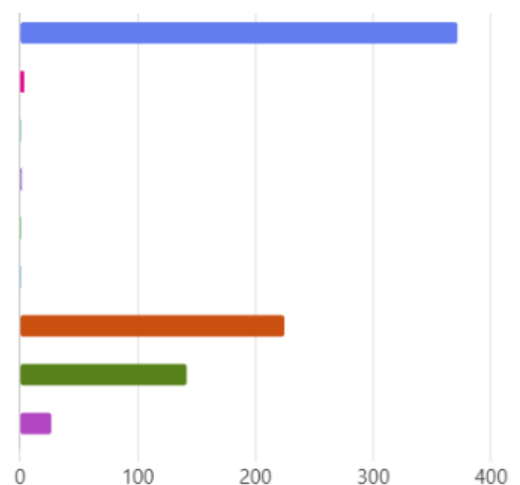
23. How would you describe your sexual orientation?

Heterosexual (straight)	580
Bisexual	14
Gay man or Lesbian	15
Prefer not to say	142
Other	11



24. How would you describe your religious beliefs?

Christian	371
Buddhist	3
Hindu	0
Jewish	1
Muslim	0
Sikh	0
No religion	224
Prefer not to say	141
Other	26



Letters

Comment from Swale website

I read with concern that you had plans to close not one but both loos in Sittingbourne High Street. Do you think this is wise? There are people who need to have easy access to a toilet. Are you trying to put people off visiting our town, with high parking charges and no loos.

We used to pay a penny to visit the toilets, would it not be better to charge 20p or so. I know money is tight but we do not have a large shop who would have a toilet. Unlike our other shopping area who have toilets in M&S and Dunelm. Please think carefully before closing both toilets.

Dear Sirs,

Although I do not live in Swale, I do all my shopping in Sittingbourne, Faversham or Sheerness; usually the former.

I am most concerned that Swale B.C. is planning to close both public lavatories in the town centre. This will be another nail in the coffin of the High Street. Whilst men can relieve themselves in any secluded alley, it is far more difficult for women to do so.

If cuts are to be made, I suggest the lavatory

near The Forum ² could go. It is in a dark, shady spot and inside it is unpleasant. Coupled with which, the washing facilities are placed too high on the wall for them to be used comfortably by short adults or by children. The lavatories in Central Avenue are in a bright, well-used area and are not forbidding. Also, they are in much better condition than the others.

It is essential to have public lavatories in town centres, not everyone wishes to visit pubs, cafes or restaurants.

Why not charge for the use of these necessary facilities? I would gladly pay £1 and there could be a secure coin-collecting

facility at the ³entrance, with a set of gates, as per the railways. An Oyster Card system could be useful for frequent users of the lavatories. These could be "topped-up" at independent shops in town.

People should be prepared to pay for public lavatories.

Incidentally, the best lavatories in Swale are in Rose Street, Shearness. The attendant keeps them spotless and always supplied with paper.

Yours faithfully

Petitions

Not to close Central Avenue or Forum toilets (Sittingbourne)

Signatures obtained:

245

Reconsider proposal to close or transfer ownership of the public toilets on the Spinney. As the toilets are a vital public service, which serves the residents and holiday makers of Leysdown alike and their closure will severely impact the local community.

Signatures obtained:

124

Community Groups Responses

Swale's Seniors Forum

6th August 2025

Dear Mr Bowen

The aims of the Swale Seniors Forum are to promote the welfare and well being of Seniors in the Borough of Swale and to represent the views of Seniors in Swale.

Until recent times, Swale Council recognised such matters to the extent that it appointed one of its Councillors to the role of Older Peoples' Champion. For reasons unknown to this Forum, that role appears to have fallen into abeyance and the older generation no longer has a formal voice in Council.

It is with both horror and dismay that the Forum has heard of the proposals of the Council to close several public toilets in the Borough, the most notable of which as far as the Forum is concerned, are those at the Library car park in Sittingbourne and the Forum, Sittingbourne.

It was Cicero in Roman times who stated that "The health of the people is the highest law" and since those times, that maxim has often guided governance and indeed the Courts when examining matters that serve the public good and help to reconcile conflict when societal needs are involved – and that maintains today.

A feature of a Good Society is to provide for peoples' basic needs and there are few things more basic than access to public toilets – a matter most crucial to people with a range of vulnerabilities not least the elderly and the disabled. A denial of that feature prevents people from, amongst other things, going shopping, socialising and leading a normal life.

We all need to use toilets when we are away from our homes or simply moving from place to place, a matter which becomes more urgent if you are a person who suffers from medical conditions that require immediate access to a toilet. That matter is simply one about our basic human rights and it fulfils an important requirement for health and well-being, equality, social inclusion and private and public decency.

We recognise and understand that there is no legal duty imposed on the Council to provide public toilets, but the Public Health Act 1936 does give the Council power to do so. Those local authorities who have closed public toilets as Swale Council proposes to do on the grounds of costs are now finding that the costs of not providing public toilets are mounting in the need to clean up street fouling and other matters which are an inevitable result.

We would suggest that public toilets are also needed in the case of visitors to Sittingbourne who make an important and much needed contribution to local economies.

Public toilets are important in giving older people the confidence to leave their homes and to avoid the many problems arising from isolation and dependency. They are also most important for women, especially those with babies and young children and regard must be had to matters of sartorial, biological and functional matters including menstruation, those at menopause and those with diabetes. Among the matters that make public toilets important for men is the urgency caused by prostrate problems. Urinary incontinence affects a great many people over the age of 65.

People travelling by public transport in Sittingbourne need readily available public toilets and to an extent that need is catered for by the toilet at the Forum. That is a concern for all but especially for those with conditions such as Colitis and Crohns Disease.

We have mentioned the Public Health Act 1936 and would refer to the Local Government Act 2000 which, we understand, places a duty on local authorities to provide a 'community strategy' which "should aim to enhance the quality of life of local community and contribute to the achievement of sustainable development through action to improve the economic, social and environmental well-being of the area and its inhabitants".

A 'common strategy' allows local committees to voice their needs and priorities to co-ordinate the work of the Council. We would submit that the provision of public toilets – and it must be accepted that the present provision of the same in Sittingbourne itself is minimal – should be a key priority for Swale Council. Concerning all it does a healthy and safe environment for the purpose and in an accessible local facility and service. It would seem that the only case the Council has for closing the public toilets is one of cost. We would submit that the case for the need for public toilets exceeds the financial consideration and that there must be other ways in which the finance can be realised and that a Community Toilet Scheme (CTS) is not the answer to closure. We note what the Council states about CTS. Whilst accepting there are some advantages in such a scheme the disadvantages outweigh them.

Whilst the Council embarked on a so-called regeneration scheme some years ago little has been achieved in that the High Street is to some extent moribund but nevertheless people do have to shop there and make use of other facilities. To take away the public toilets would be on the path to degeneration. Among the disadvantages of the CTS we see are:

1. Insufficient suitable premises in the High Street
2. The right of the premise proprietor to refuse the right in appropriate circumstances to use the toilet facilities. These would, for example, show a need for the Council to have public toilets to supplement a CTS scheme
3. If a public house is in a CTS scheme there would be concerns for women, people with young children, people from ethnic and religious groups (who would be deterred from entering pubs) and, indeed, older people.
4. Take away the public houses and the number of businesses eligible for the scheme would be limited and there should be no suggestion whatsoever that toilet facilities reserved for members of staff should be available for public use, many of the reasons for which are too delicate to mention here although are pretty obvious when thought is given to the matter
5. There may be pubs and cafes not willing to enter a scheme and those that are willing will provide only a partial solution to an adequate provision of public toilets. We submit that the present provision is adequate. The scheme should be seen only as a supplement to public toilets
6. How much money would have to be provided to participate in the scheme. It might also be again for several obvious reasons that proprietors would need to employ a member of staff to attend to the toilet after each use by a member of the public and it would be highly unlikely, with the exception of pubs and some restaurants that there would be urinals for men and that, again without stating the obvious would be unsuitable.
7. What about the costs to proprietors of sanitary provision and appliances, toilet rolls, bins, hand washing products and disposal of detritus
8. Opening hours of relevant premises would also be a relevant consideration.

Would the Swale Council Office themselves be a part of a CTS?

It is really a matter of chance that the Forum became aware of this consultation and we wonder how widespread the consultation will be. There does not appear to have been wider public consultation. Survey forms are said to be available at the reception desk of the Council offices but there are no community group survey forms available there and enquiring is met by non-awareness and understanding. When the desk assistants telephone relevant offices about the forms there is nobody answering the telephone and the enquirer has to go away empty-handed and all this has to occur between the hours of 10am and 12 noon.

Yours sincerely



Mr P Harper
Vice Chair
Swale Senior's Forum

Freedom Centre

Good morning

I spoke to our clients yesterday re this – their thoughts are:

As disabled people the whole group (around 15 members present yesterday) felt that there are already too few disabled public toilets available and that often they are unable to find a suitable one wherever they are in Swale. They stated that those with walkers and wheelchairs cannot access a non-disabled toilet and that rather than closing any there should be more. They also raised concerns around the cleanliness of those that we do have stating that they are always “disgusting and dirty”.

One client stated that he tried to access the “normal” toilet at the library carpark and ended up having an accident due to this so felt this one should not be closed as he and others would not be able to use any other.

They did feel that maybe the ones in Minster could be closed as they do not feel safe when using this one due to it being dark and not knowing who else could be in there, and that the new ones along the leas were much nicer.

Kind regards

Gemma

Area Committee Feedback

Eastern Area Committee - Thursday, 4 September 2025

- Had disability charities been consulted regarding people with accessibility problems accessing facilities as part of the community toilet scheme?;
- the transfer of toilet facilities to town and parish councils was a costly process, would this option cost more in the long run?; and
- if the proposal to close facilities was agreed, people may not feel confident leaving their homes.

Western Area Committee - Tuesday, 9 September 2025

- It was premature to make the decision on public toilet facilities while the Local Government Reorganisation was ongoing. This should be something for the new unitary council to decide;
- it was a good idea to hand the running of public toilet facilities to parish and town councils;
- had research on the impact to residents been carried out on other districts that had closed public toilet facilities?;
- people with medical conditions relied on the public toilets in Sittingbourne town centre;
- the public toilet in the Forum, Sittingbourne was in a bad state of repair;
- would parish councils want to take on the financial responsibility for public toilets?;
- charging for public toilets might work;
- some cemeteries had composting toilets, that might be an effective option in some rural areas; and
- the proposals were causing anxiety for some residents as they cannot walk far and rely on the Forum public toilet in Sittingbourne after getting off the bus.

Sheppey Area Committee - Thursday, 18 September 2025

- Question 2 of the online consultation gave frequency of use options for Minster-on-Sea public toilet facilities, however, those toilets had been shut. This could skew the results of the consultation;
- the Isle of Sheppey was a tourist area and visitors did not want to hunt around to find toilet facilities;
- the message should be that everyone was welcome, including those with disabilities;
- the money should be found to keep as many toilet facilities open as possible;
- how were the costs of running the public toilet facilities calculated?;
- the 'Radar' key at Barton Point toilet facilities had not been working and the facilities had closed earlier than advertised;

- if a public toilet was closed, there should be more information about alternative facilities on the closure sign;
- when reporting problems with public toilets, no feedback on the issues raised was provided;
- how much weighting would the data obtained as part of the consultation process have on the final decision?; and
- the opening times should not be seasonal as people are increasingly visiting the Isle of Sheppey throughout the year.

Sittingbourne Area Committee - Thursday, 25 September 2025

- The Forum, Sittingbourne public toilets were in poor condition and fly-tipping often took place outside them;
- the Library car park toilets, Sittingbourne, were nearby and were in much better condition;
- the community toilet scheme would enable the public to use toilets in cafes and businesses in Sittingbourne High Street without having to make purchases;
- elderly people getting off buses may not be able to walk as far as the Library Car Park; and
- It was important to keep the Milton Regis High Street toilets open, it would encourage visitors to the Court Hall.

Town and Parish Council Feedback

Leysdown Parish Council

Many thanks for your email.

I can confirm that we have been encouraging residents of Leysdown Parish to complete the online form, and this afternoon, I dropped off paper copies of the completed consultations, as well as details of signatories of a petition that was organised too.

We hope you take the views of the parishioners, residents and holidaymakers that use the Spinney toilets into account.

Myself and various Leysdown Parish Councillors have attended recent Swale Area Committee meetings where the public toilets provision was discussed. We have previously noted that we do not recognise the usage figures for the Spinney toilets provided in the report, as we understand usage to be much higher than it has been stated as. We asked in the July Swale Area Committee Meeting as to how the figures were achieved, but understand there was no scope for the usage figures to be re-visited.

Prior to the result of the consultation, we ask that an economic impact statement is undertaken and published which outlines what the impact of closing the Spinney toilets would have on tourist income in Leysdown during the summer months.

Do let me know if you need any more information from us at this stage.

Kind regards,
Emily

Emily O'Neill | Clerk | Leysdown Parish Council

Minster on Sea Parish Council

I am writing on behalf of Minster on Sea Parish Council regarding the current consultation on public toilet provision.

The Parish Council has formally submitted our response via the online survey; however, we wish to follow up with this email to ensure our position is clearly understood and fully represented. We respectfully ask that consideration be given to both our survey response and the additional points outlined below.

The Council has concerns about the fairness and structure of the consultation. In particular, we believe the consultation is skewed. One example is a question asking whether respondents have used certain public toilets in the last six months. However, the White House toilets in our parish have been closed for more than six months by Swale Borough Council. To our knowledge, the toilets in Milton Regis and Leysdown have also been closed for a similar period. This makes it impossible for residents to answer accurately and risks distorting the results in a way that does not reflect actual need or usage.

Furthermore, we feel it is inappropriate that the survey is limited only to Swale residents. Several of the toilet locations, including those along the coast and in visitor hotspots, are regularly used by people from outside the borough. By excluding non-residents from participating, the consultation potentially underrepresents a significant portion of users.

We appreciate the opportunity to contribute to this important consultation and ask that the views expressed here be formally recorded alongside our submitted survey response.

Please confirm receipt of this email and its inclusion in the consultation process.

Many thanks

Lauren Crockford
Parish Clerk and Responsible Finance Officer

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Equality Impact Assessment

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

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.

Lead officer:	Andre Bowen, Service Improvement & Project Manager
Decision maker:	Environment and Climate Change Committee
People involved:	<i>Who is involved in this EIA?</i>
Decision: • Policy, project, service, contract	• Public Convenience Service • Changing Service

• Review, change, new, stop	
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	<i>What date is it going to SMT/Cabinet or Council?</i> <i>NB. SMT will want to see a EIA attached even if the final decision lies with Cabinet or Council</i>
Summary of the decision: • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected?	A full review of the public conveniences provision to ultimately match the service with the resources in the medium term financial plan. Central and local government, the business community and commercial sector, voluntary and community organisations, local communities and interest groups: all share a common ambition to create quality places where people can thrive. By working in partnership, and adapting a range of approaches to the needs of different areas, significant financial and non-financial benefits can be achieved. The key actions are; 1. To note the outcomes of the consultation exercise, as shown in Appendix I. 2. To close three public conveniences from 01 April 2026; 1. Milton Regis High Street 2. The Forum 3. The White House 3. a) To offer to transfer seven public conveniences to Town and Parish Councils or other appropriate local organisations; 1. Oare Gunpowder Works Visitors Centre 2. Central Car Park 3. Rose Street 4. Beachfields 5. Leysdown Beach Services 6. The Spinney 7. Queenborough Park b) To include these toilets for a 12-month period to the contract whilst negotiations continue with the above Town/ Parish councils. Should the transfers not occur within this timeframe, options for these public conveniences will come back to this committee in order to achieve the budget requirements as detailed in 2.21 and 2.22. 4. To aim to introduce a Community Toilet Scheme in the areas impacted by closure. 5. To authorise officers to undertake a tender process for the opening, cleansing and maintenance of the remaining facilities, considering the matters raised in 2.27 – 2.30. 6. Should the recommendations not be approved and as such the savings not achieved, committee are asked to identify where else savings could be made within the scope of this committee. The expected outcomes include; • Support the Corporate Plan objective of 'Running the Council' by working within our resources, and delivering in a transparent and efficient way.

	• Support the Corporate Plan objective of 'Community', enabling our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience. • Support more local businesses to take part in a community toilet scheme, leading to more public toilet options available for residents and visitors. This can make areas more attractive to tourists, enhancing the overall visitor experience. • To transfer public conveniences to Town and Parish Councils who can maintain them on behalf of the people in the respective parish/town, where they have a responsibility for the well-being of its local community. Any member of the public, including residents, visitors and tourists will be affected. The recommended closure of 3 public conveniences will predominantly affect wards; The Forum – Chalkwell (3,990), Milton Regis High Street - Milton Regis (6,180) and The White House - Minster Cliffs (7,862). Totalling 18,032 local residents as well visitors, tourists and residents from neighbouring wards.
Information and research: • Outline the information and research that has informed the decision. • Include sources and key findings. • Include information on how the decision will affect people with different protected characteristics.	The recommendation aims to match the service with the resources in the medium term financial plan taking into account the footfall, costs, condition, level of antisocial behaviour and opportunities available in the local and national context. That is; • Determined the usage of public conveniences within the borough • Determine the estimated condition and estimated maintenance costs (from wear and tear and vandalism) • Compared public conveniences of neighbouring boroughs and national context • Consulted with Town and Parish Councils • Explored alternative uses and models of operation for public conveniences • Recommended the most advantageous solution. Ultimately to match the service with the resources in the medium term financial plan • Consult with members of the public on the proposed changes • Consulted potential businesses suitable for the proposed Community Toilet Scheme
Consultation: • Has there been specific consultation on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics?	Officers from across the Council which includes representatives from the Property Team, Contract Management and Legal have reviewed the public convenience provision provided by the Council and proposed the recommendations which formed the basis of the consultation. A public consultation lasting 12 weeks was opened to Swale residents, visitors, community groups and businesses to ensure as many people could take part. There were also posters in all the public toilet facilities, posters in all Council offices along with paper forms, advertised on the Swale website and social media, shared with the local press, Area Committee presentations and directly contacting representative organisations (such as, Swale CVS, Age UK, Swale Seniors Forum, Freedom Centre and others). There were responses from over 750 individuals whose demographics were representative of Swale's population. Responses to the public consultation highlighted that closures in particular could

	have an impact on the elderly, people with a disability, pregnant women and children. Public toilets aid in allowing vulnerable people to shop, socialise and lead a normal life. There is also the possibility that public toilet closures could impact on tourism. Of the Town and Parish Councils consulted, 4 have expressed an interest in maintaining the public conveniences in their respective towns/parishes. 6 businesses have expressed an interest in allowing members of the public to use their toilets without purchasing any goods or paying a fee.
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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	No
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	No

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	Negative
Disability	Medium	Negative
Gender reassignment	None	Neutral
Marriage and civil partnership	None	Neutral
Pregnancy and maternity	Medium	Negative
Ethnicity	None	Neutral
Religion or belief	None	Neutral
Sex	None	Neutral
Sexual orientation	None	Neutral
Other socially excluded groups ¹	None	Neutral

Conclusion:

- Consider how due regard has been had to the equality duty, from start to finish.
- There should be no unlawful discrimination arising from the decision.

Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.

Summarise this conclusion in the body of your report

The closure of public conveniences could impact more on particular groups, including older people, families with small children, disabled people and pregnant women

Age - as people age, the prevalence of health problems and disabilities rises. Conditions that require older persons to use toilet facilities more frequently.

Younger people - families with young children may be impacted by a reduction in facilities, particular if facilities with baby changing are reduced.

¹ 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

Disability - access to public toilets can affect how disabled people participate in daily activities, especially those with diseases that necessitate regular use of facilities (e.g., crohn's disease, prostate cancer, IBD, and colitis). People who require accessible toilets could also be disproportionately impacted, both in terms of the location for those with mobility issues and the availability of disabled public toilets.

Pregnancy - pregnant women are also more likely have frequent use of toilet facilities.

Facilities of recommended public conveniences to be closed

Public Convenience	Accessible	Baby changing
The Forum, Sittingbourne		
Milton Regis High Street, Milton Regis		
The White House, Minster	 *	

* Unavailable due to building structural issues

The Council does not have a statutory responsibility to provide public conveniences, but in order to continue to be able to provide a service it is recommended to work with local businesses, Town/Parish Councils and close a number of facilities rather than closure of all facilities.

The recommended change may have a negative impact on service users, with some groups—such as older people and disabled individuals—potentially being disproportionately affected. However, the decision must be considered in the context of the Council's need to identify significant savings. It is important to assess whether this approach represents a proportionate means of achieving a legitimate aim—namely, the requirement for the Council to deliver a balanced budget.

To help mitigate the impact of the recommended change, Swale residents and visitors will be better informed about the locations of publicly accessible toilets. This will enable them to plan their journeys more effectively, whether shopping, socialising, or visiting local attractions. Clear signage will direct people to the nearest available facilities, ensuring greater awareness and ease of access.

Further promotion of the incentivised Community Toilet Scheme will attract local businesses to make suitable facilities available to the public.

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) 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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Environmental Services and Climate Change Committee	
Meeting Date	12 November 2025
Report Title	Barton's Point - considering future options for management of biodiversity
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Graeme Tuff, Greenspaces Manager
Classification	Open
Recommendations	1. Members to discuss the considerations and give a steer on what options they want officers to pursue. 2. To recommend to Policy and Resources committee to remove the mains drainage project from the capital programme. 3. To write to the Sea Cadets informing them of the Ecology report.

1 Purpose of Report and Executive Summary

- 1.1 This report provides an update on recent ecological surveys conducted at Barton's Point Coastal Park and considers the future implications and actions required.
- 1.2 Members are given a range of considerations and asked to consider recommendations on how the site is managed moving forwards.

2 Background

- 2.1 Following the coalition's ambitions to explore opportunities to improve the offering at Barton's Point Coastal Park and generate more commercial income, the Council sought Expressions of Interest (EOI) in May 2022 to manage the various elements of the site. This included the Boathouse, Toilet and Shower Block, Boating Lake, Former Pitch and Putt Course, seasonal camping ground and car park to combine to make an overall improved leisure offer.
- 2.2 The EOI process generated considerable interest and having reviewed the submissions and undertaken commercial negotiations, a preferred operator was identified, with ambitious plans for the site, including use of the lake for an inflatable adventure course, improved café offering and accommodation pods. Given the nature of these plans, involving considerable capital investment, any lease agreement would be subject to securing planning permission. Following

selection, the preferred bidder developed their plans over some time, with the support of external planning consultants.

- 2.3 A key risk in securing planning permission was the ecology and biodiversity on the site and the ability to mitigate any concerns that might be raised, in the event of a changing and more intensive use of Bartons Point for leisure. At a similar time, the onset of Biodiversity Net Gain as part of national planning reforms, was a relevant consideration by the time the plans were implemented.
- 2.4 Consequently, a specialist company, Bakewell, were instructed to undertake a year-long suite of ecological surveys to fully understand both the ecological value of Barton's Point and the potential to mitigate against harm, and ultimately to secure a planning permission for more intensive use. These surveys were completed in April 2025, with the final full report (appendix I) received in early summer.

Survey Findings

- 2.5 Bakewell's surveys revealed the park's exceptional biodiversity, emphasising the complex and fragile relationships among species, particularly invertebrates and nesting birds, around the brackish lake and adjacent grasslands. The lake's brackish nature resulting from a mix of freshwater and saline influences from its proximity to the Thames and Medway estuaries, creates a rare habitat supporting specialised species. Key findings include:
- **High Species Diversity:** The surveys identified a rich array of invertebrates and nesting birds, with the lake and grasslands forming a delicate ecosystem reliant on stable environmental conditions.
 - **Fragile Ecosystem:** The interdependent relationships between species are highly sensitive to disturbances, such as increased human activity or habitat alteration.
 - **Brackish Lake Significance:** The lake's unique salinity supports rare aquatic and semi-aquatic species, making it a critical ecological feature.

Planning Legislation and Considerations

- 2.6 Under UK planning law, developments impacting ecologically sensitive areas must comply with the National Planning Policy Framework (NPPF), which emphasises biodiversity protection and the need for a Biodiversity Net Gain (BNG) of at least 10% for new developments (effective since February 2024 for major developments under the Environment Act 2021).
- 2.7 The surveys indicate that the proposed inflatable waterpark and accommodation would increase site usage to the point at which it would potentially disrupt the fragile ecosystem. Key legislative and regulatory considerations include:

- Wildlife and Countryside Act 1981 (as amended): Protects species identified in the surveys, such as nesting birds and potentially great crested newts, requiring mitigation measures for any development.
- Natural England and Kent Wildlife Trust: As statutory consultees, both organisations are likely to object to the waterpark proposal due to its potential to harm protected species and habitats. Kent Wildlife Trust, managing over 9,500 acres across 90+ sites, prioritizes conservation and has significant influence in planning decisions.
- Local Planning Policy: Swale Borough Council's Local Plan emphasises sustainable development and habitat protection, aligning with objections to developments that threaten biodiversity.
- Environment Act 2021: Mandates BNG, requiring developers to enhance biodiversity through measurable improvements.

Bakewell's Recommendations

2.8 Bakewell's conclusions highlighted the challenges of securing planning consent for the waterpark or any other intensification of use (such as the camping or accommodation pods), due to the site's ecological importance. They noted the following:

- Statutory Objections: Natural England and Kent Wildlife Trust are likely to oppose the application, citing impacts on protected species and the brackish lake's ecosystem.
- Alternative Uses: The park's unique biodiversity supports educational and environmental initiatives, such as interpretive trails or research programs.
- Biodiversity Net Gain Opportunities: Enhancing grassland species diversity could generate BNG credits, providing an economic incentive for conservation-focused management while meeting legislative requirements.

2.9 The ecological surveys underscore Barton's Point Coastal Park as a critical biodiversity asset, particularly due to its brackish lake and diverse species. Due to the park's ecological significance, the Council has been advised that planning consent for future uses on the park will need to carefully consider the park's sensitive and unique ecosystem. Any planning application for intensification of use faces significant hurdles in obtaining consent due to potential ecological impacts and likely objections from Natural England and Kent Wildlife Trust. The Queenborough Lines, the channel of water running from Barton's point across the top of the of the Island is also a scheduled ancient monument and therefore any major impacts on that would require support of Historic England as well.

2.10 This presents a very substantial challenge for efforts to diversify and intensify use of the site for commercial operators and has led the preferred bidder to reconsider its position.

- 2.11 As a result, the Economy and Property committee, who took the original decision to approve the lease of the site to a new operator, met on 8 October 2025 to reverse that decision, and have referred future direction to this committee. They have requested an update paper on property related matters in January 2026, following this committee's discussions, to avoid a lengthy decision process for future options.

Considerations for the Future

- 2.12 This committee is therefore presented with a number of considerations and implications as detailed below. It may be that the Committee sets certain directions for the officers to go away and investigate, in order to return to a future committee with final recommendations/options for consideration. Appendix II shows current and previous uses to help Members understand the implications better.
- 2.13 **Grounds maintenance of the site** - officers will need to analyse the ecological report and understand how the Council might need to adapt its current maintenance of the site in the short term. Our grounds maintenance contractors will need to be sensitive to the findings, and a revised regime may need to be agreed. If this requires specialist works, it may increase costs for the management of the site. Our current perspective is that the regime hasn't changed considerably in the last 20 years, and we still have the unique ecology, so the regime may well be satisfactory.
- 2.14 **Habitat Bank** – the Planning Policy team are currently working on a pilot study to look at sites that may be suitable for use as BNG habitat banks. Broadly speaking this is a site where developers, who are unable to meet BNG requirements on their own site, can buy credits on another site. They can currently do this anywhere across the country but obviously it would be better for Swale if it was local. This may generate financial receipts that can be used to enhance the ecology at Bartons Point and we are now investigating options for Barton's Point as part of the pilot.
- 2.15 **Café** –whilst awaiting the bigger project plan, property services took on an interim café operator. This has worked well with operation across the peak seasons and bringing in some concession income. We invested £13k in the boathouse to bring it up to a better standard before they started, using UK Shared Prosperity funding. The Council's medium term financial plan originally set income at £28k per annum for 25/26 from the new leisure operator, however this was corrected in 25/26 final budget setting, knowing it wouldn't come forward this year. Members will need to consider that future use is highly unlikely to generate the same level of income, given the limited commercial potential. However as is shown across many country parks in the region, a high-quality café offering is a crucial part of the operation and therefore the future intention would be to secure a long-term operator for the site. Members will need to discuss whether they want the existing offering to stay in place until the overall management of the site is confirmed.

- 2.16 **Previous/current uses/lake management** – the removal of the old café operator, means that the informal camping offer that had operated for many years at the site is no longer available. This never had formal planning permission and whilst the report does say that camping in some locations may still be possible, this would need to be carefully managed and the costs of mitigating will likely be prohibitive. The café also operated water sports (kayaks/canoes/pedalos), which also have not operated since the switch. Given that much of the report talks about the unique elements of salt and fresh water in the lake, it is unlikely that this will be possible in future, however we will be assessing this. Individual members of the public do continue to use their own equipment on the lake, and it is unlikely we could police this if a complete ban was made. We must however consider improved signage and clear locations of where people can and can't launch.
- 2.17 **Toilets** – the toilet block was replaced under the coalition's first Corporate Plan. They are a great facility but unfortunately are subject to regular vandalism and are expensive to operate (circa £48k per annum). On top of this there is no mains drainage and the cesspool costs approx. £11.5k per annum to empty. Had the main leisure operator project gone ahead, then the intention was to transfer the toilets to the concession, who could operate them alongside their operation, saving the Council the annual costs. Again, depending upon Member's wishes the toilets may be integrated into the new operator or remain with the Council.
- 2.18 **Drainage** - a capital project was set aside to research connecting the site to the mains drainage along with the Sea Cadet centre on the site. Engineers drew up a scheme, which was complicated by the very long run to the main road and the fact it is uphill, therefore needing a pumped solution. The estimated cost of the project was vastly over the allocated capital budget and the pumped solution would require annual service contracts to be in place that would likely match the cesspool emptying cost. Therefore, the project has not progressed. The remaining capital could be used to investigate options for improving the cesspit and maybe make it more efficient, lowering annual costs. It is therefore recommended not to proceed with the mains drainage project anymore.
- 2.19 **Events** – part of the site is set aside as the 'events field'. The grass has always been cut short, and it is further away from the lake, but still in close proximity to ditches where ecology has been recorded. It hosts an annual fairground and circus and generates approximately £4k income per annum. As this practice has continued throughout the survey period, it is felt that we do not need to change this practice at the current time, although we will need to review this alongside the ecology report. Historically, events have taken place in and around the lake, including the historic 'Sheppey Pirates' event. It is considered that this type of event would not be possible in future.
- 2.20 **Other Site users** – there are two further regular users of the site who have agreements with the Council and the privately owned neighbouring Sea Cadets Centre. The model engineering club operate a miniature railway on a sectioned-off part of the site behind the car park and have a license until January 2029, with a rolling option beyond that and a rental cost of £150 per annum. There is a 6

month notice period. It is not suggested that this impacts the ecology of the site, but members should consider whether the current agreement suits the Council. Economy and Property committee may wish to discuss the current property arrangements.

The Model airplane club have had an annual license of a grassed area over the opposite side of the park since Sept 2012 at an annual cost of £500 with 6 months' notice period. There was an unfortunate grass fire caused by an event in recent years which affected a large part of the site. Decisions will need to be made if these activities can continue.

The Sea Cadets were granted their land from the Ministry of Defence at the same time the Council (or its predecessor) were granted our land. Despite assuming that there were covenants requiring access for the sea cadets to use the lake, no such evidence has yet been found. There has never been reason to formalise the arrangement, despite some previous tension on lake usage. They use the lake for training and education and again this activity has continued throughout the survey period. We therefore do not feel that this should be changed/restricted at the current time, but any major escalation in usage by the Cadets would need to be formally assessed. It is recommended that the Council writes to the Sea cadets formally making them aware of the ecology report and asking them to be mindful when planning their activities. These matters would need to be considered in any sort of management plan.

Potential Options for the Future

- 2.21 Members are asked to consider how they would like officers to proceed for the long term. Clearly there are many more options than those below and some of the below will be interchangeable rather than exclusive.
- a) Continue to manage in-house with existing income generation from leisure activities, but with a management plan to preserve the habitat.
 - b) Retain the land, limit leisure usage and focus on the use of the site for ecological benefit/habitat bank. Explore potential ecological enhancements through biodiversity credits.
 - c) Explore external management opportunities with conservation organisations to run as an ecology education centre.
 - d) Transfer the asset to a local organisation.

3 Proposals

- 3.1 Members to discuss the considerations and give a steer on what options they want officer to pursue.

3.2 To recommend to Policy and Resources committee to remove the mains drainage project from the capital programme.

3.3 To write to the Sea Cadets informing them of the Ecology report.

4 Alternative Options Considered and Rejected

4.1 No options have been dismissed at the current time.

5 Consultation Undertaken or Proposed

5.1 The matter has been discussed at recent Sheppey Area committees and will remain an item on future agendas.

5.2 Minster Parish Council will be a key consultee in future options.

6 Implications

Issue	Implications
Corporate Plan	With the change in direction from maximising income from the asset to ecological protection, this moves from the Economy to Environment theme of the Plan.
Financial, Resource and Property	It is hoped that any change of grounds maintenance regime will be able to be absorbed within current budgets, but any specialist requirements will need additional funding. Decisions will be bought forward at a later date if this is the case. Any reduction in leisure usage e.g. other site users and events would see a budget income pressure of about £8,000 per annum. There is already a growth bid in budget proposals for 2026-27 for increased cesspool costs of £3,500. The habitat bank option could provide an opportunity for additional income generation. If we were to move beyond the pilot project, we would need to ascertain that contributions cover the whole life maintenance costs of adding more planting etc. If management were kept in-house, then any project to provide classroom/education facilities would need to be costed and considered against other priorities.
Legal, Statutory and Procurement	The main report covers the relevant legislation in relation to biodiversity considerations.

	Any future external management considerations would need to follow the Council's financial standing orders and Property Asset Strategy.
Crime and Disorder	The facilities on-site do suffer from vandalism, made more difficult by the remote nature of the site.
Environment and Climate/Ecological Emergency	This is the most relevant implication of the report. Clearly, future decisions need to ensure we continue to be an exemplar environmental steward. Using the site for habitat improvements will enable us to off-set our carbon emissions and support other developments in the Borough to do the same. There are two specific actions in the Councils CEE action plan namely 1. To investigate a pilot study for a Swale habitat bank 2. To investigate the leasing of council owned woodlands to educational institutions for management.
Health and Wellbeing	The provision of high quality, local open spaces and parklands is vital to supporting community health and well-being. A further developed habitat bank would also assist in air quality and wider health and well-being.
Safeguarding of Children, Young People and Vulnerable Adults	Not applicable.
Risk Management and Health and Safety	There is financial and operational risk within options discussed in this report. The site is currently managed by the Council and inspected on a regular basis. However, reduced on-site presence does impact what can be achieved.
Equality and Diversity	No decisions in this report are thought to negatively impact any of the protected characteristics.
Privacy and Data Protection	No implications.

7 Appendices

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

- Appendix I: Full Ecological Survey Report
- Appendix II: Barton's Point Map of Current/Previous uses

8 Background Papers

[Link to Economy and Property Decision – 8 October 2025](#)

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Ecological Assessment

Including Development Feasibility Assessment

**Bartons Point Coastal Park, Marine Parade,
Sheerness on Sea, Isle of Sheppey**

Report for Swale Borough Council

July 2025

Our Ref: KENME12 709



Quality Assurance

Author	Jo Lewis BSc, MSc ACIEEM; Donna Popplewell BSc, ACIEEM
Reviewed	Fiona Baker BSc, MSc, MCIEEM
Date	July 2025
Version	Draft V0.1

About Us

Bakerwell Limited has two offices, led by directors Fiona Baker and Donna Popplewell. The Directors have collectively 28 years’ experience in the ecological consultancy industry, hold relevant degrees, are qualified botanists, and are trained in the use of biodiversity metrics to calculate no net loss/gain.

All staff are members, or training to be members, of the professional body for the environmental industry, the Chartered Institute of Ecology and Environmental Management (CIEEM) and hold Natural England European protected species licences for great crested newts, bats and dormice. Bakerwell Limited has SMAS Worksafe Health and Safety Accreditation; all staff hold relevant CSCS cards.

Bakerwell Limited is a consultancy specialising in ecological planning advice and surveys. Bakerwell also work in collaboration with trusted associates to provide Landscape Architecture, Arboriculture and Energy assessments.

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Figure 1: UK Habs Survey Results 2024	 www.bakerwell.co.uk Contains Google Satellite and OS data © Crown copyright and database right (2025) © UKHAB LTD, under licence. No onward licence implied or provided. All rights reserved https://ukhab.org/commercial-eula/	Key		
Site: Bartons Point, Swale		 Site boundary	 h3 - Dense scrub	 w33 - Line of trees
Job: KENME12 709		 Priority habitats	 g4 - Modified grassland	 r1 50 - Ditches
Date: July 2025		 g19 - Coastal and floodplain grazing marsh	 g3c - Other neutral grassland	
Author/Reviewer: CW/DP	 u1c - Artificial unvegetated, unsealed surface	 f2e 73 - Saltmarshes and saline reedbeds		
Do Not Use for Construction Detail	 t2g - Saline lagoon	 g16 - Tall forbs		
	 u1b - Developed land; sealed surface	 g 200 - Tree		



Figure 2: Bat Survey Results 2024		bakerwell ecological expertise www.bakerwell.co.uk Contains Google Satellite and OS data © Crown copyright and database right (2025)	Key		
Site: Bartons Point, Swale	Building Roost Potential		Site boundary	Bat Survey Points	Observed flight lines
Job: KENME12 709			Low	Infrared Camera Position	Common Pipistrelle 06/06/24
Date: July 2025			Moderate	Bat Surveyor Locations	Soprano Pipistrelle 06/06/24
Author/Reviewer: CW/DP				Surveyor field of vision	Common Pipistrelle 04/07/24
Do Not Use for Construction Detail		Infrared field of vision No flight lines were recorded during the survey conducted on 17/09/24. Noctule was heard but not seen (HNS).			

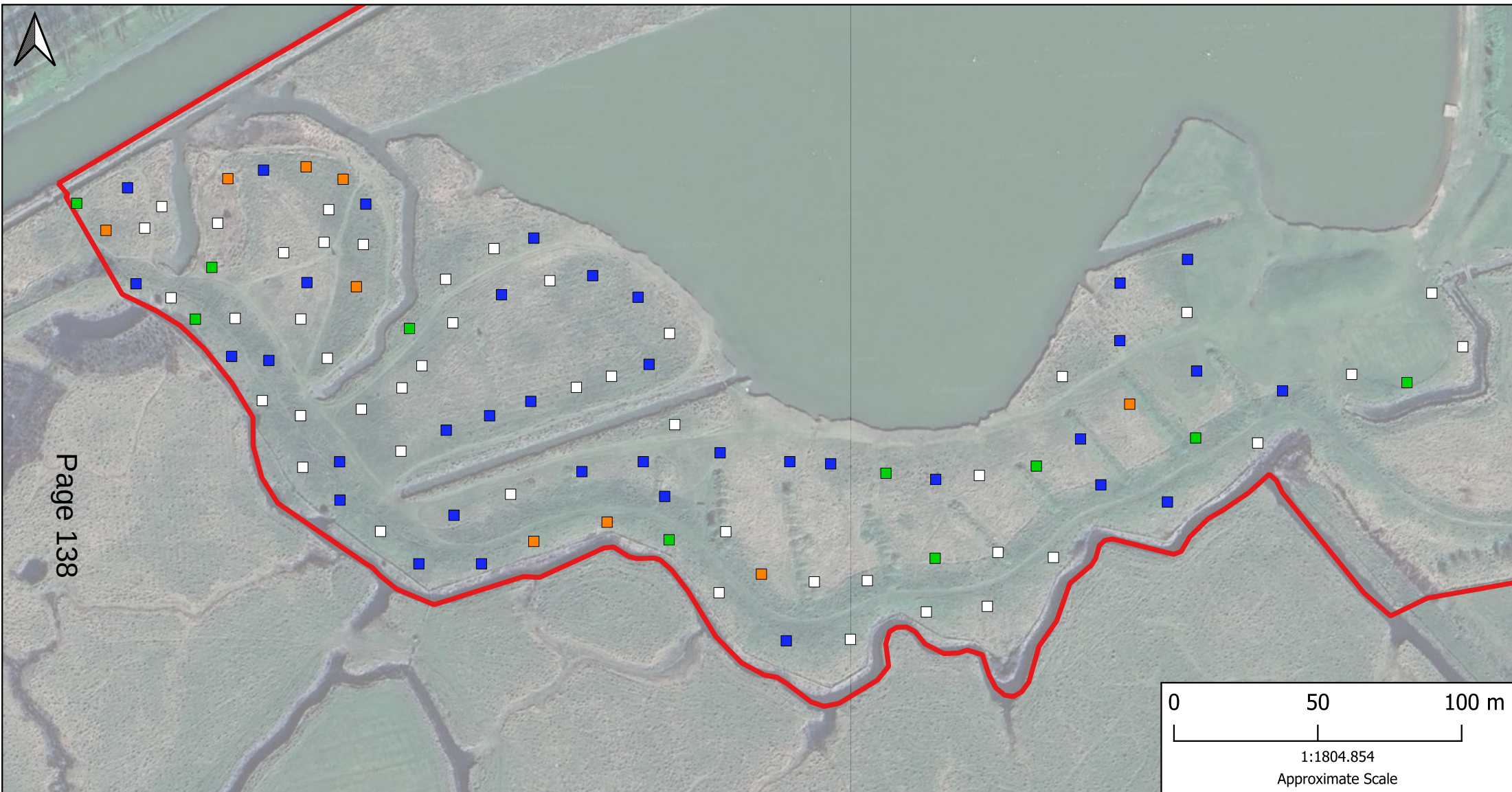


Figure 3a: Reptile Survey Results 2024		 www.bakerwell.co.uk Contains Google Satellite and OS data © Crown copyright and database right (2025)	 Site boundary  Common lizard  Slow worm  Common lizard & slow worm  No reptiles found
Site: Bartons Point, Swale			
Job: KENME12 709			
Date: July 2025			
Author/Reviewer: CW/DP			
Do Not Use for Construction Detail			

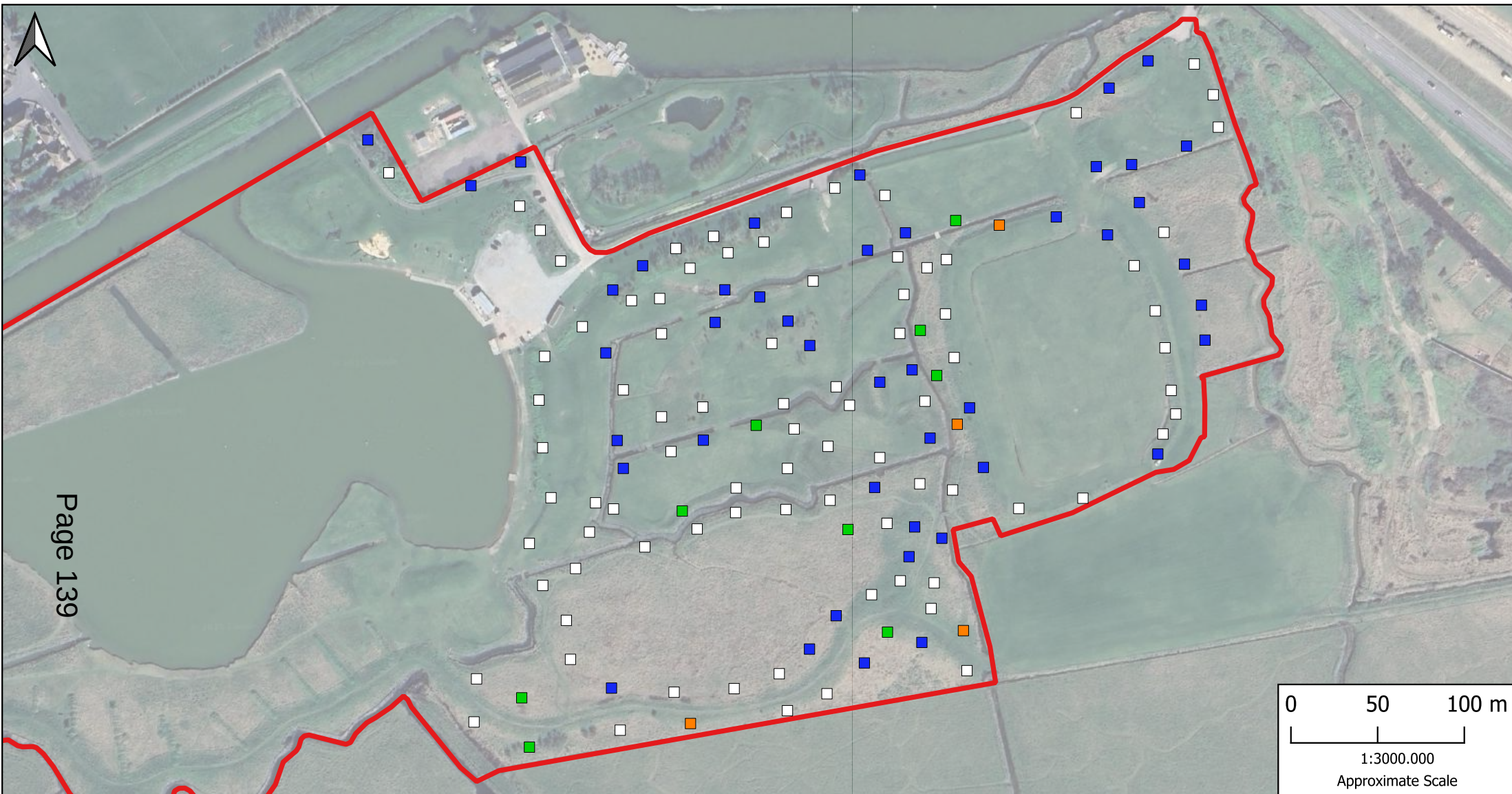


Figure 3b: Reptile Survey Results 2024
Site: Bartons Point, Swale
Job: KENME12 709
Date: July 2025
Author/Reviewer: CW/DP
Do Not Use for Construction Detail

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ecological expertise

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copyright and database right (2024)

- Legend:

 - Site boundary (Red outline)
 - Common Lizard (Blue)
 - Slow Worm (Green)
 - Common Lizard & Slow Worm (Orange)
 - No Reptiles Found (White)

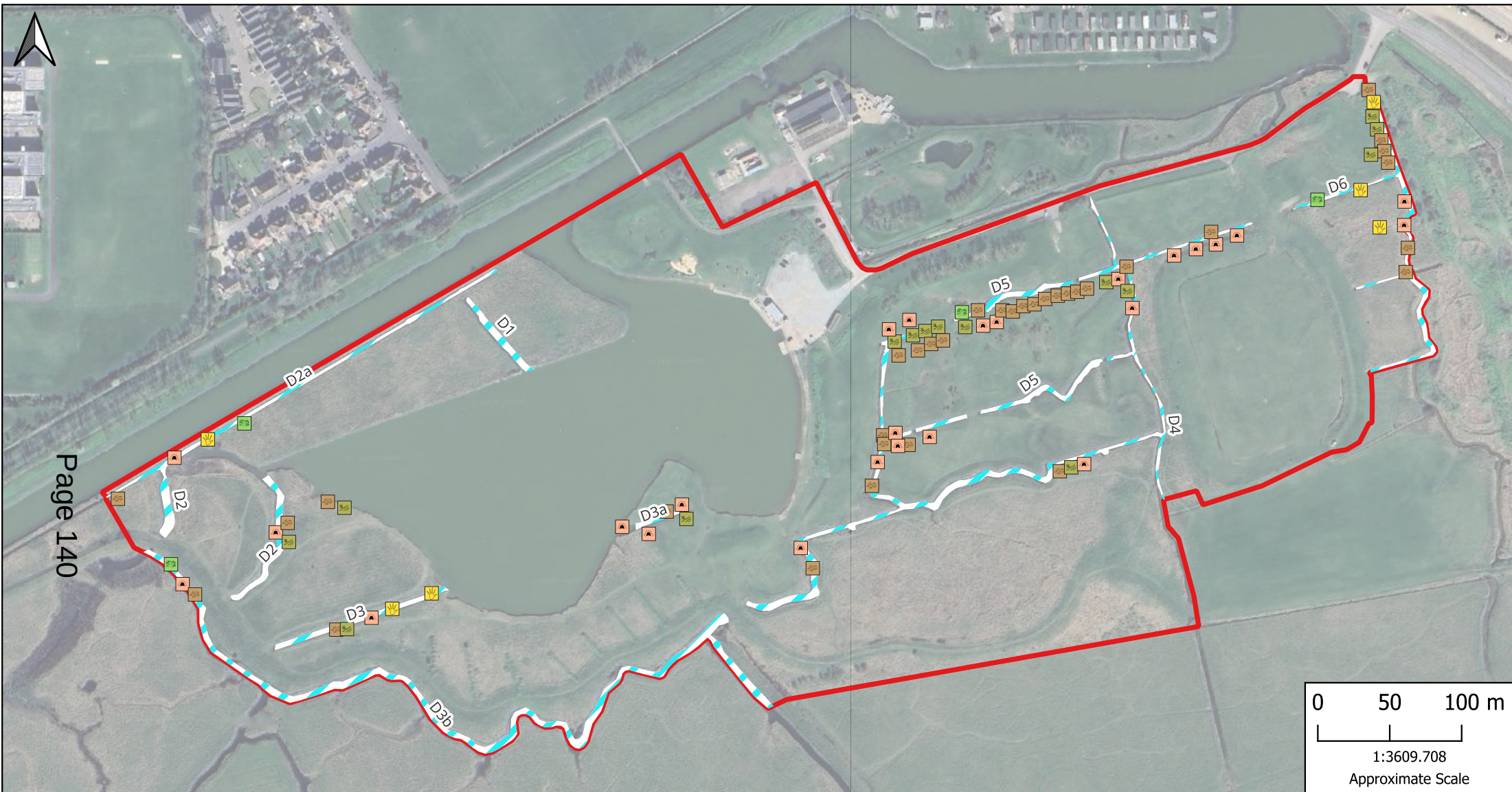


Figure 4: Watervole Presence/Absence Survey Results 2024

Site: Bartons Point, Swale
 Job: KENME12 709
 Date: July 2025
 Author/Reviewer: CW/DP

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- Site boundary
- Ditches
- Watervole footprint
- Watervole burrow
- Watervole run
- Watervole poo/latrine
- Watervole feeding remains

Population size should not be estimated based on incidental field signs alone.

However, since all ditches showing signs of presence are connected to inaccessible waterways, continuous presence is assumed across the entire site.

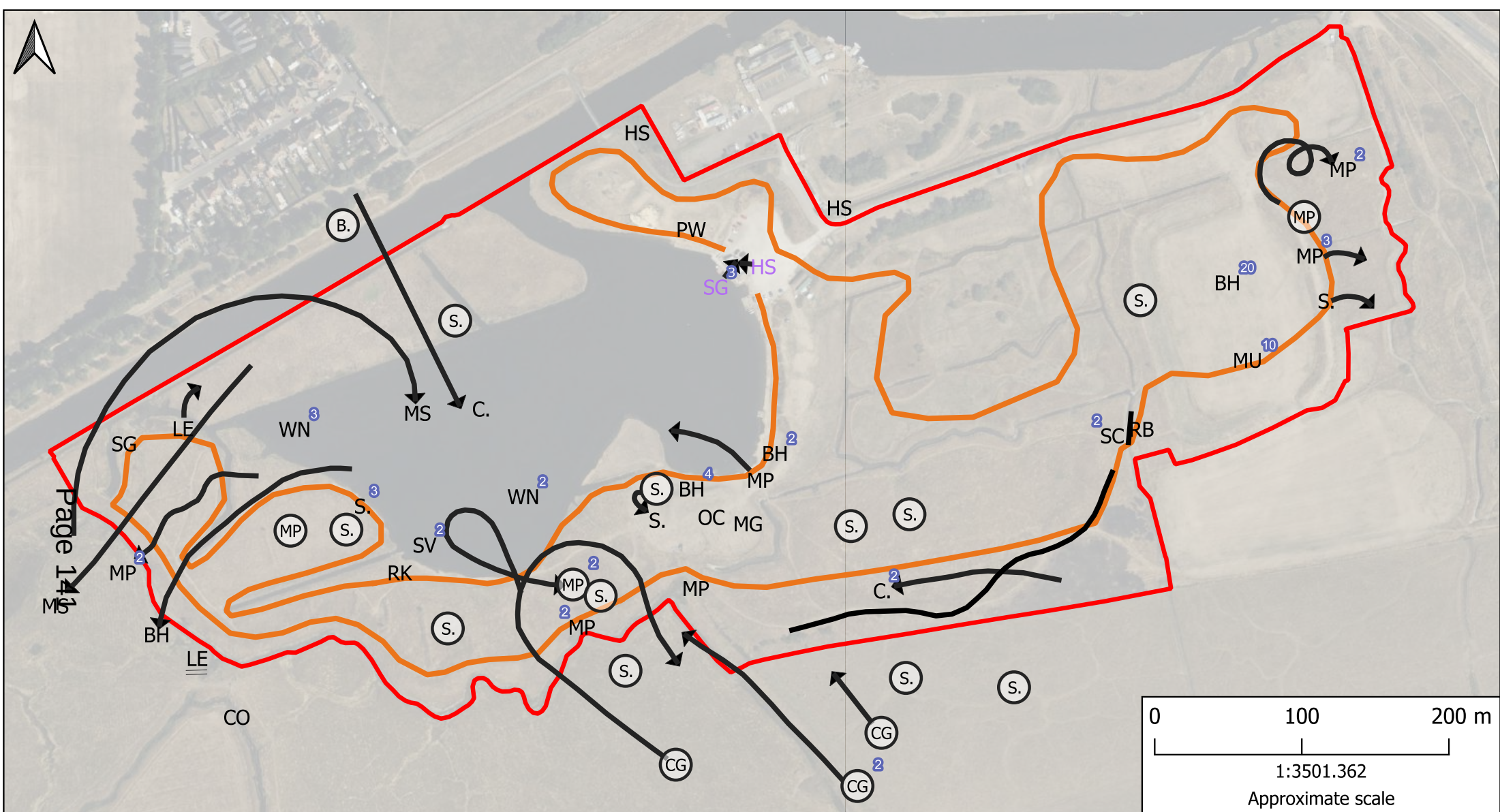


Figure 5a: Breeding Bird Survey Results
28/03/24

Site: Bartons Point, Swale

Job: KENME12 709

Date: July 2025

Author/Reviewer: CW/DP

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Key:

Site boundary

Bird survey transect

B.

Blackbird

BH

Black-headed Gull

C.

Carrion Crow

CG

Canada Goose

CO

Coot

HS

House sparrow

LE

Long-eared Owl

MG

Magpie

MP

Meadow Pipit

MS

Mute Swan

MU

Mediterranean Gull

OC

Oystercatcher

PW

Pied Wagtail

RB

Reed Bunting

RK

Redshank

S.

Skylark

SC

Stonechat

SG

Starling

SV

Shoveler

WN

Widgeon

Underlined Twice - Alarm- Flushed from ground- Lands detected in flight- Detected in flight- Total of species

Nesting Birds in B1

HS

House Sparrow

SG

Starling

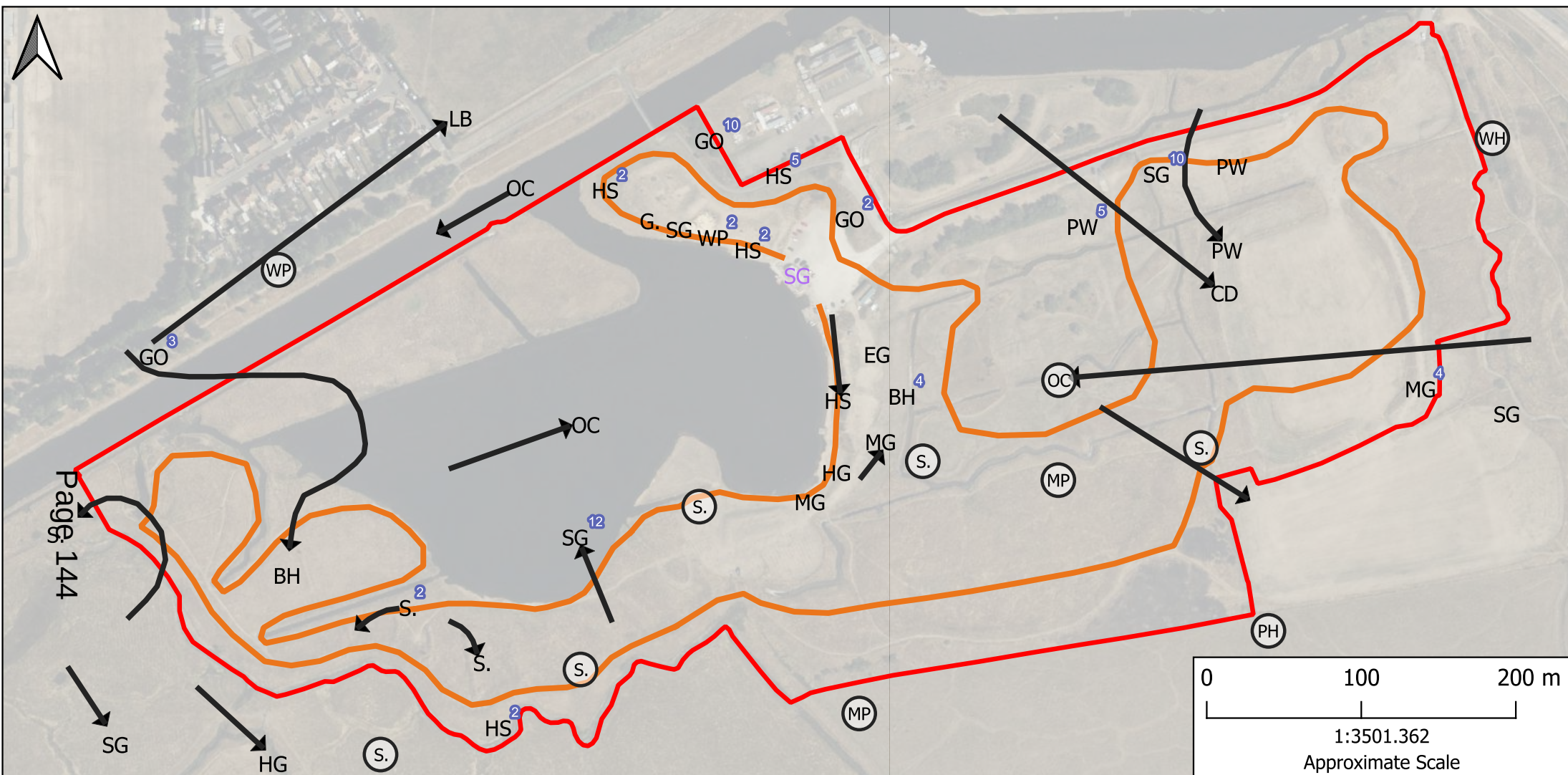


Figure 5d: Breeding Bird Survey Results
20/06/24

Site: Barton's Point, Swale

Job: KENME12 709

Date: July 2025

Author/Reviewer: CW/DP

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Key:

Site boundary

Bird survey transect

BH Black-headed gull

CD Collared Dove

EG Egyptian Goose

GO Goldfinch

G. Green Woodpecker

HG Herring Gull

HS House Sparrow

LB Lesser Black-backed Gull

MG Magpie

MP Meadow Pipit

OC Oystercatcher

PH Pheasant

PW Pied Wagtail

S. Skylark

SG Starling

WP Wood Pidgeon

WH Whitethroat

Circle - Singing

Flushed from ground

Lands detected in flight

• - Total of species

**Nesting Birds
in B1**

SG Starling

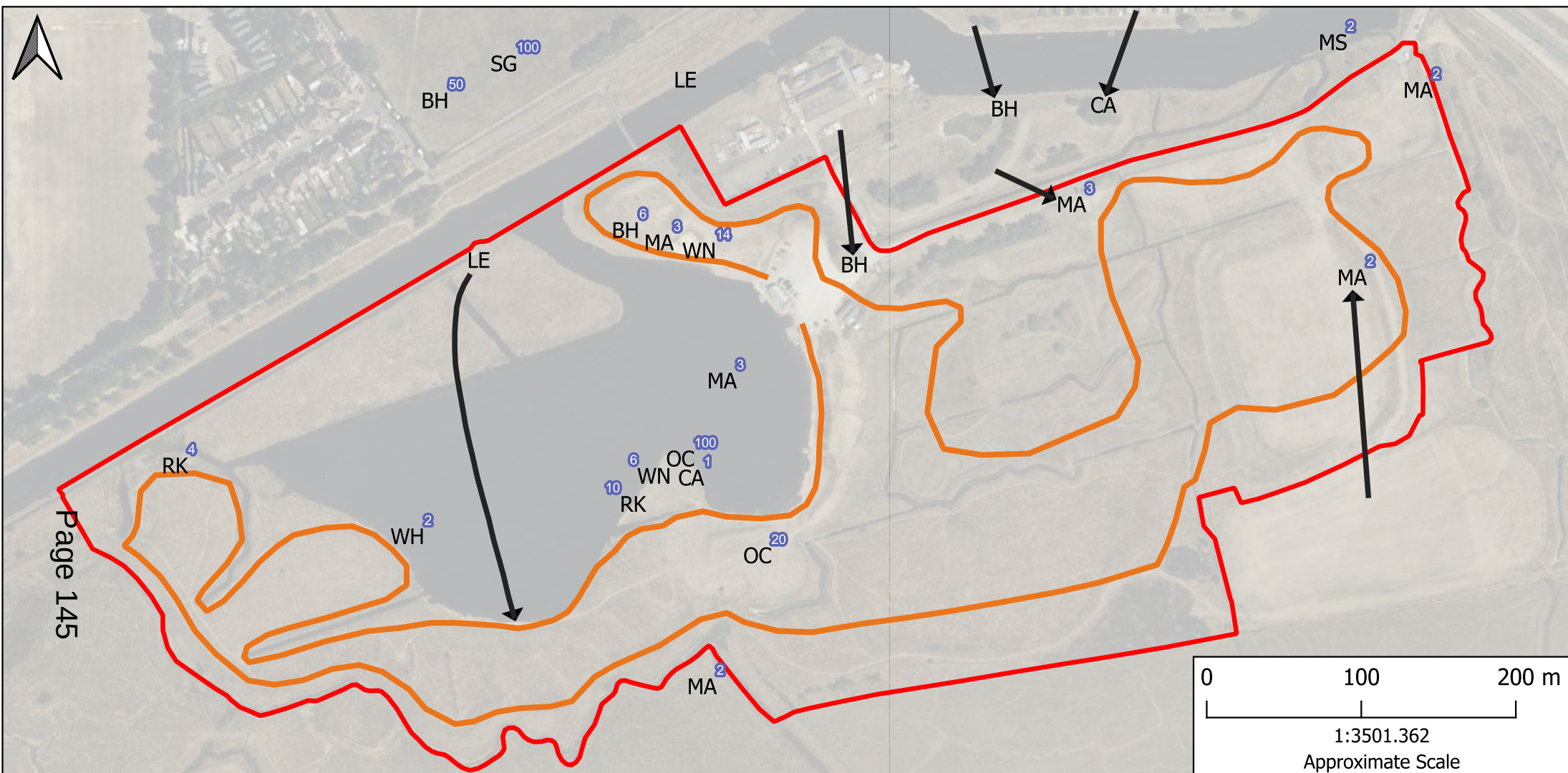


Figure 6a: Winteing Wetland Bird Survey Results 12/03/24

Site: Bartons Point, Swale

Job: KENME12 709

Date: July 2025

Author/Reviewer: CW/DP

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Key:

Site boundary

Bird survey transect

BH Black-headed gull

CA Cormorant

LE Long-eared owl

MA Mallard

MS Mute swan

OC Oystercatcher

RK Redshank

S. Skylark

SG Starling

RK Redshank

WH Whitethroat

WN Widgeon

Circle - Singing

Flushed from ground

Lands detected in flight

● - Total of species

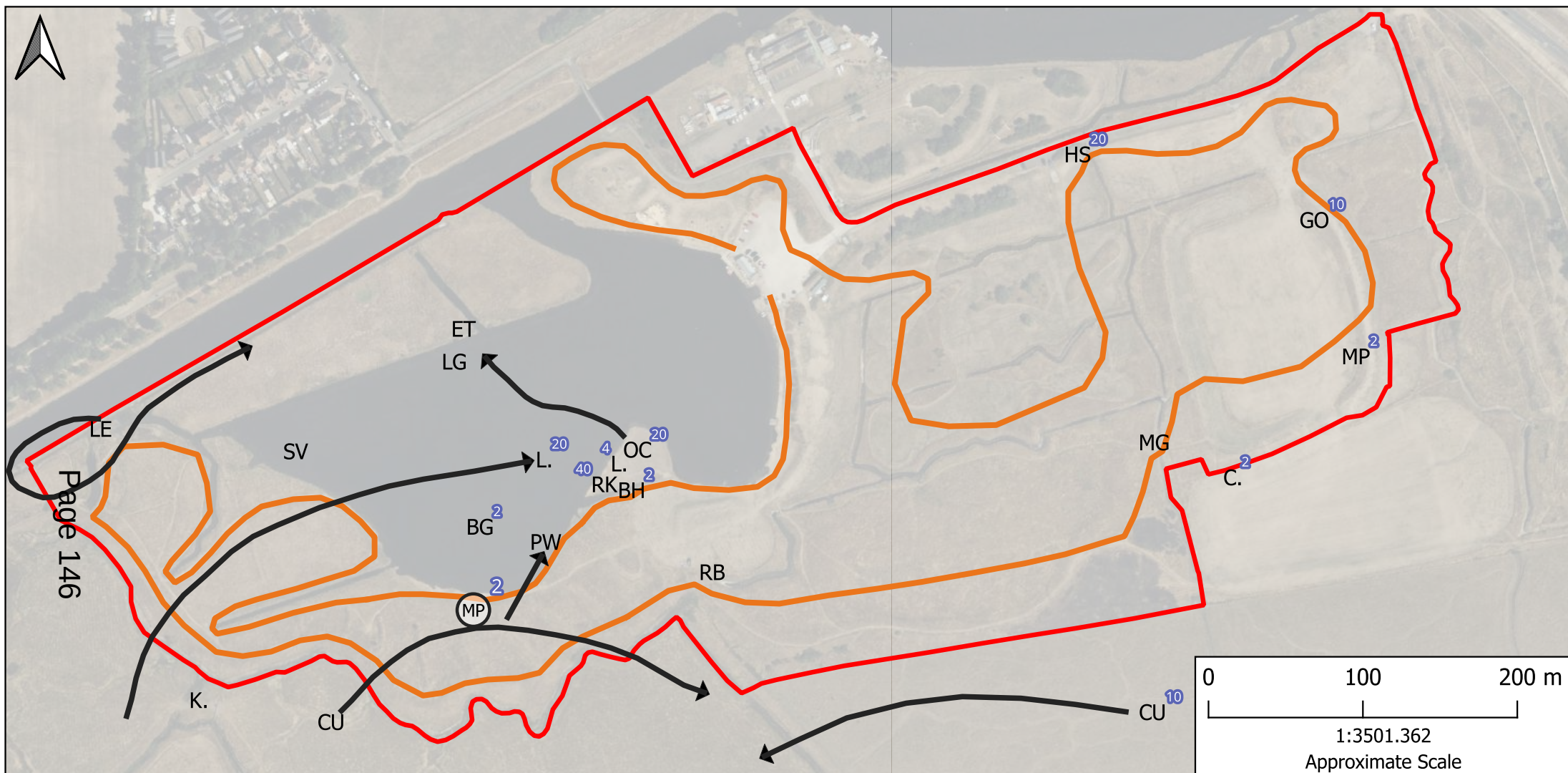


Figure 6b: Wintering Wetland Bird Survey Results 01/11/24

Site: Bartons Point, Swale

Job: KENME12 709

Date: July 2025

Author/Reviewer: CW/DP



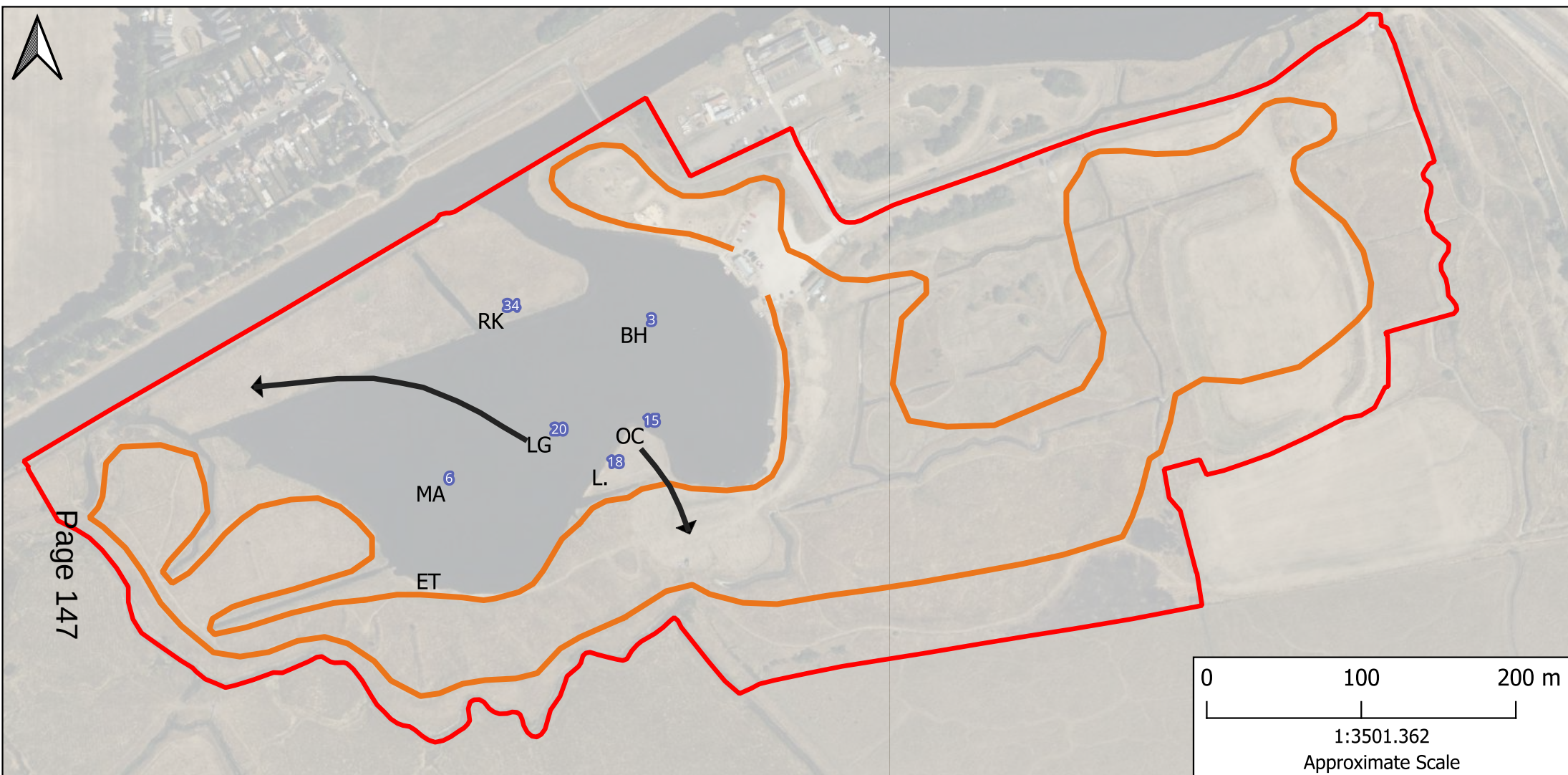
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Key:

- | | | | | | | | |
|---|----------------------|----|----------------|----|---------------|---|----------------------------|
|  | Site boundary | ET | Little egret | MG | Magpie |  | Circle - Singing |
|  | Bird survey transect | GO | Goldfinch | MP | Meadow pipit |  | - Flushed from ground |
| BH | Black-headed Gull | HS | House sparrow | OC | Oystercatcher |  | - Lands detected in flight |
| BG | Brent goose | K. | Kestrel | PW | Pied wagtail |  | - Total of species |
| C. | Carrion crow | L. | Lapwing | RB | Reed bunting | | |
| CA | Cormorant | LE | Long-eared owl | RK | Redshank | | |
| CU | Curlew | LG | Little grebe | SV | Shoveler | | |



**Figure 6c: Wintering Wetland Bird
Survey Results 06/12/24**

Site: Bartons Point, Swale

Job: KENME12 709

Date: July 2025

Author/Reviewer: CW/DP

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Key:

Site boundary

Bird survey transect

BH Black-headed Gull

ET Little egret

JD Jackdaw

L. Lapwing

LG Little grebe

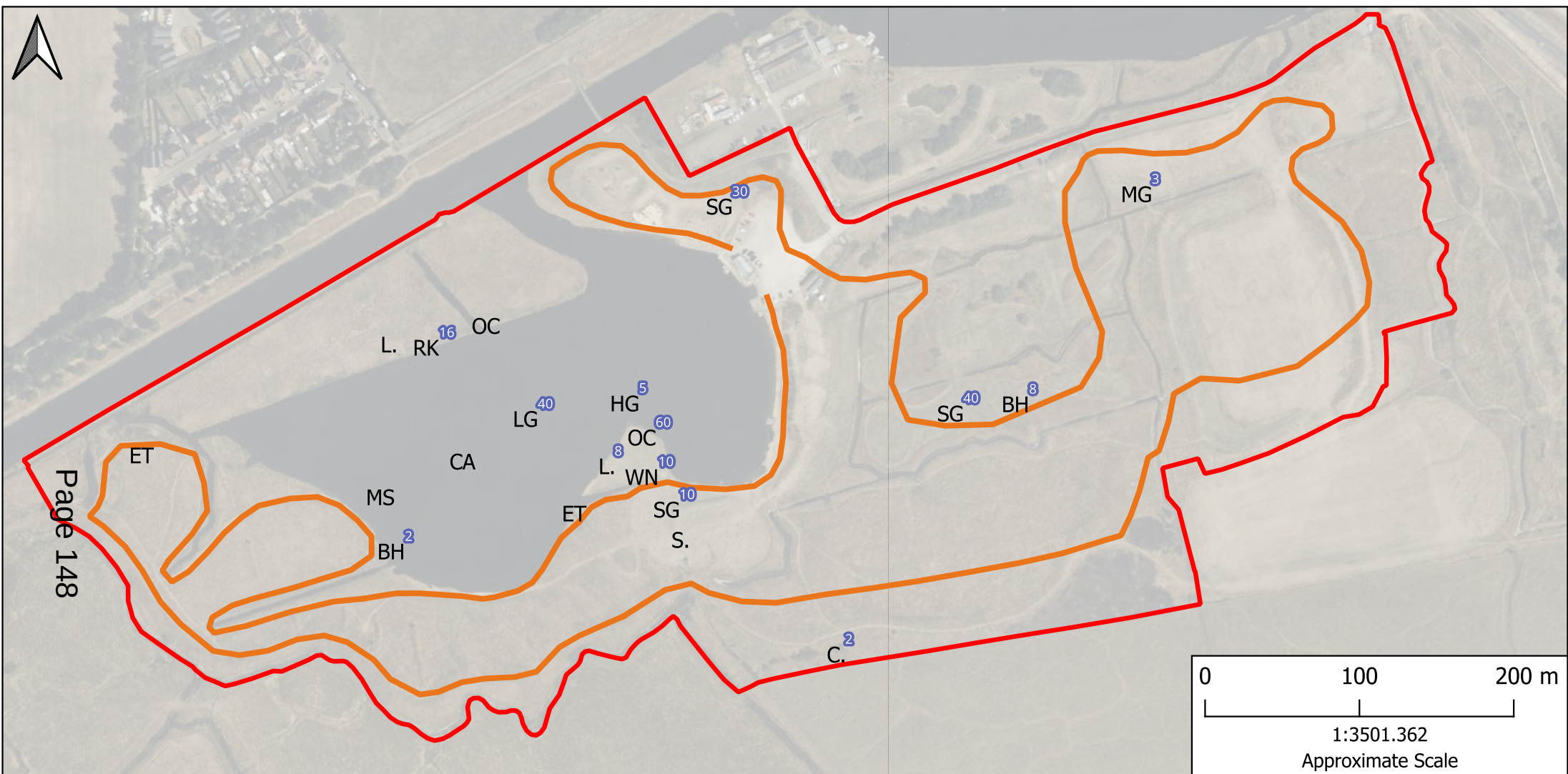
MA Mallard

OC Oystercatcher

RK Redshank

 - Flushed from ground

• - Total of species



**Figure 6d: Wintering Wetland Bird
Survey Results 14/01/25**

Site: Bartons Point, Swale

Job: KENME12 709

Date: July 2025

Author/Reviewer: CW/DP

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Key:

Site boundary

Bird survey transect

BH Black-headed gull

C. Carrion crow

CA Cormorant

ET Little egret

HG Herring gull

L. Lapwing

LG Little grebe

MA Mallard

MG Magpie

MS Mute swan

OC Oystercatcher

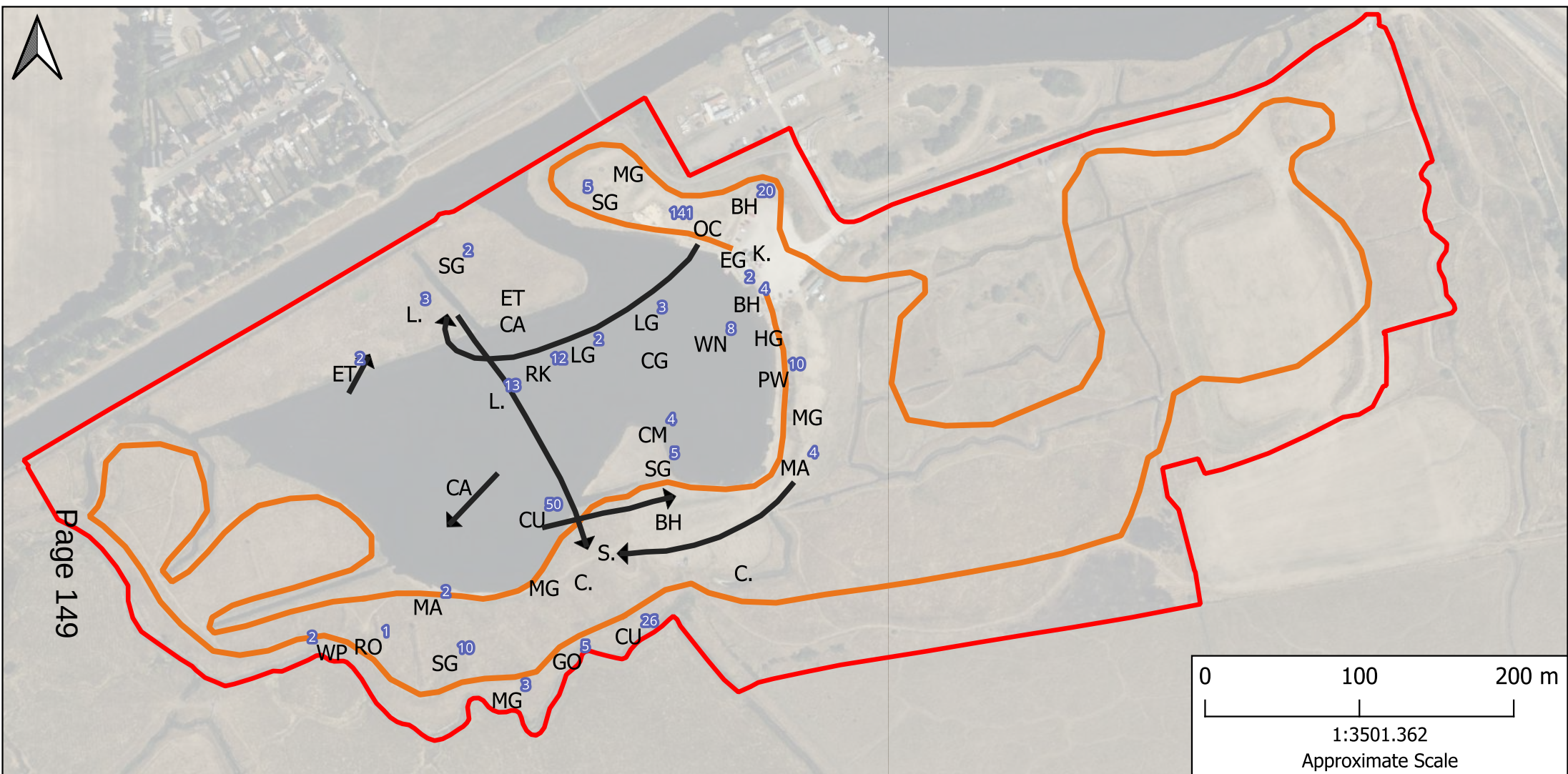
RK Redshank

S. Skylark

SG Starling

WN Wigeon

● - Total of species



**Figure 6e: Wintering Wetland Bird
Survey Results 11/02/25**

Site: Bartons Point, Swale

Job: KENME12 709

Date: July 2025

Author/Reviewer: CW/DP

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Key:

Site boundary

Bird survey transect

BH Black-headed gull

C. Carrion crow

CA Cormorant

CG Canada goose

CM Common gull

CU Curlew

EG Egyptian goose

ET Little egret

GO Goldfinch

HG Herring gull

K. Kestrel

L. Lapwing

LG Little grebe

MA Mallard

MG Magpie

OC Oystercatcher

PW Pied wagtail

RO Rook

RK Redshank

S. Skylark

SG Starling

WP Wood pigeon

WN Wigeon

- Flushed from ground

- Lands detected in flight

- Total of species

1 Executive Summary

- 1.1 Swale Borough Council commissioned an Ecological Assessment (EA) to inform the feasibility of recreational development options at Bartons Point, Sheerness, Isle of Sheppey. This Ecological Assessment (EA) is informed by a desk study of biological records and designated sites information and surveys conducted over 2023 – 2025; comprising bat, water vole, reptile presence/likely absence, bird (breeding and wintering), invertebrate surveys and a Biodiversity Net Gain feasibility assessment.
- 1.2 The desk study confirmed the site is designated as a Local Wildlife Site, forming part of the Minster Marshes Local Wildlife Site with priority habitats Saline Lagoon and Coastal Floodplain Grazing Marsh present on site. The UK Habs Survey confirms the presence of modified and other neutral grassland and saline ditches which collectively form Coastal Floodplain Grazing Marsh priority habitat (Figure 1). The lake does meet the criteria for Saline Lagoon and areas of relic Coastal Saltmarsh are also present.
- 1.3 Four SPA are located within 6km of the site: Outer Thames Estuary SPA (Marine Component), Medway Estuary and Marshes SPA and Ramsar, the Swale SPA and Ramsar, Thames Estuary and Marshes SPA and Ramsar.
- 1.4 The site surveys overall confirm the site does support priority habitats Saline Lagoon, Coastal Floodplain Grazing Marsh (CFGM) and Coastal Saltmarsh.
- 1.5 No signs of roosting bats were observed; therefore a Natural England (NE) European Protected Species Mitigation Licence (EPSML) is not required for bats. Low levels of foraging and commuting from common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *Pipistrellus pygmaeus* were observed around the building B1 (Figure 2).
- 1.6 A low breeding population of slow worm *Anguis fragilis* and common lizard *Zootoca vivipara* are present, distributed widely across the site (Figures 3a and 3b).
- 1.7 Water vole were recorded in all ditches on site (Figure 4). The site is part of a nationally important area for water voles. A NE PSML will be required for any works affecting water voles or their burrows.
- 1.8 Breeding bird surveys recorded forty bird species on site (Figures 5a-5d). Starling *Sturnus vulgaris* and house sparrow *Passer domesticus* were noted nesting in building B1. Four red listed species (skylark *Alauda arvensis*, starling, house sparrow and herring gull *Larus argentatus*), were nesting across the grassland of site. Seventeen amber listed bird species were found using the site, of these meadow pipit *Anthus pratensis*, sedge warbler *Acrocephalus schoenobaenus*, oystercatcher *Haematopus ostralegus*, wood pigeon *Columba palumbus*, and mallard *Anas platyrhynchos* behaviours were observed that point to breeding on site.
- 1.9 Wintering bird surveys recorded 39 species of birds on site (Figures 6a-6e) with seven red listed and 14 amber listed species. Redshank *Tringa tetanus* and oystercatcher

recorded on site across all five surveys are qualifying species of the SPA/RAMSARs within 5km. However peak counts (maximum numbers recorded during a single survey) of these species indicate that the site does not form functionally linked land. An additional 11 species are listed as qualifying or within the SPAs/RAMSARs assemblages of international importance.

- 1.10 Invertebrate surveys found 215 species present, with a very rare invertebrate assemblage in the brackish ditch complex to the east of site which are in favourable condition when reviewed against Site of Special Scientific Interest (SSSI) standards and indicate this element of the site is likely to be of significant importance to invertebrates (Appendix 9).
- 1.11 The preliminary Biodiversity Net Gain (BNG) assessment found the 24ha (area habitats), a baseline total value is calculated at 306.92 biodiversity units for the site. This high value is due to the presence of the high distinctiveness priority habitats present. In addition, (linear habitats) are one line of trees generating 1.26 hedgerow units and the ditches on site generate 42.72 watercourse units.
- 1.12 A feasibility review of the recreational development options have confirmed that wake boarding, in particular, but also the aqua park and slip and slide would likely result in major negative impacts to water voles invertebrate and vegetation assemblages present in ditches connected to the lake, requiring a mitigation and translocation under Natural England licence and potential degradation of the Saline Lagoon and associated CFGM ditch and Coastal Saltmarsh habitats.
- 1.13 Increased camping or raised glamping pods in areas currently modified grassland away from ditches could be undertaken in limited numbers and locations. This would need to be carefully designed to meet exemplar standards and undertaken under a detailed mitigation strategy to avoid or minimise impacts to notable and rare flora and fauna including priority habitats, ground nesting skylarks and reptiles. Careful consideration would also be needed to meet the statutory requirement for 10% biodiversity net gain. The BNG feasibility assessment has shown that increasing modified grassland on site to extend camping or recreation provision could not be offset by on site measures to improve habitat condition, therefore, off site BNG units would be required, and priority habitats are difficult to find in off site compensatory schemes.
- 1.14 Locations for paddleboarders to access the lake and undertake paddle boarding activity on the lake in summer needs to be carefully located to the eastern end of the lagoon and managed to avoid disturbing and negatively impacting the water voles, nesting birds and priority habitats on site.
- 1.15 Given the presence of priority habitats on site which are uncommon in Kent there is potential to generate some biodiversity offsetting units, which could be sold to developments which require compensatory off-site units. This could generate funds which would be used to improve the condition of habitats on site for a period of 30

years. This would involve the results of a BNG assessment being used to register the location of units available and subsequent implementing of a Habitat Management and Monitoring Plan (HMMP) in line with Defra guidance. However, any enhancement approach would need to be undertaken in liaison with relevant species specialists, in particular water vole and invertebrate experts regarding ditches and associated adjacent habitat due to the invertebrate interest, other stakeholders would include Kent Wildlife Trust given the Local Wildlife Site designation.

- 1.16 Precautionary measures have been recommended for bats, water voles, reptiles, birds, invertebrates and rare/ notable fauna. Precautionary measures to avoid disrupting foraging and commuting bats are also provided.

2 Introduction

- 2.1 Bakerwell Ltd were commissioned by Swale Borough Council to complete protected species surveys and an Ecological Assessment of Bartons Point Coastal Park, Marine Parade, Sheerness on Sea, Isle of Sheppey, Kent (hereafter referred to as the site).
- 2.2 This ecological assessment is based on the results of a UK Habitat Classification, NVC assessment, bat emergence surveys, breeding and wintering bird surveys, reptile survey, water vole survey and invertebrate survey.
- 2.3 The EA identifies the broad habitat types on and in the vicinity of a given site. It aims to identify habitats, species or the potential for species that are protected by European and UK law, are nationally or locally rare or add biodiversity value. The report provides recommendations to ensure that the development is compliant with UK and EU legislation, that any impacts to protected species are mitigated, and biodiversity enhancements are incorporated into the development
- 2.4 The site is a coastal park located on the north coast of the Isle of Sheppey, between the towns of Sheerness and Minster on Sea, central O.S. grid reference TQ 93826 74567. The site is approximately 24.5ha in size. To the east lies the coast road and sea wall, to the north lies the Queensborough Lines, a scheduled monument consisting of a earthen rampart with a wide ditch and narrow catchwater ditch and south and west is a further expanse of grazing marsh.
- 2.5 The recreational development options include a possible aqua park, wake boarding, slip 'n' slide, paddle boarding, increased camping offering and/or raised glamping pods.
- 2.6 This report has been compiled to follow the British Standard 42020:2013 Code of Planning and Development and the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Preliminary Ecological Appraisal (2018) and Guidelines for Ecological Report Writing (2017).
- 2.7 Recommendations within this report aim to demonstrate measures that will conserve and enhance biodiversity in accordance with Chapter 15 of National Planning Policy, Section 180.

3 Aims and Objectives

- 3.1 The aim of this assessment is to inform potential development at the site, to identify and make recommendations to mitigate any impacts to protected habitats and species which may be utilising the habitats on/near to site and may be affected by the approved development. Specifically, objectives are to:
 - Identify presence / likely absence of protected or notable species and habitats

- Assess the impact of any likely proposals on the above species and habitats, if present
- Provide outline recommendations for mitigation of negative impacts
- Provide outline recommendations for biodiversity enhancements
- To provide the above in the context of legislation, local planning policy and evaluation of any potential impacts.

4 Methodology

Desk Study

- 4.1 Desk studies are conducted to ascertain which habitats and species are or have been recorded on or within the surrounds of a proposed site. This information highlights areas of local ecological importance and provides an indication of which habitats and species may be expected to be in the vicinity. It also identifies statutory and non-statutory sites that are important for nature conservation within the locality and facilitates an assessment of the potential direct and/or indirect impacts a development may have on these areas.
- 4.2 Records of designated statutory and non-statutory sites within 1km of the site were obtained from Kent and Medway Biological Records Centre (KMBRC). Protected, rare, scarce and invasive non-native species, in addition to species of conservation concern within 1km, bird records within 1km, bat records within 5km, and a bat roost map within a 1km radius of the central grid reference of the site was provided. For consistency, only records from observations within the last 10 years are discussed within Section 6 of this report.
- 4.3 Online searches were also carried out using Defra's interactive GIS map on the natural environment MAGIC, Swale borough council's website, Google maps, Woodland Trust; the Ancient Tree Inventory, Woodland Wildlife Toolkit and Buglife's Important Invertebrate Areas was searched. Results, and their implications for development are discussed in Section 6.
- 4.4 The site falls within the Natural England National Character Area 81 'Greater Thames Estuary'. This NCA is characterised by shallow creeks, drowned estuaries, low lying islands, mudflats and broad tracts of tidal salt marsh and reclaimed grazing marsh. Sea defences protect large areas of reclaimed grazing marsh and its associated ancient fleet and ditch systems. The coastal habitats of the NCA are internationally important for their biodiversity interest and support large numbers of overwintering and breeding wetland birds, rare plant and invertebrate species, and diverse marine wildlife. The vast majority of the coastline and estuaries are designated as Ramsar sites and Special Protection Areas (SPA), while the Essex Estuaries are a Special Area of Conservation (SAC). Brownfield sites support priority open mosaic habitat and its associated

nationally rare invertebrate species. A key challenge is to accommodate increasing development pressure in the area with the protection and enhancement of the natural landscape and its internationally important coastal habitats and species, and nationally important open mosaic habitat. Rising sea levels due to climate change present a major threat to coastal areas in the NCA through coastal squeeze, the alteration of coastal processes and increased flood risk – and the integrated management of these issues provides a major challenge.

4.5 Relevant conservation opportunities within the NCA include:

- SE01: Maintain and enhance the expansive, remote coastal landscape – with its drowned estuaries, low islands, mudflats, and broad tracts of tidal salt marsh and reclaimed grazing marsh – maintaining internationally important habitats and their wildlife, and underlying geodiversity, while addressing the impacts of coastal squeeze and climate change and considering dynamic coastal processes.
- SE02: Work with landowners and managers to incorporate measures to improve biodiversity, geodiversity, pollination, water quality, soil quality and climate adaptation and to prevent soil erosion in this important food providing landscape, while maintaining its historic character.
- SE03: Ensure that the tranquil and remote character of the estuary is maintained by conserving and enhancing important coastal habitats and distinctive historic and geological features, while providing increased opportunities for recreation and enjoyment of the landscape.
- SE04: Encourage a strategic approach to development that is informed by and makes a positive contribution to local character, incorporates green infrastructure which provides ecosystem services where they are needed most, and promotes recreation and addresses climate change, while maintaining important open mosaic and coastal habitats, and historic and geological features.

Plants

UK Habitat Classification Survey

- 4.6 Bakerwell Limited undertook a UK Habitat Classification Habitat Survey on 24th October 2023. The survey was carried out by Donna Popplewell (FISC Level 4) and Jo Lewis (PID Level 4), who identified habitats present, following the standard UK Habitat Classification (Butcher et al, 2020). The site was surveyed on foot and existing habitats and land uses were recorded on an appropriately scaled map (Figure 1). Any evidence of protected species, invasive species, habitats suitable for protected species and/or areas of ecological interest were plotted on the map as Target Notes.

Non-native invasive plant species

- 4.7 The survey on the 24th October 2023 also included a search for the presence of non-native invasive plant species as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Bats

Bat Roost Assessment of Buildings

- 4.8 Donna Popplewell bat survey licence number CL18-2020-45501-CLS-CLS level 2 and Jo Lewis undertook an inspection of two buildings (B1 and B2, Figure 1) on 24th October 2023, to assess the potential for, or evidence of roosting bats.
- 4.9 An external assessment of the buildings were undertaken in full sunlight from ground level using binoculars and a high-powered torch where necessary to assess potential bat roosting suitability including: access points and/or roosting features, lifted roof materials such as tiles, flashing or felt and gaps in the building structure, for example under the eaves, in the soffits, roof apex and external beams and around doors and windows. Where present these features were recorded as target notes (Figure 1).
- 4.10 A search for evidence of use by bats was conducted; looking for individuals or dead animals, droppings, tiny scratches, urine staining, flies, smoothing of surfaces to access points, a bat distinctive smell and, in warm weather, audible squeaking. The roof areas were assigned a category of potential suitability as a bat roost as shown in Table 2.

Table 1: Potential Bat Roosting Features and Evidence

Potential Bat Roosting Features	Signs Indicating Possible Use by Bats
- In trees - Natural holes - Woodpecker holes - Cracks/splits in major limbs - Loose bark - Hollows/cavities - Dense epicormic growth - Bird and bat boxes	- Live, dead, or skeletons of, bats - Feeding remains e.g. insect wings - Tiny scratches around entry point - Urine staining around entry point - Bat droppings in or around entry points - Audible squeaking at dusk or in warm weather - Flies around entry point - Distinctive smell of bats - Smoothing of surfaces around cavity
- In buildings - Gaps to windows / doors / mortar / brickwork / cracked / broken / missing ridge tiles, roof tiles and hanging tiles	- Live, dead, or skeletons of, bats - Bat droppings in the roof void (particularly below ridge beam and apex) - Feeding remains e.g. insect wings

• Gaps under lead flashing and between roofing felt flaps • Large roof void • Gaps into soffits, barge boards, gable ends and under eaves	• Tiny scratches around entry point • Urine staining around entry point • Bat droppings in or around entry points • Audible squeaking at dusk or in warm weather • Flies around entry point • Distinctive smell of bats • Smoothing of surfaces around cavity
---	---

Table 2: Categories for Bat Roosting Potential for Roosting Habitats in Structures after (BCT, 2023)

Potential suitability	Description: Roosting habitats in structures
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/ suitable shelter at all ground/ underground levels).
Negligible	No obvious habitat features on site likely to be used by roosting bats, however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion. Limited connectivity to wider landscape with other bat habitats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. Does not provide enough space, shelter, protection, appropriate conditions and/ or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e unlikely to be suitable for maternity and not a classic cool/ stable hibernation site but could be used by individual hibernating bats). Limited connectivity to wider landscape with other bat habitats.
Moderate Potential	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation- the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed). Connected to wider landscape with good foraging habitat.
High Potential	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. These structures have the potential to support high conservation status roosts e.g. maternity of classic cool/ stable hibernation site. Well connected to good foraging habitat and known roosts nearby.

Potential suitability	Description: Roosting habitats in structures
Confirmed Roost category	PRFs with evidence of use present, observation or previous records of bats confirmed to be roosting.

- 4.11 The BCT survey guidelines (2023) states that: “These categories are allocated irrespective of the presence of a roost. If a roost is confirmed to be present then the categorisation still stands (because other roosts may be present but undiscovered) but ‘confirmed roost’ should be added, e.g. low-confirmed roost, medium- confirmed roost, high- confirmed roost.”

Ground Level Tree Assessment

- 4.12 During the preliminary ecological appraisal Donna Popplewell and Jo Lewis undertook an inspection of the trees on site and directly adjacent to site boundaries on the 24th October 2023, to assess the potential for or evidence of roosting bats. The inspection followed the Bat Conservation Trust (BCT) Good Practice Guidelines 4th edition (2023) survey methodology. Trees were assessed in full sunlight from ground level using binoculars and a high-powered torch where necessary to assess potential bat roosting suitability including: and natural holes, hollows and cavities (cracks and splits), loose bark, epicormic and ivy growth were investigated as potential bat roosting features. Where accessible cavities were checked with an endoscope by Donna Popplewell
- 4.13 A search for evidence of use by bats was also conducted as above, see Table 1. Individual trees were then assigned a category as defined in Table 3. Where present these features were recorded as Target notes on the UK Habitat Classification (Figure 1). Where a large number of trees were present, theses were assessed as groups, based on age and general condition. Where relevant further survey to assess trees individually from the ground or by aerial assessment is recommended to inform the requirement for presence/absence (emergence) surveys.

Table 3: Categories for the Suitability of Trees

Suitability	Description
None	Either no PRFs in the tree or highly unlikely to be any
FAR	Further assessment required to establish if PRFs are present in the tree.
PRF	A tree with at least one PRF present

DNA Analysis

- 4.14 During the bat roost assessment a single mammal dropping was found in a cobweb on B1. The dropping was collected and sent to Swift Ecology for DNA analysis on 11th April 2024 to aid species identification.

Bat Emergence Surveys

- 4.15 Three dusk emergence surveys of buildings B1 (Figure 2) were completed on 6th June, 4th July and 17th September 2024 by the following surveyors: Donna Popplewell, Lucy Price, Jo Lewis and Katie Lanning. Following BCT guidance (2022, 2023) NVAs (infra-red cameras and binoculars) were used in all surveyor locations, or where cameras are used instead of surveyors there are sufficient surveyors to ensure all aspects of the building or tree are under constant observation throughout the survey to ensure equipment is operational and infra-red lights provide observable conditions throughout all light levels. Surveyor and NVA positions, emergence points and flight paths of all species were recorded on a plan (Figure 2) to give important context. Weather conditions are provided in Table 4.

Table 4: Bat Survey Weather Conditions

Date of survey	Sunrise/ Sunset time	Start time (BST)	End time (BST)	Cloud Cover (%)	Temperature (°C)	Wind	Rainfall
04.07.24	21.16	21.01	22.44	90	S – 19 F - 16	5mph	0
06.06.24	21.10	20:55	22:30	60	S – 15 F - 14	4-7mph	0
17.09.24	19.06	18:49	20.36	70	S – 17 F – NA	3mph	0

- 4.16 The EMT automatically identifies calls in the field, using the Kaleidoscope Pro Bat Auto-identification software. However, auto identification is designed for records of single bats in free flight and uncluttered environments (*e.g.* open fields) and is not appropriate for roost emergence, multiple bats, cluttered environments (*e.g.* among tall vegetation) or social calls. Calls were therefore further analysed in line with published guidance (*e.g.* Russ 2013; Reason *et al.* 2016) using Kaleidoscope and Anabat Insight.
- 4.17 Analysis of bat calls may not always provide a confident conclusion of the species recorded, due to the overlap in range of peak frequencies of some species and the way that calls may change within cluttered environments. BCT (2016) and other literature have shown that identifying *Myotis* species with confidence without observing species-specific behaviour is extremely difficult (Parsons and Jones 2000; Walters *et al.* 2012). Where a confident conclusion could not be drawn as to the species, calls were identified to genus level such as *Myotis* sp.
- 4.18 Review of footage recorded by NVAs is carried out as soon as possible after surveys and where possible by surveyors present during the emergence survey to ensure contextual

information around site variations is given due considerations. Actual date after survey of footage viewing will depend on health and safety precautions around late night and long hour working practices. Observation of emergence locations, either through on site observation or NVA footage review will lead to further consideration of internal roost positions and deployment of internal cameras and recording devices if appropriate.

Reptiles

Reptile Habitat Assessment

- 4.19 The habitats on site were assessed for their potential to support reptiles. Features suitable for hibernation, basking, feeding and raising young are considered.

Reptile Presence/Absence Survey

- 4.20 Jo Lewis, Abby Knight, Jaimie Gillham, Katie Lanning and Jessica Marlow completed reptile surveys comprising seven visits conducted between May and September 2024. Reptile refugia (roofing felt of a minimum of 50cm²) were laid in transects, at a density of 12 per hectare, across the site (Figures 3a and 3b).
- 4.21 Surveys commenced two weeks following distribution of the refugia, to allow reptiles to become familiar with their presence. Visits were conducted in suitable weather conditions (temperatures between 9-18°C), in accordance with Froglife (1999), see Table 5. Results are shown on Figures 3a and 3b.

Table 5: Survey Conditions for Reptile Surveys

Survey Visit No.	Date	Time	Temperature (oC)	Cloud Cover %	Wind (Beaufort)	Rain
1	14.06.24	10.30	17 - 18	50	1	Dry
2	20.06.24	07.00 – 10.02	11	90	1	Dry
3	16. 07.24	09.40 – 12:10	17 – 20	60	3	Dry
4	12.09.24	10.20	11	20	1	Dry
5	17.09.24	13.50	19	90	1	Dry

Survey Visit No.	Date	Time	Temperature (oC)	Cloud Cover %	Wind (Beaufort)	Rain
6	24.09.24	10.00	14 - 15	100	1	Dry
7	29.09.24	10.24	17	40	1	Little rain

- 4.22 Where reptiles are found the maximum count of adults found on a single survey (the peak count) can be used to estimate population size. This is based on an extended survey with an additional 13 visits (Froglife, 1999). However, where presence/likely absence surveys reveal a very low number of reptiles, additional visits may not be a proportionate approach, where they are unlikely to significantly change the results.
- 4.23 The maximum count of adults found on a single survey (the peak count) can be used to estimate population size. The Froglife survey methodology is based on 10 refugia per ha, therefore where more are used to ensure coverage of good quality habitat, the following adjustment is made to account for the increase in survey effort. $10 \times (\text{ha}) / (\text{refugia}) \times (\text{peak number of reptiles}) = \text{the peak number per ha}$ (this must be carried out for each species present). The result is then compared with the table below to give a population size. HGBI (1998) criteria (Table 6) was used to estimate population size.

Table 6: Reptile Population Classes (HGBI, 1998)

Species	Adult Peak Count Per Hectare		
	Low Population	Medium Population	High Population
Adder	<2	2-4	>4
Grass Snake	<2	2-4	>4
Slow worm	<50	50-100	>100
Viviparous lizard	<20	20-80	>80

- 4.24 The Key Reptile Site Register is designed to allow the safeguard of important reptile sites. Based on Froglife (1999) criteria, this can provide an objective evaluation of the importance of the reptile populations on a site.
- 4.25 To qualify for the Key Reptile Site Register the site must a) support three or more reptile species; b) support two snake species; c) support an exceptional population of one species, d) support an assemblage of species scoring four or more; e) or be of particular

importance due to local rarity e.g. in Kent a good or exceptional population of adder *Vipera berus*, based on Froglife (1999).

- 4.26 The Froglife (1999) scoring criteria is based on the number of adult individuals of each species found in one day by one person, with refugia density of no more than 10 per hectare.
- Adder / grass snake: <5 animals score 1 (low population); 5-10 animals score 2 (good population); over 10 animals score 3 (exceptional population);
 - Slow worm / viviparous lizard: <5 animals score 1 (low population); 5-20 animals score 2 (good population); over 20 animals score 3 (exceptional population).
- 4.27 The Kent Reptile and Amphibian Group (KRAG) has adopted and amended this criteria and covers sites with; a) sand lizards *Lacerta agilis*; b) a good/exceptional population of adders; c) an exceptional population of one species or d) an assemblage of species scoring four or more based on the Froglife (1999) criteria. Priority is given to designating sites with a breeding population (determined by the identification of eggs, neonates and/or juveniles).

Water vole

- 4.28 A water vole survey in the ditches and lake was conducted on the 7th May and 3rd August 2024 by Lucy Price, Jo Lewis, Fiona Baker, Joe Blackwell-Hallett, Abby Knight, Sam Ashby, Bryony Ticehurst, Katie Lanning and Olivia Padua in line with best practice guidance set out in the Water Vole Mitigation Handbook (Dean et al, 2016). To determine the presence or likely absence of water voles, the banks of the stream were walked slowly, taking care not to disturb the edge habitat or any signs. Signs searched for included latrines, faeces, feeding stations, burrows, lawns, nests, footprints and runways. Evidence of mink and otter were also searched for. Due to the number of ditches, the extent of vegetation obscuring the banks and the feasibility nature of this study, once the field survey recorded evidence of water vole presence within a ditch, no further search for field signs within that ditch was undertaken.

Birds

Breeding bird survey

- 4.29 The methodology for this survey largely follows that of the 'Breeding Bird Survey' (BBS) of the British Trust for Ornithology (BTO). A transect route was defined across the site. The species present, location on site and distance from transect path was recorded. The survey days were selected when conditions were optimal with little to no rain, light winds and normal temperatures for the time of year (Table 7)
- 4.30 Following a reconnaissance survey, three survey visits were conducted by Jo Lewis, Lucy Price, Joe Blackwell-Hallett, Jaimie Gilham and Katie Lanning, during the breeding bird

season between the hours of 6am and 11.30am when breeding birds are generally most active, in accordance with BTO methodology (2018). The surveys were carried out on 28th March, 25th April, 21st May and 20th June 2024.

- 4.31 Transects were walked at a slow pace with regular pauses at optimal vantage and listening points. Any birds seen or heard calling during the surveys were recorded along with their location and behaviour. As the surveys were undertaken in optimal conditions (Table 7) and covered the entirety of the site, the results of the surveys are considered to provide an accurate representation of breeding bird activity on site. Information was transferred to a single map and analysed to identify the number of breeding territories present.

Table 7: Weather Conditions During Breeding Bird Surveys

Date	Time	Cloud cover (%)	Temp. (°C)	Wind (Beaufort scale)	Rain (%)
28.03.24	05:45 – 08:00	70	7	3	0
25.04.24	05:45 – 08:25	80	4	1	0
21.05.24	05:00 – 07:00	86	12	3	0
20.06.24	05:10 – 06:54	81	13.8	2	0

Wintering Bird Survey

- 4.32 Five survey visits were conducted by Jo Lewis, Lucy Price and Katie Lanning, on 1st November 2024, 6th December 2024, 14th January 2025 and 11th February 2025. The survey followed the methodology of the BTO Wetland Bird Survey (WeBS) Bird Survey Guidelines which is applicable where wetland habitats are present with potential to support priority wintering waterbird species.
- 4.33 As the site is not an intertidal site the key focus is to maximise visual detectability but also to collect data on wetland birds which may congregate at open waterbodies such as the lake. Therefore, visits took place during daylight hours within two hours either side of high-tide (Table 8). A transect with vantage points was walked and all waterfowl species seen using were recorded on a map. Only birds using the site were recorded. The December survey took place after sunset to assess the site as a roost for certain species.

Table 8: Weather Conditions During Wintering Bird Surveys

Date	Time	Cloud cover (%)	Temp. (°C)	Wind (Beaufort scale)	Rain (%)
01.11.24	10:20 – 12:24	100	14	0	0
06.12.24	14:43 – 17:15	78	8.6	3	0
14.01.25	09:05 – 12:05	100	7	1	0
11.02.25	10:30 – 13:30	100	4	2	0

Badger

4.34 All habitats within the site boundary and immediately adjacent (where access was possible) were surveyed by Bakerwell for evidence following the methodology recommended by Harris et al, and the Forest Operations and Badger Setts Guide 9 and involved searching for:

- Flattened or oval hole entrances of 25cm > diameter;
- Footprints, claw-marks and soil smoothed by the passage of badgers at the entrance;
- Hay, bracken, grass, reeds and rushes excavated from the tunnels and or fresh spoil, piled around the entrances;
- Tracks, and pathways;
- Dung pits, latrines and scratching posts; and
- Snuffle holes and other foraging signs.

Invertebrates

4.35 Four site visits were undertaken on the 17th April, 17th May, 3rd July and 6th September 2024 by Jonty Denton FRES FLS CEcol MCIEEM. Standard field techniques were employed to sample the invertebrate fauna across the site. These included sweeping vegetation with a wide mouthed sweep net, beating trees and bushes over a beating tray, and grubbing amongst tussocks and key host plant rosettes etc. A 0.5mm mesh pond net was used to sample the aquatic habitats. The main emphasis of the survey was to find as many species with conservation designations as possible within reviewed groups.

Ecological Impact

- 4.36 Ecological Impact Assessment (EclA) is most formally used to provide the ecological component of an Environmental Impact Assessment (EIA) required under EIA Regulations. The alternative use of assessing the impact of a proposal to ecology as used for the purposes of this report, is to demonstrate the approved development accords with relevant planning policy and legislation. This approach is recommended by BS42020: 2013
- 4.37 The impact assessment identifies, quantifies and evaluates likely significant effects on habitats and species. The methodology used in this assessment broadly follows guidelines in CIEEM (2018). Ecological features are classified in terms of importance at a geographic scale (Appendix 1). Evaluation of impacts follows the mitigation hierarchy. This involves avoiding impacts, mitigating unavoidable impacts, compensation for remaining significant residual effects and seeking enhancements for biodiversity.

5 Limitations

- 5.1 The results of surveys detailed within this report provide evidence of the presence of protected species of flora and fauna, or the potential for such species, evident at the time of the survey.
- 5.2 Due to the transient nature of fauna such as bats and their habitats, the results of this survey are considered to be valid for 18 months (12 for GCN and bats) from completion of the survey (CIEEM, 2019), unless otherwise stated in relation to specific species within this report and unless there is sufficient justification to show otherwise, in line with best practice guidance.
- 5.3 Survey methodology guidance is updated periodically following advances in ecological evidence and technology. Survey methodology is consistent with best practice guidance at the time of survey.
- 5.4 The age and methodology of survey data collected, and mitigation considered acceptable by Natural England for the purpose of assessing whether to grant a European Protected Species Mitigation Licence (EPSML) is subject to change by Natural England at any time. Survey data may need to be updated within the survey season immediately prior to the EPSML application. Online desk studies are completed using data acquired from www.magic.gov.uk interactive maps, managed by Natural England. Data present has not been updated consistently. For example, granted protected species records do not contain information succeeding 9th February 2022 reference made to this online data is in accordance with the data as is available on Magic at the time of undertaking the search.
- 5.5 Assessment for the presence or absence of protected or invasive species will depend on the accessibility of the habitats on site, and the time of year for example scrub, other

dense vegetation or impassable waterbodies will restrict access and visibility. Surveys carried out in winter may not capture plants where leaf growth has not started.

- 5.6 Assessments within this report are based on site visits. Subsequent changes to the layout may result in a requirement to reassess the potential impacts of the development and the requirements for future survey, or avoidance, mitigation and enhancement measures.
- 5.7 Recommendations for mitigation and enhancements provided within this report are based on the initial findings of habitat and/or protected species surveys undertaken to date, current best practice guidance and legislation in place at the time of writing.
- 5.8 Findings and recommendations within this report are based on the professional opinion of qualified and experienced ecologists and do not constitute professional legal advice. In submitting these recommendations, Bakerwell Limited has no Design Liability associated with these recommendations.

6 Results and Discussion

- 6.1 In this section the results and subsequent implications of the surveys are discussed and assessed in context of ecological assessments and the potential impacts of the proposed development. The results of the BNG baseline and review of proposals are provided in Section 7, feasibility of proposals is provided in Section 9. Recommendations for mitigation, in the context of relevant guidance and legislation are provided in Section 10, enhancement in Section 11. A summary of relevant legislation is provided in Appendix 2.

Desk Study

- 6.2 The immediate boundary habitats to site are ditches, with a small number of trees and stock fences with occasional hedge or bramble scrub. To the east lies the coast road and sea wall, to the north lies the Queensborough Lines, a scheduled monument consisting of an earthen rampart, a wide ditch and narrow catchwater ditch are located immediately offsite to the northwest, south and west is a further expanse of grazing marsh.

Statutory Designated Sites

- 6.3 The following European designated sites are located within 6km of the site: Outer Thames Estuary SPA (Marine Component), Medway Estuary and Marshes SPA and Ramsar, the Swale SPA and Ramsar, Thames Estuary and Marshes SPA and Ramsar. A table of qualifying species is provided in Appendix 3. Designated sites and their distance from the site are summarised in Table 9.
- 6.4 As the sites are located within 6km zone of the SPAs/Ramsar further measures will be required to support a planning proposal as detailed in Section 10.

Non-statutory Designated Sites

- 6.5 The site is located within Minster Marshes Local Wildlife Site which is formed of 124ha of grazing marsh, bound by ditches and areas of salt marsh. The LWS designation, the results of the surveys within this EA in relation to the LWS designation, and the implications for any proposed development are discussed further in Section 10.

Table 9: International Statutory Designated Sites within 6km of the Site

Site Designation/ Reference	Reason for Designation	Approx. Distance and Direction from Site
International Statutory Designated Sites within 6km		
Outer Thames Estuary SPA (Marine Component)	Marine areas, sea inlets, tidal rivers, estuaries, mud flats, sand flats, lagoons, salt marshes, salt pastures, and salt steppes. Protected features: Supports 38% of the Great Britain (GB) overwintering population of red throated diver <i>Gavia stellata</i> . Supports breeding populations of common tern <i>Sterna Hirundo</i> (2.66% of the GB population) and little tern <i>Sternula albifrons</i> (19.64% of the GB population).	0.2km N
Medway Estuary and Marshes SPA and Ramsar	A complex of rain-fed, brackish, floodplain grazing marsh with ditches, and intertidal saltmarsh and mudflat. These habitats together support internationally important numbers of wintering waterfowl. Rare wetland birds breed in important numbers. The saltmarsh and grazing marsh are of international importance for their diverse assemblages of wetland plants and invertebrates.	3.1 km SW
The Swale SPA and Ramsar	Habitats comprise a complex of brackish and freshwater, floodplain grazing marsh with ditches, and intertidal saltmarsh and mudflat. These habitats together support internationally important numbers of wintering waterfowl. Rare wetland birds breed in important numbers. The saltmarsh and grazing marsh are of international importance for their diverse assemblages of wetland plants and invertebrates.	3.4km S

Site Designation/ Reference	Reason for Designation	Approx. Distance and Direction from Site
Thames Estuary and Marshes SPA and Ramsar	A complex of brackish, floodplain grazing marsh ditches, saline lagoons and intertidal saltmarsh and mudflat. These habitats together support internationally important numbers of wintering waterfowl. The saltmarsh and grazing marsh are of international importance for their diverse assemblages of wetland plants and invertebrates. Threats to the site include invasive non-native species, outdoor sports and leisure activities and recreational activities and changes in biotic and abiotic conditions.	3.9km W
Non-Statutory Designated Sites		
Minster Marshes LWS	An 124ha site with open and remote landscape characterised by grazing marsh associated with wetlands. Fields are bounded by creeks and ditches – many of which have a long history, creating a distinctive pattern. These landscape features support salt marsh and intertidal mudflats stretching from the River Thames estuary in the west to the Swale Estuary in the east. Saltmarsh extends inland along creeks and drainage dykes and in places grazing marsh has been converted to arable cultivation.	0km on site

6.6 The site falls within the biodiversity opportunity area 'North Kent Marshes'. Key objectives for this area are:

1. *Protect and enhance existing important marine and terrestrial habitats.*
2. *Deliver more, bigger, better and connected habitats as part of a functioning ecological network which supports more resilient and diverse populations of important wildlife.*
3. *Restore grazing marsh on improved grassland to extend/connect existing habitats.*
4. *Create new intertidal mudflat and saltmarsh to help offset historical losses across the UK, including contributions to the Kent Biodiversity Strategy target of creating 50 ha of intertidal sediment habitat by 2020.*
5. *Maintain the total extent of coastal vegetated shingle habitat, as the UK target.*

6. *Conserve and enhance important intertidal and marine habitats: secure the protection of important marine habitats through Marine Conservation Zone designation; implement appropriate management of Marine Protected Areas to allow marine habitats and associated species to recover.*
7. *Maintain and enhance important ecological features within new development and create ecological networks within the built environment.*
8. *Implement a sustainable access strategy, including the creation of alternative natural greenspace, to mitigate recreational impacts including monitoring the impact of new development and coastal access.*

Priority Habitats

- 6.7 The desk study records priority habitats Coastal and Floodplain Grazing Marsh and Saline Lagoons are found on site. These priority habitats are discussed further in Section 10 below.
- 6.8 The site is also located approximately 70m from the priority habitat Coastal Vegetated Shingle to the northeast of site, 240m from the closest area of priority habitat Mudflats to the north and 670m from the closest area of priority habitat Maritime Cliffs and Slopes to the east.

Protected Species

- 6.9 A summary of the relevant records of protected, rare and species of conservation concern held by KMBRC are provided in Table 10. Records, or absence of such records, for species relevant to the habitats on or adjacent to site from the last decade (with the exception of bat records) are discussed below.

Table 10: Summary of Protected Species Recorded within 2km of the Site Boundary

Species Scientific Name	Species Common Name	Number of Records	Distance and Direction (of closest record) from Site
Bats			
<i>Plecotus auritus</i>	Brown long-eared bat	1	1.2km W
<i>Pipistrellus pigmaeus</i>	Soprano pipistrelle	2	1.6km S
<i>Pipistrellus pipistrellus</i>	Common pipistrelle	1	1.8km E
Reptiles			
<i>Zootoca vivipara</i>	Viviparous lizard	19	0km Onsite

Species Scientific Name	Species Common Name	Number of Records	Distance and Direction (of closest record) from Site
<i>Anguis fragilis</i>	Slow worm	1	0km Onsite
Other mammals (excluding bats)			
<i>Arvicola amphibius</i>	European Water vole	1	0.1km S
<i>Erinaceus europaeus</i>	West European Hedgehog	2	0.5km E

Habitats

UK Habs Habitat Classification

- 6.10 A total of ten UK Habs Primary habitat types were recorded on site, namely: g3c Other neutral grassland, g4 Modified grassland, t2a Coastal saltmarsh, t2g5 Saline lagoon, r1 Standing open water and canals, h3 Dense scrub, u1b Developed land sealed surface, u1c Artificial unvegetated unsealed surface.
- 6.11 The following essential secondary codes are also present: 16 Tall forbs, 19 Coastal and floodplain grazing marsh, 33 Line of trees, 50 Ditch, 86 Green roof.
- 6.12 Figure 1 shows the location of these habitat types within the site footprint. A full list of plant species recorded across the site is provided in Appendix 4. Photographs of habitats on site are included in Appendix 11.

g3c 19 Other neutral grassland, coastal and floodplain grazing marsh

- 6.13 The majority of the site is made up of meadows with ditches that maintain water levels containing brackish water. The grassland is made up of a tall, tussocky sward of grasses and herbs, dominant grass species within these areas include common couch *Elytrigia repens*, meadow foxtail *Alopecurus pratensis*, creeping bent *Agrostis stolonifera* and marsh foxtail *Alopecurus geniculatus* with broadleaved herbs frequently found such as smooth tare *Vicia tetrasperma*, divided sedge *Carex divisa* and lesser stitchwort *Stellaria graminea*. At the time of survey this habitat is unmanaged. Other species indicative of salinity levels are also present particularly closer to the brackish ditches such as Sea couch *Elymus pungens*.

g4 19 Modified Grassland, coastal and floodplain grazing marsh

- 6.14 Grassland parcels across the site include parcels which are regularly mown, including used for recreational purposes and receive higher levels of footfall resulting a much shorter sward with species that will tolerate this type of management. The dominant

grass in these areas is perennial rye *Lolium perenne*, with meadow barley *Hordeum secalinum*, white clover *Trifolium repens*, and daisy *Bellis perennis* frequent. Other species indicative of salinity levels are also present including buckthorn plantain *Plantago coronopus* and birds foot clover *Trifolium ornithopodioides*.

t2a Coastal saltmarsh

- 6.15 Vegetated areas around the water line of the ditches, around the lagoon and within depressions in the grazing marsh consists of halophytic (salt-tolerant) species such as purple glasswort *Salicornia ramosissima*, common saltmarsh grass *Puccinellia maritima*, annual sea blight *Suaeda maritima*, sea aster *Aster tripolium* and sea barley *Hordium marinum*.

t2g5 Saline lagoon (H1150)

- 6.16 Located in the centre of site is a saline lagoon, of approximately 4ha and containing brackish water. Vegetation found within the lagoon comprises fennel pondweed *Stuckenia pectinata*. The lagoon is artificial with brackish water present.

r1 50 Standing open water and canals, ditch

- 6.17 Many brackish water ditches intersect the meadows on-site. Vegetation within the ditches include spiral tassel weed *Ruppia cirrhosa* and fennel pondweed.

h3 Dense scrub

- 6.18 Three small areas to the north and north-east of site have colonised with a mix of scrub species such as bramble *Rubus fruticosus* and hawthorn *Crataegus monogyna*.

g16 Tall forbs

- 6.19 Areas that support tall perennials are found around the car park and the eastern edge of the lake, species within these areas include alexanders *Smyrniolum olusatrum*, bristly oxtongue *Picris echioides*, broadleaved dock *Rumex obtusifolius* and willowherb *Epilobium sp.*

w33 Line of trees

- 6.20 To the north of site and running parallel to the road on site is a line of trees. Species include English oak *Quercus robur*, ash *Fraxinus excelsior* and white poplar *Populus alba*.

u1b Developed land sealed surface

- 6.21 To the north-east of site is a tarmacked road leading from the public road, Marine Parade, to the onsite car park and the adjacent model railway and sea cadet sites.

u1b5 Buildings

- 6.22 Two buildings are located within the car park. B1 is formed of breeze block with wooden cladding and a corrugated iron roof. B2 is a toilet block unit with integrated green roof.

u1c Artificial unvegetated unsealed surface

- 6.23 To the central northeast of site a car park is formed of gravel and a play area is formed of sand.

Trees

- 6.24 Trees scattered over the north of site around the car park and high-use areas include oak, ash, white poplar and Norway maple *Acer platanoides*.

Evaluation of Habitats on Site

- 6.25 The site is formed of uncommon habitats such as the saline lagoon and salt marsh habitats and the coastal flood plain grazing marsh habitats formed of a mosaic of ONG, modified grassland and brackish ditches. Habitats are therefore of high ecological importance. These habitats are important for many protected species, including water vole, reptile, breeding birds and invertebrates, this is discussed further below.

Protected Species*Bats*

- 6.26 The desk study provided no records for bats within the site boundary. Two granted European Protected Species Mitigation Licences (EPSML) are located within 2km of the site. The closest is located 1.6km south of the site involving destruction of a common pipistrelle resting place (EPSM2013-5606).

Bat Roost Assessment of Buildings

- 6.27 Two buildings, the Boathouse Cafe (B1) and the toilet block (B2) were inspected on the 24th October 2023, to assess the potential for, or evidence of roosting bats. These were assessed externally and internally where access was granted. The locations of the buildings are detailed on Figure 1.
- 6.28 Building B1, the Boathouse Cafe, is formed of a breeze block base with timber cladding and a pitched corrugated metal roof. Gaps are present beneath the wooden soffit, between the wooden cladding, behind the fold-down shutters, behind the old sign, and above the middle window.
- 6.29 Due to the number of Potential Roosting Features (PRFs) and presence of a mammal dropping, building B1 was classified as having high roost potential. Three emergence/re-entry surveys were recommended. The toilet block, B2, is an enclosed

modular building with a green roof and timber cladding. No PRFs were recorded on this building.

DNA Analysis

- 6.30 A single mammal dropping was observed and collected from a cobweb on the external fold-down shutters on the south-west wall. However, results from the DNA analysis came back as 'undetermined' due to the sample failing to yield DNA of sufficient quality or quantity, likely as a result of a small sample size.

Emergent and Re-entry Surveys

- 6.31 No bats were seen to emerge or re-enter the potential roosting features of building B1 during any of the surveys.
- 6.32 Low levels of activity were recorded from common pipistrelle, soprano pipistrelle and noctule surrounding the building (Table 11, Figure 2). Activity was dominated by common pipistrelle.

Table 11: Bartons Point Bat Emergence Survey Results

Date	Species	First Pass	No Bats	No Passes	Activity Type / Observations
06.06.24	Common Pipistrelle	22:16	2	24	Commuting, foraging & social calls
	Soprano pipistrelle	22:23	1	5	Commuting & foraging
04.07.24	Common Pipistrelle	22:44	1	1	Commuting
17.09.24	Noctule	20:29	1	2	Commuting

Ground Level Tree Assessment

- 6.33 A single willow *Salix sp.* was identified to the north of the site with peeled bark categorised as PRF-I, (feature suitable to support an individual roosting bat). In accordance with updated guidance (BCT, 2023), no further surveys are recommended at this stage. Further measures will be required in the event the tree will be affected by future proposals/or considerations for health and safety, prior to any works the PRF will be inspected by a suitably experienced ecologist prior to felling for evidence or lack of bats, as detailed in Section 10.

Ecological Importance of Bats on Site

- 6.34 All UK bats are European protected species. Common and soprano pipistrelles are the most common and widespread bat species estimated in England, and in Kent. Noctule

are one of our largest bat species. The limited level of commuting and foraging activity of the species recorded indicates this site is of local (site importance).

Evaluation of Bats in Light of the Development

- 6.35 Bats, and their roosts, are protected under the EU Habitats Directive (transposed into UK law as the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019), and the Wildlife and Countryside Act 1981 (as amended). This protects bats from killing, injury, capture and disturbance and their roosts from damage, destruction and obstruction.
- 6.36 As no bats were found to be roosting in building B1, no impacts to roosting bats will result from the proposals and therefore an EPSML is not required. Due to the presence of foraging and commuting bats on site further recommendations for any future proposed lighting scheme are provided in Section 10, with enhancement options in Section 11.

Great Crested Newt (GCN)

- 6.37 Waterbodies on-site and within 200m of site contain saline or brackish water, therefore are unsuitable for GCN. HSI assessments were not considered necessary and GCN are not therefore, not discussed further in this report.

Reptiles

- 6.38 The survey undertaken was a survey to establish presence or absence of reptile species on site. A further 13 survey visits would be required to give comparable data to achieve 20 survey visits in line with guidance for a population assessment. Surveys were spread through the season and population calculation methodology was used to provide an early indication of the population potential, therefore, results below should be interpreted with caution.
- 6.39 A peak count of 26 adult slow worms and 35 adult common lizards were recorded during the surveys over seven survey visits, with both species distributed across both sides of the site, see Figure 3a and 3b), results are provided in Table 12. No other reptile or amphibian species were recorded during the surveys.
- 6.40 The peak counts recorded are consistent with a low population of both species according to HGBI (1998) criteria (Table 13). However, whilst the HGBI population criteria is per ha, the HGBI survey methodology does not account for surveyor effort by specifying the number of refugia per ha used. This can be achieved by comparing to Froglife (1999) criteria (with the peak count adjusted to account for the number of refugia deployed per ha). Tables 14 and 15 show the calculation of population using the Froglife (1999) methodology, this also results in a calculation of Low population for both species.

Table 12: Adult Reptiles Recorded On Site

Survey Visit No	Date	No. Grass Snakes		No. Slow Worms		No. Viviparous Lizards	
		East	West	East	West	East	West
1	14.06.24	0	0	8	18	4	17
2	20.06.24	0	0	6	1	12	4
3	16.07.24	0	0	4	7	7	10
4	12.09.24	0	0	2	1	4	4
5	17.09.24	0	0	1	0	13	15
6	24.09.24	0	0	1	0	18	13
7	26.09.24	0	0	2	0	15	11
PEAK count*		0	0	8	18	18	17
Peak count (summed by species)		0		26		35	

Table 13: Reptile Population Size (HGBI, 1998)

Species	Peak Count	No Hectares	Population Size
Slow worm	26	20	Low (26/20=1.3)
Common lizard	35	24.5	Low (26/20=1.75)

Table 14: Determining Reptile Peak Count Size Using Froglife (1999). Results Adjusted for Number of Refugia

Species	Refugia		Size of site (ha)		Refugia p. ha (rounded)		Froglife Refugia p.ha		Division Figure	Peak count adjusted
Slow Worm	239	/	20	=	12	/	10	=	1.195	26 / 1.195 = 21.75

Common Lizard	239	/	20	=	12	/	10	=	1.195	$35/1.195 = 29.28$
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Table 15: Reptile Population Size (Froglife, 1999). Results Adjusted for Number of Refugia

Species	Peak Count (rounded)	No Refugia	No Hectares	Population Size
Slow worm	22	10	20	Low $(22/20) = 1.1$
Common lizard	29	10	20	Low $(29/20) = 1.45$

- 6.41 Assessment of peak counts against Froglife (1999) confirm that based on the data collected, this site would not be considered a key reptile site. The survey undertaken was a survey to establish presence or absence of reptile species on site. A further 13 survey visits would be required to give comparable data to achieve 20 survey visits in line with guidance for a population assessment.

Ecological Importance of Reptiles on Site

- 6.42 Common species of reptiles are protected from killing/injury under the Wildlife Countryside Act 1981 (as amended). Slow worms have a widespread distribution in Britain and are locally common in southeastern England, however due to the increase in habitat loss, modification and fragmentation, slow worms are declining in Britain (Platenberg & Langton 1996). Common lizards are considered locally abundant in Kent (KRAG, accessed 10th June 2025), however expert opinion consider this species to be generally declining in Britain (Tinsley-Marshall, et al, 2022).

Evaluation of Reptiles in Light of the Development

- 6.43 The populations of both species found on site are low according to Froglife (1999) criteria. However, with breeding confirmed for both species and distribution reasonably even across the site, consideration of the structure of the sward and undisturbed nature of the site leads to a conclusion that the survey may underrepresent an established population with many high-quality options for their lifecycle, shelter and food source available on site. Therefore, whilst the site does not meet the criteria for a Key Reptile Site it is considered to be a site of likely local importance for reptiles.
- 6.44 Given the wide distribution of reptiles across the site any future proposals will need to ensure appropriate mitigation measures to avoid killing and injury of reptiles present

and to avoid negative effects on the reptile population present. Recommendations for mitigation and enhancements are provided in Section 10 and 11 respectively.

Water Voles

- 6.45 The desk study provided a single record of water vole approximately 0.1km from the site boundary in Minster Marshes.
- 6.46 Water vole surveys conducted over May and August 2024 confirmed presence of water vole within all ditches on site. Ditch D1 which was not possible to access during the survey. Evidence recorded included burrows, footprints, runs, latrines and feeding remains (Table 16, Appendix 5).

Table 16: Water Vole Survey Results Summary

Survey date	Ditch No.	Signs recorded
07.05.24	D1, D2a, D3b	No signs
07.05.24	D2, D3a, D6	Latrines and/or feeding remains
07.05.24	D3, D4, D5	Burrow(s), latrine and feeding remains
03.09.24	D1, D2, D3, D3a, D3b	Burrow(s) and tracks/lawn/run
03.09.24	D2, D2a, D2b	Burrows
03.09.24	D4, D5, D6	No recent signs (old latrine in D4 only)

- 6.47 Due to the extent of evidence noted, the number of ditches present on site, and the early feasibility nature of this study, the focus was on recording presence and distribution rather than recording of all locations of evidence across the site. Once signs of water vole use was established at a given waterbody, the survey moved to the next waterbody. Ditch D5 included a more detailed recording process, to establish indicative use of ditch lengths to be extrapolated across site. The results in Figure 4 show where presence was observed, notation of field signs should be interpreted with care as these are a result of sampling effort rather than demonstrating higher/lower use by water voles.

Ecological Importance of Water Voles on Site

- 6.48 Water voles have suffered a significant decline in Britain from 1.169 million to 132,000. In Kent water vole distribution is linked with the complex water systems and reed beds found within the North Kent Marshes which Swale is located within. The water vole populations in Kent are of national importance with the North Kent Marshes forming one of three national key sites (Tinsley-Marshall, P., et al, 2022).

- 6.49 In addition to impacts from American mink *Neogale vison* factors detrimental to water vole habitat include wetland drainage, overgrazing and the degradation of the structural and vegetative suitability of banks for water vole burrows (Tinsley-Marshall, P., et al, 2022).

Evaluation of Water Voles in Light of the Development Proposals

- 6.50 Water voles are protected under the WCA (1981, as amended). A Natural England mitigation licence is required where a watercourse with water vole *Arvicola amphibius* present will be interrupted or disrupted by a proposal.
- 6.51 Proposals such as the aqua park, wakeboarding, slip n slide have the potential to result in degradation to water vole habitat and disturbance to water voles within their burrows on a permanent basis as a result of water levels and flow and visitor s. This is discussed further in Section 10 below.

Birds

- 6.52 The trees and buildings on site provide suitable habitat for nesting birds, with skylark and house sparrow observed nesting within building B1 at the time of the UKHabs Habitat Assessment. The grazing marsh and saline lagoon are suitable for wetland and overwintering birds. Observations during the initial site visit included three red-listed species (BoCC), lapwing *Vanellus vanellus*, starling and house sparrow and two amber-listed species, black headed gull *Larus ridibundus* and kestrel *Falco tinnunculus*.
- 6.53 Further wintering/wetland and breeding bird surveys were undertaken to inform the assessment of the coastal floodplain grazing marsh and saline lagoon habitats and whether the site supports bird assemblages present in the statutory designated sites within the wider area.
- 6.54 Bird species are classified according to their conservation status. This includes those listed as Birds of Conservation Concern (BoCC) within the UK and includes the following. Red List are birds of high conservation concern considered to be globally threatened according to IUCN criteria. Amber List are birds of medium conservation concern and those that are considered with an unfavourable conservation status within Europe. The Green List covers other species of birds that are least critical.

Breeding bird survey

- 6.55 Starling and house sparrow were noted nesting in building B1. Breeding bird surveys recorded forty bird species on site (Figures 5a-5d). Starling *Sturnus vulgaris* and house sparrow *Passer domesticus* were noted nesting in building B1. Four red listed species (skylark, starling, house sparrow and herring gull). Seventeen amber listed bird species were found using the site, a full species list is provided in Appendix 7.
- 6.56 Probable breeding is indicated by singing behaviour on site. All of the red listed species observed are considered to be breeding on site, skylark are breeding across the

grassland of the site. Of the amber listed species breeding on site meadow pipit, sedge warbler, oystercatcher, wood pigeon, and mallard behaviours were observed that point to breeding on site. Carrion crow *Corvus corone* and goldfinch *Carduelis carduelis* were also noted calling on site.

- 6.57 Redshank and oystercatcher are detailed as one of the qualifying species of the SPA/RAMSAR located approximately 3km from the site boundary. This is discussed in more detail below.

Wintering bird survey

- 6.58 Given the proximity of the site to internationally designated sites designated for their bird assemblages and the habitats on site wintering bird surveys were carried out.
- 6.59 The wintering bird surveys recorded use of the site by 39 species of birds. This includes seven red-listed species including skylark, house sparrow, lapwing *Vanellus vanellus*, mistle thrush *Turdus viscivorus*, herring gull *Larus argentatus* starling and curlew *Numenius arquata*. The full list is included in Appendix 8, Figures 6a to 6e illustrate the results of the surveys. Fourteen amber listed species were recorded including black headed gull, mallard, oystercatcher, redshank, song thrush, white throat, wigeon, brent goose, kestrel, meadow pipit, reed bunting, shoveler, rook and wood pigeon.
- 6.60 Redshank and oystercatcher were recorded on site over all five surveys, with a peak count of 40 and 141 individuals respectively. A wintering population of redshank are the qualifying feature of the Medway Estuary and Marshes SPA/RAMSAR, the Thames Marshes and Estuary SPA/RAMSAR and the Swale SPA, with a spring/autumn population at the Swale RAMSAR. A wintering population of oystercatcher are the qualifying feature of the Medway Estuary and Marshes SPA and the Swale SPA.
- 6.61 The following species found on site are also listed as the qualifying feature of one or more of the SPA/RAMSARs detailed above northern shoveler (peak count of one on site) *Anas clypeata*, mallard (peak count of six), brent goose *Branta bernicla bernicla* (peak count of one) and cormorant (peak count of one).
- 6.62 In addition, seven species recorded on site are also listed on the SPAs/RAMSARs assemblages of international importance include little grebe, redshank, curlew, great crested grebe, cormorant, wigeon, oystercatcher and lapwing.

Ecological Importance of Breeding and Wintering Birds on Site

- 6.63 No Schedule 1 species were found on site. Breeding bird activity was distributed across the site particularly in areas of longer grassland and scrub, hedges and trees. Wintering bird activity recorded was associated with the saline lagoon and grassland immediately surrounding the lagoon.
- 6.64 Two non-native birds listed on Schedule 9 of the WCA 1981 (as amended) were observed on site, Schedule 9 lists it is an offence to release into the wild, these are

Canada goose *Branta canadensis* and Egyptian goose *Alopechen aegyptica* were observed on site, no observable breeding behaviour was noted.

- 6.65 Davies et al (2023) defined functionally linked land (FLL) as areas of land occurring within 20km of an SPA that are regularly used by significant numbers of qualifying bird species. Significant numbers is defined as 0.5% of the GB population or 1000 individuals.
- 6.66 Table 17 provides a comparison of the numbers seen on site in relation to the numbers found. When compared with the peak counts on site the site does not form FLL for redshank and oystercatcher occurring within the SPA/RAMSARs.
- 6.67 Given the number of wintering and breeding bird species on site, the number of species that are qualifying species or of note for the nearby SPA/RAMSARs and the number of red and amber listed species the site is considered to be of county importance.

Table 17: Qualifying Bird Species at nearby SPA/RAMSAR Comparison with Bartons Point

Species (Peak Count on Site)	Medway Estuary and Marshes SPA	Thames Marshes and Estuary SPA/ RAMSAR	Swale SPA/RAMSAR
Redshank <i>Tringa totanus</i> (peak of 40)	SPA: 3,690 individuals 2.5% of the Great Britain (GB) wintering population RAMSAR: 3709 individuals or 1.4% of the spring/autumn population	SPA: 2.2% of the wintering Eastern Atlantic population RAMSAR: 1178 individuals or 1% of the GB wintering population	SPA: 2.1% of the wintering Eastern Atlantic population RAMSAR: 1712 individuals, or 1.4 of the spring/autumn Eastern Atlantic population
Oystercatcher <i>Haematopus ostralegus</i> (peak count of 141)	SPA: 3672 individuals 1% of the GB wintering population RAMSAR (3632 individuals 1.1% of the GB winter population		SPA: (3672 individuals 1% of the GB winter population RAMSAR (4509 individuals 1.4% of the GB winter population

Evaluation of Birds in Light of the Development Proposals

- 6.68 All active bird nests are protected under the WCA 1981 (as amended) from damage/destruction. Furthermore, birds that are listed on Schedule 1 of the Act are also protected from disturbance while they are nesting.

- 6.69 Proposals such as the aqua park, wakeboarding, slip n slide and expanded camping or other recreation activities have the potential to result in disturbance and loss of habitat availability to birds, both during breeding and overwintering activities. Significant mitigation including limiting the proposals and controlling visitor access to enhance these for birds to maintain the conservation of the species present.
- 6.70 Further recommendations in relation to breeding and wintering birds are provided in Section 10.

Invertebrates

- 6.71 Invertebrate surveys were undertaken over April, May, July and September 2024 by Dr Jonty Denton. The results are summarised below with a copy of the full report provided in Appendix 9, which includes a plan showing the location of significant captures.

Ecological Importance of Invertebrates on Site

- 6.72 The surveys confirmed 215 invertebrate taxa to be present on site, of these, 25 species had a conservation designation.
- 6.73 The brackish ditch complex across the eastern half of the site was confirmed to support a very rare assemblage. The most important find was the Schedule 5 Bembridge beetle *Paracymus aeneus*, the first record for East Kent and only the sixth known site in Britain.
- 6.74 The following species of note were also recorded within the brackish ditches across eastern ditches; water beetles *Berosus fulvus*, *Enochrus bicolor*, *E.halophilus*, *Helophorus fulgidicollis*, *H.alternans*, *Heterocerus obsoletus*, *Agabus conspersus* and *Hygrotus parallelogrammus*. Water boatman *Sigara stagnalis* was recorded in abundance with occasional *S.selecta*, and the shorebug *Saldula opacula* was frequent on the ditch edges and drawn down zones in the ditches.
- 6.75 Ditches to the south of the lagoon with an assemblage reflecting lower levels of salinity typical of the grazing level community on Minster Marshes, with the nationally scarce diving beetles beetles *Hydaticus seminiger*, *Graptodytes bilineatus*, and the long-horned general soldierfly *Stratiomys longicornis*.
- 6.76 Three section 41 species were recorded. The sea aster mining bee *Colletes halophilus* (of which Britain supports a significant proportion of the world population) was recorded in July and September. Two section 41 butterflies were recorded within the grassland comprising the small heath *Coenonympha pamphilus* and the wall brown *Lasiommata megera*.
- 6.77 The Pantheon database tool was used to analyse the invertebrate sample data and assess assemblage data for favourable or unfavourable condition against SSSI standards. If an assemblage is found to be in favourable condition this would indicate the site is likely to be of significant importance for invertebrates.

- 6.78 The saltmarsh and transitional brackish marsh associated with the ditches on site was recorded with 9 species present and is in favourable condition, and therefore, likely to be of significant importance for invertebrates (Table 18, Appendix 9).

Table 18: Specific Assemblage Type Scores

Code	SAT	No Species	Reported Condition
M311	Saltmarsh & transitional brackish marsh	9	Favourable (9 species, 9 required)
W314	Reed fen and pools	4	Unfavourable (4 species, 11 required)
F002	Rich flower resource	10	Unfavourable (10 species, 15 required)
F112	Open short sward	4	Unfavourable (4 species, 13 required)
W211	Open water on disturbed mineral sediments	3	Unfavourable (3 species, 6 required)

Evaluation of Invertebrates in Light of the Development Proposals

- 6.79 Proposals such as the aqua park, wakeboarding, slip n slide and expanded camping or other recreation activities have the potential to result in disturbance and loss of habitat availability to invertebrates particularly where the water levels or wave power influence ditches. Visitor pressure and pet activity (particularly through commonly used flea and tick treatments such as imidaclorid and fipronil) cause mortality to invertebrates in waterbodies. Significant mitigation including limiting the proposals and controlling visitor access to enhance these for invertebrates will be required to maintain the conservation of the species present. Recommendations are provided in Section 10.

Assessment of Habitats on Site Against Priority Habitat Criteria

- 6.80 The following section provides an assessment of the habitats and species recorded on site against the Joint Nature Conservation Committee (JNCC) Biodiversity Action Plan (BAP) Criteria and UK Habitat Classification Criteria for Coastal Floodplain Grazing Marsh (CFGM) Habitats.
- 6.81 The habitats dominating the site meet the classification as CFGM due to being comprised of Other Neutral Grassland meadow and modified grassland with brackish ditches, see Tables 19, 20. The ditches include those of a sinuous nature and those

which are artificial drainage ditches. Most on site ditches maintain the water levels, however, some were noted to have dried in October 2024 to the east of the site. There is currently no clear management for grazing or hay/silage evident. The ditches support a rare invertebrate assemblage which is a key factor for CFGM and a wide range of wintering and breeding birds are present across the site.

Table 19: **Coastal Floodplain Grazing Marsh Criteria and Site Evaluation**

UK Habitat Classification Criteria – Coastal Floodplain Grazing Marsh
Definition: periodically inundated pasture, or meadow with ditches that maintain the water levels, containing standing, brackish or fresh water. The site is a complex of brackish drainage ditches with grassland meadows. Water levels are maintained in some but not all ditches. Landscape and Ecological Context: The habitat can form on reclaimed land behind sea walls. It may contain areas of lowland meadow, modified grassland and other neutral grasslands. The meadows are formed of other neutral grassland and modified grassland.
BAP Criteria – Coastal Floodplain Grazing Marsh
Grazing marsh is periodically inundated pasture, or meadow with ditches which maintain the water levels, containing standing brackish or fresh water. See above The ditches are especially rich in plants and invertebrates. Surveys confirm that the ditches support a rich invertebrate assemblage with a very rare invertebrate assemblage to the east of the site and other rare species to the south of the site. Almost all areas are grazed and some are cut for hay or silage. The habitats on site are not currently managed via grazing or cutting for hay/silage. Sites may contain seasonal water-filled hollows and permanent ponds with emergent swamp communities, but not extensive areas of tall fen species like reeds; although they may abut with fen and reed swamp communities. Seasonal water filled hollows are present on site. Grazing marshes are particularly important for the number of breeding waders such as snipe <i>Gallinago gallinago</i>, lapwing and curlew they support. Breeding waders such as oystercatcher, great white egret and shoveler. Internationally important populations of wintering wildfowl also occur including Bewick swans <i>Cygnus bewickii</i> and whooper swans <i>Cygnus cygnus</i>. Whilst Bewick and whooper swans were not recorded on site and site bird populations are not considered to be at internationally important levels, the site does support wintering wildfowl such as oystercatcher, redshank and curlew in relatively high numbers given the site size.

- 6.82 The boating lake meets the criteria for saline lagoon, being a saline artificial waterbody partially separated from the sea. Sea water exchange occurs through the connection to the Queensborough Lines scheduled ancient monument ditch, a 19th century defensive

linear earthwork. A salinity test undertaken on the lake on 14th January 2025 by Jo Lewis confirmed a result of 35 ppt which is the average value of natural seawater.

- 6.83 Small areas of residual saltmarsh habitat also occur to the edges of the brackish ditches to the west of site and to the saline lagoon. This includes the more sinous natural ditches to the northwest of the site where habitats are transitioning from relict saltmarsh habitats. In these areas purple glasswort *Salicornia ramosissima*, lesser sea spurrey *Spergularia marina*, greater sea spurry *S.media* and annual sea blight *Suaeda maritima* occur.

Table 20: **UK Habs Condition Description and Site Evaluation**



UK Habitat Classification Criteria – Coastal Saline Lagoon
Definition: Lagoons in the UK are essentially bodies, natural or artificial, of saline water that are partially separated from the adjacent sea. They retain a proportion of their sea water at low tide and may develop as brackish, full saline or hyper saline water bodies. The saline lagoon is an artificial waterbody, a boating lake which is connected to the adjacent Queensborough Lines, which was breached between 1973 to 1978 to enlarge the boating lake (Historic England, accessed 10th June 2025). The lagoon is saline at a level of 35ppt. Landscape and ecological context: Saline lagoons can contain a variety of substrata, often soft sediments that in turn may support tasselweeds and stoneworts as well as filamentous green and brown algae. In addition, saline lagoons contain invertebrates rarely found elsewhere. They also provide important habitat for waterfowl, marshland birds and seabirds. The flora within the lagoon was very limited. More diversity was present to the margins and boundaries as detailed in coastal saltmarsh above. Sea barley, golden samphire, purple glasswort and sea aster were all recorded to the lagoon margins. The lagoon and immediate surrounding habitats are also the focal point for wintering wildfowl e.g. oystercatchers, redshank and curlew. Ditches to the northeast of site include many invertebrate species of conservation value.
BAP Criteria – Saline lagoon
Overview as detailed by UK Habs criteria above. See above. The flora and invertebrate fauna present can be divided into three main components: those that are essentially freshwater in origin, those that are marine/brackish species, and those that are more specialist lagoonal species. The presence of certain indigenous and specialist plants and animals make this habitat important to the UK's overall biodiversity. The flora and fauna on site are saline/brackish species. There are several different types of lagoons, ranging from those separated from the adjacent sea by a barrier of sand or shingle ('typical lagoons'), to those arising as ponded waters in depressions on soft sedimentary shores, to those separated by a rocky sill or artificial construction such as a sea wall. The lagoon is separated from the sea by the shingle beach and artificial constructions including roads, car park, CFGM. Sea water exchange in lagoons occurs through a natural or man-modified channel or by percolation through, or overtopping of, the barrier. The salinity of the systems is determined by various levels of freshwater input from ground or surface waters. The degree of separation and the nature of the material separating the lagoon from the sea are the basis for distinguishing several different physiographic types of lagoon. The saline water within the lagoon is a result of the connection to the Queensborough Lines fortification. The lagoon does not appear to be tidal.

BAP Criteria – Coastal Saltmarsh Coastal saltmarshes comprise the upper, vegetated portions of intertidal mudflats, lying approximately between mean high water neap tides and mean high water spring tides. The lower limit of saltmarsh is defined as the lower limit of pioneer saltmarsh vegetation (but excluding seagrass <i>Zostera</i> beds) and the upper limit as one metre above the level of highest astronomical tides to take in transitional zones. Saltmarshes are usually restricted to comparatively sheltered locations in five main physiographic situations: in estuaries, in saline lagoons, behind barrier islands, at the heads of sea lochs, and on beach plains. Saltmarsh on site occurs to the edges of the saline lagoon and the brackish artificial ditches, with floral interest varying around the site. The development of saltmarsh vegetation is dependent on the presence of intertidal mudflats. Saltmarsh vegetation consists of a limited number of halophytic (salt tolerant) species adapted to regular immersion by the tides. A natural saltmarsh system shows a clear zonation according to the frequency of inundation. At the lowest level the pioneer glassworts <i>Salicornia</i> spp can withstand immersion by as many as 600 tides per year, while transitional species of the upper marsh can only withstand occasional inundation. The communities include small amounts of purple glasswort and transition to terrestrial plants at upper level of the banks. The zonation is less obvious in many places likely due to the artificial nature of the constructed saline lagoon and many drainage ditches but can be seen to some extent in association with the sinuous ditches present to the northwest and southern boundary. The communities of stabilised saltmarsh can be divided into species-poor low-mid marsh, and the more diverse communities of the mid-upper marsh. On traditionally grazed sites, saltmarsh vegetation is shorter and dominated by grasses. At the upper tidal limits, true saltmarsh communities are replaced by driftline, swamp or transitional communities which can only withstand occasional inundation. Saltmarsh communities are additionally affected by differences in climate, the particle size of the sediment and, within estuaries, by decreasing salinity in the upper reaches. The species poor ONG areas may be a result of saltmarsh which has transitioned/stabilised into CFGM over time.
UK Habitat Classification Criteria – Coastal Saltmarsh Comprise the upper vegetated portions of intertidal mudflats, lying approximately between mean high water neap tides and mean high water spring tides. The lower saltmarsh limit is defined as the lower limit of pioneer saltmarsh vegetation (but excluding sea grass <i>Zostera</i> beds) and the upper limit as 1m above the level of highest astronomical tides, to take in transitional zones. As above.

7.1 This section details a Biodiversity Net Gain (BNG) assessment based on calculations using Defra's Statutory Biodiversity Metric (2025) during 2025 to calculate the biodiversity baseline for habitats, hedgerows and watercourses on site. A feasibility level review of potential compensatory requirements if there were to be any loss of neutral grassland/impacts to ditches or lagoon, and potential if no onsite impacts were proposed the possibility for market offering of offsetting units is also included.

Baseline

- 7.2 This section sets out the baseline biodiversity units on the site. This is further separated into area habitat biodiversity units (AHBU), hedgerow biodiversity units (HBU) and watercourse biodiversity units (WBU). The baseline assessment will remain unchanged, unless there is a change to the condition, extent of habitats on site, or the criteria informing an updated assessment is undertaken. Figure 1 shows the location of UK Habitat Classification / Phase 1 habitats and hedgerows on Site.
- 7.3 The baseline UK Habitat Classification are recorded below in Table 20. Nine area habitats are present on site comprising 24.66ha. This is dominated by priority habitats coastal lagoon, saltmarsh and saline reedbeds and floodplain mosaic and CFGM (including the modified grassland and ONG grassland parcels) which collectively generate 304.25 AUBU. Other habitats recorded include mixed scrub, tall forbes, unsealed surface, sealed surface and rural trees.

[illegible]

Hedgerow Baseline

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Table 21: Baseline Hedgerow Biodiversity Units

Existing hedgerow habitats				Distinctiveness	Condition	Strategic significance	Required Action to Meet Trading Rules	Ecological baseline
Ref	Hedge number	Habitat type	Length (km)	Distinctiveness	Condition	Strategic significance	Required Action to Meet Trading Rules	Total hedgerow units
1		Line of trees	0.336	Low	Moderate	Area/compensation not in local strategy/ no local strategy	Same distinctiveness band or better	1.36
2								
3								
4								
5								
6								
			0.32					1.36

Watercourse Baseline

- 7.5 Six ditches were recorded on site (Table 22), a total of 2.78km which equates to 43.33 watercourse units.

Table 22: Baseline Watercourse Biodiversity Units

Existing watercourse type			Distinctiveness	Condition	Strategic significance	Watercourse encroachment	Riparian encroachment	Required Action to Meet Trading Rules	Ecological baseline
Ref	Watercourse type	Length (km)	Distinctiveness	Condition	Strategic significance	Extent of encroachment	Extent of encroachment for both banks	Required Action to Meet Trading Rules	Total watercourse units
1	Priority habitat	0.067	V High	Good	Formally identified in local strategy	No Encroachment	No Encroachment/ No Encroachment	Same habitat required - bespoke compensation option 2	1.85
2	Priority habitat	1.704	V High	Moderate	Formally identified in local strategy	No Encroachment	No Encroachment/ No Encroachment	Same habitat required - bespoke compensation option 2	35.01
3	Priority habitat	0.921	V High	Poor	Formally identified in local strategy	No Encroachment	No Encroachment/ No Encroachment	Same habitat required - bespoke compensation option 2	8.47
4									
5									
6									
7									
8									
			2.78						43.33

Baseline Biodiversity Units Summary and Net Gain Requirements

- 7.6 The only habitat which does not generate any units is artificial unvegetated surface and sealed land urban and sealed land.
- 7.7 In the event of an on site proposal being taken forward in the future which generates the requirement for statutory biodiversity net gain, in order to achieve a 10% net gain in line with the current policy requirement a minimum of 337.62 area habitat units and 1.39 hedgerow units and 47.67 watercourse units would be required post development in line with trading rules.

Mitigating the Loss of Area and Linear Habitats to Development

Habitats lost or impacted by any proposal would require compensation:

The metric rules ensure that habitat provided as compensation for loss of habitat used by protected species is not double counted when calculating the required habitat uplift

to achieve 10% net gain. For example, habitat required for BNG delivery is in addition to receptor areas for reptiles.

The metric also provides recommended actions to address the loss of each habitat, failing to meet these may result in a “trading error” which means BNG cannot be achieved. Broad indications of the recommendations are provided below.

- Priority habitat loss: requires the provision of the same types of priority habitat, (or similar measures for off site units) to be provided at the same or better condition.
- Scrub, hedge or tree loss: creation or restoration of the same broad habitat or higher distinctiveness habitat is required for example either by planting more scrub or a higher quality habitat such as lowland mixed deciduous woodland.
- Lagoon compensation could look to litter management for minor improvements

Register for Marketplace BNG Unit Sales

- 7.8 Potential for delivering off site compensation as part of marketplace offering for BNG units for sale: This has been explored at feasibility level, and there is a potential for ONG (grassland CFGM) and ditch improvements and management to be funded through sale in the marketplace (subject to all legal and administration responsibilities and costs of registration) of a small number of units (if there are no offsetting requirement generated by on site proposals).
- 7.9 Given the presence of priority habitats on site which are uncommon in Kent there is the potential to generate biodiversity offsetting units, which could be sold to developments which require off site units of this type and could be used to improve the habitats on site. This could involve improvements to grassland and ditch areas to allow increased or maintained water levels. However, any such enhancement approach would need to be undertaken in liaison with invertebrate experts due to the invertebrate interest and other stakeholders such as Kent Wildlife Trust given the Local Wildlife Site designation.
- 7.10 The implementation of a 30-year management plan would be required as a condition of BNG.

8 Planning Context

- 8.1 Relevant protected species legislation is given in Appendix 2.

National Planning Policy

- 8.2 Biodiversity, in particular protected species and habitats, is a material consideration of all planning applications. The National Planning Policy Framework (NPPF) was first published in March 2012 and updated in July 2018, February 2019, July 2021,

September 2023 and 20th December 2023. This sets out the government's planning policies for England and how these are expected to be applied.

- 8.3 The NPPF requires that the local planning authority should aim to enhance biodiversity when determining planning applications, and opportunities to incorporate biodiversity in and around developments should be encouraged, especially where this can secure measurable net gains for the environment. Chapter 15 "Conserving and enhancing the natural environment, paragraphs 180-194", states that this should be achieved by:

"..minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.."

- 8.4 Chapter 15 of the NPPF covers the natural environment and biodiversity; paragraphs 187-199 are provided in full in Appendix 10.

- 8.5 The relevant primary legislation for the statutory framework for biodiversity net gain is principally set out under Schedule 7A (Biodiversity Net Gain England) of the Town and Countryside Planning Act 1990. This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021, and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.

- 8.6 The biodiversity net gain regulations most directly relevant to planning are:

- The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 which commence biodiversity net gain for most types of new planning applications and provides transitional arrangements for section 73 permissions.
- The Biodiversity Gain Requirements (Exemptions) Regulations 2024 which prescribe exemptions for categories of development to which biodiversity net gain does not apply.
- The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) Regulations 2024 which amend the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013 to include provisions in respect of applications for planning permission and the submission and determination of Biodiversity Gain Plans, as well as modifications of Schedule 7A of the Town and Country Planning Act 1990 for phased development.
- The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 which set out the modifications for irreplaceable habitat, irreplaceable listed are blanket bog, lowland fens, limestone pavements, coastal sand dunes, ancient woodland, ancient and veteran trees, Spartina saltmarsh swards and Mediterranean saltmarsh scrub.

- 8.7 In addition, there are regulations for the Biodiversity Gain Site register established under section 100 of the Environment act 2021 for registered offsite biodiversity gains.

Regional/Local Planning Policy

- 8.8 The Swale Borough Council Local Plan “Bearing Fruits 2031” was adopted July 2017. Core Policy 7 provides the principal policy regarding the natural environment and policy, DM17 relates to the provision of open space, sports and recreation facilities, DM18 refers to local green spaces, which the site is designated as, DM28 relates specifically to conservation of biodiversity and DM30 relates to enabling development for landscape and biodiversity enhancement:

Policy CP 7 – Conserving and Enhancing the Natural Environment – Providing for Green Infrastructure

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

- 1. Recognise and value ecosystems for the wider services they provide, such as for food, water, flood mitigation, disease control, recreation, health and well-being;*
- 2. Protect the integrity of the existing green infrastructure network as illustrated by the Natural Assets and Green Infrastructure Strategy Map, having regard to the status of those designated for their importance as set out by Policy DM24 and Policy DM28;*
- 3. Where assessment indicates it is necessary to enhance and extend the network (including when management, mitigation and/or compensatory actions are required to address adverse harm), be guided by the Green Infrastructure Network and Strategy Map, prioritising actions toward identified Biodiversity Opportunity Areas;*
- 4. Ensure that there is no adverse effect on the integrity of a SAC, SPA or Ramsar site, alone or in combination with other plan and projects, as it would not be in accordance with the aims and objectives of this Local Plan;*
- 5. Require the completion of project specific Habitats Regulations Assessment, in accordance with Policy DM28, to ensure there are no likely significant effects upon any European designated site. For residential sites within 6km of an access point to any of the North Kent Marshes, development must contribute to its Strategic Access Management and Monitoring Strategy;*
- 6. Contribute to the objectives of the Nature Partnerships and Nature Improvement Areas in Kent;*
- 7. Make the enhancement of biodiversity and landscape as their primary purpose;*

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

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

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

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

Policy DM 17 – Open space, sports and recreation provision

“Proposals for residential and other developments as appropriate will:

1.Safeguard existing open space, sports pitches and facilities in accordance with national policy having regard to the Council’s open space assessment and strategy and facilities planning model;

2.Make provision for open space in accordance with Table 7.5.1 and for sports facilities in accordance with the needs identifies bu the Council’s facilities planning model and the Open Space Strategy, whilst ensuring that the location of new open space, sports and recreation provision does not result in increased levels of recreational pressure on internally designated sites;

3.Where it is not appropriate to make provision for new open space and sports facilities on site, make contributions to the off-site funding of facilities to meet local deficiencies or to the qualitative or quantitative improvement of existing provision; and

4.Provide for the multi-use and purpose of open space and sports facilities as appropriate, with particular emphasis on contributing towards the Local Plan Natural Assets and Grenn Infrastructure Strategy, provided by Policy CP7, so as to achieve benefits for both communities and biodiversity.”

Policy DM 18 – Local Green Spaces

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

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

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

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

Policy DM 28 – Biodiversity and Geological Conservation

“Development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.

Part A. For designated sites

Development proposals will give weight to the protection of the following designated sites for biodiversity, as shown on the Proposals Map, which will be equal to the significance of their biodiversity/geological status, their contribution to wider ecological networks and the protection/recovery of priority species as follows:

1. *Within internationally designated sites (including candidate sites), the highest level of protection will apply. The Council will ensure that plans and projects proceed only when in accordance with relevant Directives, Conventions and Regulations. When the proposed development will have an adverse effect on the integrity of a European site, planning permission will only be granted in exceptional circumstances, where there are no less ecologically damaging alternatives, there are imperative reasons of overriding public interest and damage can be fully compensated.*

2. *Within nationally designated sites (including candidate sites), development will only be permitted where it is not likely to have an adverse effect on the designated site or its interests (either individually or in combination with other developments) unless the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the designated site that make it of national importance and any broader impacts on the national network of Sites of Special Scientific Interest. Where damage to a nationally designated site cannot be avoided or mitigated, compensatory measures will be sought. Development will also accord with and support the conservation objectives of any biodiversity site management plans;*

3. *Within locally designated sites (including draft published sites), development likely to have an adverse effect will be permitted only where the damage can be avoided or adequately mitigated or when its need outweighs the biodiversity interest of the site. Compensation will be sought for loss or damage to locally designated sites.*

Part B: All Sites

Development proposals will:

1. Apply national planning policy in respect of the preservation, restoration and re-creation of:

a. the habitats, species and targets in UK and local Biodiversity Action Plans and Biodiversity Strategies;

b. linear and continuous landscape features or those acting as stepping-stones for biodiversity;

c. aged or veteran trees and irreplaceable habitat, including ancient woodland and traditional orchards;

2. Be informed by and further the guidelines and biodiversity network potential of the Council's Landscape Character and Biodiversity Assessment SPD;

3. Support, where appropriate, the vision and objectives of relevant environmental and biodiversity management and action plans

4. Be accompanied by appropriate surveys undertaken to clarify constraints or requirements that may apply to development, especially where it is known or likely that development sites are used by species, and/or contain habitats, that are subject to UK or European law;

5. When significant harm cannot be avoided through consideration of alternative sites or adequate mitigation provided on-site or within the immediate locality, compensatory measures will be achieved within the relevant Biodiversity Opportunity Area, or other location as agreed by the Local Planning Authority;

6. Provide, where possible, a net gain of biodiversity overall; and

7. Actively promote the expansion of biodiversity within the design of new development and with reference to the wider natural assets and green infrastructure strategy in Policy CP7."

Policy DM 30 – Enabling Development for Landscape and Biodiversity Enhancement

"Exceptionally, enabling development will be permitted for proposals that contravene planning policies for the protection of the countryside, when it is:

1. Proposing an outstanding design, layout and landscaping scheme that benefits the condition of landscape and biodiversity both substantially and disproportionately;

2. Securing the long-term future and appropriate management of land within Biodiversity Opportunity Area as identified by Policy CP 7 and/or landscapes in poor or moderate condition as identified by the Swale Landscape Character and Biodiversity Appraisal 2011;

3. Contributing significantly to targets identified in UK, Kent and Swale Biodiversity Action Plans and/or Biodiversity Strategies;

4. In the Kent Downs AONB, and is in accordance with its Management Plan and guidance;

5. In accordance with the objectives of any Nature Improvement Area or other relevant environmental management plan for the area;

6. Wholly necessary to resolve problems arising from the condition of the landscape and its biodiversity, rather than the circumstances of the present owner, the purchase price paid, or to make schemes viable;

7. Demonstrated that sufficient subsidy is not available from any other sources and that the amount of enabling development is the minimum necessary;

8. In locations that do not lead to dispersed development patterns and/or lengthy journeys to access jobs and services;

9. Demonstrated that after any dis-benefits have been minimised and mitigated, the overall landscape and biodiversity benefits of the proposal decisively and disproportionately outweigh harm to other public interests and policies;

10. Subject to legal monitoring and review arrangement intended to secure enhancements in perpetuity against agreed objectives and targets; and

11. Compliant with criteria for biodiversity as set out in Policy DM 28."

9 Feasibility Assessment

- 9.1 Recreational development options included within this feasibility assessment include a possible aqua park, wake boarding, slip n slide, paddle boarding, increased camping offering or raised glamping pods.

Wakeboarding, Aqua Park, Slip n Slide

- 9.2 The provision of wakeboarding which involves the use of mechanised boat or arm pulling boards around the lake is of particular concern due to the impact that the waves formed by the wakeboarding would have on the saline lagoon, the connected ditches, watervoles present year round and the wintering and breeding bird assemblages noted on the site.
- 9.3 The impact would be dependent on the level of wakeboarding. However, the lake is a relatively small area for motorised activities and the waves would be likely to cause increased degradation / deterioration and spread distribution of wave impacts

(undercutting of banks and scouring of vegetation) to the margins and the associated flora interest of the saline lagoon and potentially impact ditches and their associated species assemblages.

- 9.4 Dependent of location there is a low - high risk that this activity if introduced could result in a direct killing and injury of water voles. This is considered low if situated to the eastern extent of the lagoon, high to the west as the main activity was noted to the associated ditches and western lagoon banks. However, it cannot be ruled out that water voles will move through the lagoon from time to time. Noise, hydraulic changes pollution etc all have the potential to cause disturbance or destruction of resting/breeding places.
- 9.5 The installation of an aqua park or slip n slide would result in the loss of a significant area of grassland and lagoon bank, in addition, similar impacts of disturbance and hydrological changes could result, although, potentially at a lower intensity but for more prolonged periods and localised impacts due to the lack of motorised features, and fixed positioning of these features.
- 9.6 The increased level of noise and wave activity is likely to cause disturbance to water voles present within any burrows impacted by the activity and damage/ degradation to burrows and associated risk of harm or displacement of water voles.
- 9.7 The wakeboarding, slide and aqua park would normally occur in summer. A high proportion of the wintering bird activity on site is associated with the saline lagoon and immediate surrounding habitats. Although the wintering bird species are not all present at that time of year, some species which are present in higher amounts such as oystercatcher are present during the summer too. Where habitats become degraded impacts may also occur to the invertebrate communities which the bird communities are likely to forage upon.
- 9.8 The invertebrate fauna associated with the saline lagoon is considered to indicate a unfavourable condition for invertebrates currently and therefore any increase in degradation of the lagoon would likely contribute further to this.
- 9.9 Therefore, any proposal for wakeboarding would likely require a translocation exercise for water voles under licence where impacts to burrows occur and mitigation to off set the impacts of any likely degradation of the Saline Lagoon and associated CFGM ditch and Coastal Saltmarsh habitats. Such mitigation would likely comprise a mix of on site measures to protect and enhance parts of the saline lagoon where activities will not occur and purchase of off site units at significant cost (if comparable units type can be found) to compensate for any residual loss.
- 9.10 Whilst a more detailed study including hydrological and landscape modelling could be pursued with a detailed costing exercise, overall, given the balance of impacts to the flora and fauna interest on site and the likely cost of any mitigation exercise, incorporation of these activities is unlikely to be feasible.

- 9.11 Non-motorised watercraft such as paddle boarding could be incorporated into the recreational sport options on the lake in summer. This is a low impact and temporary option and may if managed appropriately provide opportunities for observing nature. Advice on the biodiversity present and appropriate behaviours along with recommendations of timing and location, e.g. restricted to the saline lagoon (exit and entry at eastern end only) and avoiding the ditches, to avoid disturbing and negatively impacting the water voles, nesting birds and priority habitats on site is given in Section 10.

Glamping and Camping Provision

- 9.12 The site currently offers the ability for camping on site. Detailed information on the existing extent and level of activities has not been provided however observations during the site visits indicate levels are relatively low and limited to the east of the site where modified grassland is present and maintained as a short sward.
- 9.13 Notable plant species are present to the eastern section of the site, in areas of short grassland. This may be due to low levels of recreational use from camping and dog walkers restricting the pressure from the grasses present allowing a more diverse fauna to develop. Therefore, a low level increase in the provision of camping areas, which results in some areas of modified grassland managed at a shorter sward to facilitate camping areas and informal mown paths for access could be beneficial to the grassland interest if managed and implemented appropriately. Increasing areas of modified grassland resulting in a loss of neutral grassland would need to be considered carefully in line with statutory BNG objectives to offset impacts.
- 9.14 Any such provision would need to be carefully managed to avoid impacting breeding skylarks, reptiles present on site and ditch plant assemblages, water vole and invertebrate populations.
- 9.15 There is a large area of short grassland which is used irregularly throughout the summer for circus and other recreational events and this would also be an ideal location to cite any increased provision for camping whilst ensuring limited impacts to species present.
- 9.16 A provision of a very low number of glamping pods could be undertaken in a small number of locations. This option would need to be carefully designed to ensure exemplar standards given the location within a local wildlife site and undertaken under a detailed mitigation strategy to avoid or minimise impacts to notable and rare flora and fauna on site including priority habitats, ground nesting skylarks and reptiles. Liaison with stakeholders such as Kent Wildlife Trust given the Local Wildlife Site designation is recommended.
- 9.17 Any increased camping / new glamping provision would need to be on the basis that no new toilet or other utility infrastructure would be implemented within these areas, the pre-existing shower and toilet provision within the car park areas would need to be used, this could be extended where the extension is placed in the existing hard standing

area and/or there is no resulting impact to the priority habitats and protected species present.

- 9.18 Where an updated BNG assessment is required to support a planning application, given the high baseline value of the site it is possible that off site BNG units would be required to offset any impacts and meet the statutory requirement for 10% biodiversity net gain.

10 Mitigation Measures

- 10.1 The following recommendations are provided to ensure no harm will come to protected species residing on or moving through site and to mitigate the loss of habitat or functionality of habitat.

Designated Sites

- 10.2 The site is located within 6km of the sites: Outer Thames Estuary SPA (Marine Component) Medway Estuary and Marshes SPA and Ramsar, the Swale SPA and Ramsar, Thames Estuary and Marshes SPA and Ramsar.
- 10.3 Individual planning applications need to be assessed for their effects on, and possible contributions to, the Green Infrastructure Network and for likely significant effects on Natura 2000 sites.
- 10.4 In addition, Swale Borough Council set out the requirement to minimise and mitigate impacts of recreational disturbance on the qualifying bird species for the internationally designated sites for biodiversity from developments within 6km of an SPA. This requires financial contributions toward the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) for additional dwellings with other developments such as guest houses, camps and caravan sites assessed on a case-by-case basis (Swale Borough Council).
- 10.5 In the event a development proposal such as the provision of additional glamping units, or an increase in the caravan / camping provision is taken forward which has the potential to impact the SPA/SACs, a Habitat Regulations Assessment (HRA) may be required dependent on the type and extent of proposals. The HRA will be undertaken by the competent authority, however, a report to Inform the Competent Authorities Habitat Regulations Assessment would be provided with planning application documentation.
- 10.6 The proposed development has the potential to impact upon a SSSI. The Local Planning Authority will need to consult Natural England on likely risks from any proposal from proposed glamping units.
- 10.7 Due to the presence of priority habitats across the site, any proposal will incorporate mitigation measures to ensure that no indirect impact or disturbance occurs during

construction. These measures will be included within a Construction Environmental Management Plan and will include;

- Appropriate hoarding or fencing to any works area buffer from disturbance.
- Dust control during dry conditions
- Pollution control measures
- A sensitive lighting strategy to ensure disturbance to invertebrates and nocturnal wildlife is minimised.
- Works to take place in daytime hours only
- Noise and vibration levels to be controlled and minimised where possible.
- Post development planting will ensure that there is a vegetated buffer, to include native scrub and tree planting along the site boundary between the site and Franks Park SINC. No non-native species will be included within this planting.
- A post development lighting strategy will be adhered to ensure there is no inappropriate lighting directed within the LWS.

Priority Habitats

- 10.8 Two priority habitats are present on site; Coastal Lagoon (Saline Lagoon) and Coastal Floodplain Grazing Marsh. The latter includes the mosaic of other neutral grassland and modified grassland along with the ditches. Given the high status of the priority habitats present on site and early stage of the study at this stage it is assumed that no loss of priority habitat will occur. Any loss of priority habitat will be extremely difficult to off set on site and where trading standards for BNG are not achievable on site, would require purchase of off site units (if available) at significant cost to address.

Bats

- 10.9 Surveys found no bats to be roosting within B1 on site. A single willow *Salix sp.* was identified to the north of the site with peeled bark categorised as PRF-I, with the potential to support an individual roosting bat. In the event the tree is found to be affected by future proposals, the PRF will be inspected by a suitably experienced ecologist prior to felling.
- 10.10 Due to the current use of the site by foraging and commuting bats, any future lighting scheme will ensure there is no light spillage on the boundary hedgerows and trees, ditches or lagoon. This will include use of baffles/downward facing lights, bollard level lighting or low wattage lights with limited lighting within the UV spectrum. Security lights will be motion sensor and timed to be on for as short a time as possible.

10.11 In line with published guidance (CIEEM, 2019), and due to the mobile nature of bats, and potential for new roosting features to occur over time the results of the bat roost assessment within this report will be valid for 12 months. After this time period an updated bat roost assessment will be required.

Reptiles

10.12 Due to the presence of viviparous lizard and slow worm on site, any proposals such as that required for new glamping units will be subject to a detailed Ecological Mitigation Strategy (EMS) identifying the methodology for translocation or displacement of reptiles from any area of works to an identified receptor area on site, the process for translocation would be as.

- A 60-day translocation will be carried out during suitable weather periods between March and September avoiding the sensitive hibernation period from October to February.
- The translocation can be carried out once a suitable receptor area has been provided on site.
- Enhancement measures will be carried out to ensure that the receptor habitats are enhanced for reptiles. This receptor location will ensure that reptiles can disperse naturally into the wider area.
- Reptile fencing will be erected around the construction footprint boundary to prevent reptiles from re-entering the site prior to works.
- Where the total working area is very small and in modified grassland only the approach may not require a full 60 day translocation, displacement or a shorter period (subject to <5 days of no finds) would be employed as a proportional approach to be fully detailed in the EMS.

10.13 Providing these measures are followed the development would be compliant with all known legislation and planning policy pertaining to reptiles.

Water Voles

10.14 Due to the feasibility nature of this assessment at this stage no impact to the ditches is anticipated. In the event a later proposal is explored an updated survey will be undertaken prior to the commencement of any works to the ditches which will document the presence of any burrows within the area of works (or of indirect impacts arising from any proposed change in activities).

10.15 The design will aim to avoid any impacts where possible in the first instance, with mitigation for impacts to occur only as a last resort. Where it is not possible to design out any impacts an appropriate mitigation strategy will be implemented to ensure no impacts to the favourable conservation status of the water vole population on site.

- 10.16 A NE PSML may be required prior to the commencement of any works to the ditches or saline lagoon which will impact water vole habitat. If measures are temporary and can be carried out to avoid impact periods of most sensitivity (May – Sept and Nov – Feb) a licence may not be needed. Compensatory habitat will be required on a like for like basis, therefore, if ditches are impacted an increase in on site ditches will be required (subject to achieving BNG) or suitable improvements to an off site location

Breeding Birds

- 10.17 The boundary hedgerows and trees and grassland across the site provide suitable nesting habitat. Skylark and meadow pipit which are ground nesting birds were present across the site. Removal of grassland, trees or hedges will, where possible, avoid the bird nesting season, March to August inclusive. Should it not be possible to avoid this period, works will be completed under the supervision of a suitably qualified ecologist. A survey will be carried prior to works to identify nest sites. If an active bird nest is discovered a buffer zone (appropriate to the species identified) will be erected and works will cease in that area until the young have fledged.

Wintering Birds

- 10.18 Any works undertaken during the winter period will have regard to the wintering bird species present and any key foraging areas used around and within the Saline Lagoon. No works above 50 decibels will progress during the key overwintering period (Nov – mid - March).

Invertebrates

- 10.19 Given the rare assemblage of invertebrate species on site and early stage of the study at this stage, following discussion with the client it is assumed that no loss of or impacts to ditch habitat will occur. Where a proposal (including those to improve the biodiversity value of habitats within ditches) may impact the hydrological patterns, water levels or inundation rates modelling to establish impacts will be undertaken to inform discussions with an invertebrate expert and KWT to ensure that any impacts to the rare invertebrate communities and water vole are avoided or mitigated in accordance with the mitigation hierarchy.

11 Enhancement Recommendations

- 11.1 The NPPF requires that the local planning authority should aim to enhance biodiversity when determining planning applications and opportunities to incorporate biodiversity in and around developments should be encouraged.
- 11.2 Given the priority habitats on site and presence of protected species including water voles, reptiles, breeding and wintering birds including skylarks, redshanks, oystercatchers and rare invertebrate assemblages any enhancement would need to be

carefully considered to ensure no detrimental impact to the species and habitats found on site.

- 11.3 The national requirement for development projects to achieve 10% biodiversity came into force in February 2024 for major projects and for small sites from April 2024. In addition, the NPPF states 'opportunities to incorporate biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for the environment of enhance public access to nature where this is appropriate'.
- 11.4 There is potential for improvement in the condition of grassland, ditches and the lagoon via the implementation of a 30-year management plan, partial funding for this may be possible via registration and sale of BNG offsetting units. However, careful consideration of the ecology of all species/species assemblages and habitats present in the context of hydrological changes will be required. Local stakeholder (Kent Wildlife Trust) liaison is also recommended.
- 11.5 A separate detailed National Vegetation Classification Survey was undertaken in 2024, the results of which will be provided in a separate standalone report.
- 11.6 The following enhancements could be considered in :
 - Retention of all hedgerows and mature trees, where possible
 - Retention of dead wood piles to provide habitat for reptiles and invertebrates
 - Addition of at least three log / brash piles using cuttings from site to provide wildlife habitat
 - Addition of bat boxes installed onto the café area to provide roosting opportunities for bats
 - Addition of bird boxes to the café area to provide nesting opportunities for birds
 - Installation of at least two invertebrate boxes
 - Implementing a management plan to allow the grazing or annual hay cut and removal of cuttings to the grassland to a minimum height of 15cm (to avoid injury to reptiles) to increase the species diversity of the grassland.

12 Conclusion

- 12.1 The site is located within 6km of the site: Outer Thames Estuary SPA (Marine Component), Medway Estuary and Marshes SPA and Ramsar, the Swale SPA and Ramsar, Thames Estuary and Marshes SPA and Ramsar. Two priority habitats are present on site; Coastal Lagoon (Saline Lagoon) and Coastal Floodplain Grazing Marsh. The latter includes the on site mosaic of other neutral grassland and modified grassland along with the ditches.
- 12.2 Survey found no bats roosting on site, but use of the linear habitats for foraging. Water vole were found to be utilising all waterbodies on site. Bird surveys found starling and house sparrow using the café building B1 to nest. Skylark and meadow pipit are ground nesting birds using rough grassland Drafton site. Reptile species slow worm and common lizard were found across the site. Redshank and oystercatcher were recorded on site over all five surveys, with a peak count of 40 and 141 individuals respectively. A wintering population of redshank are the qualifying feature of the Medway Estuary and Marshes SPA/RAMSAR, the Thames Marshes and Estuary SPA/RAMSAR and the Swale SPA, with a spring/autumn population at the Swale RAMSAR. A wintering population of oystercatcher are the qualifying feature of the Medway Estuary and Marshes SPA and the Swale SPA.
- 12.3 Section 6 gives results of habitat and protected surveys and impacts in the context of relevant ecological functionality, local and site context. Section 10 provides mitigation measures required to meet legislation. Section 11 provides enhancement opportunities, which, in line with Chapter 15 of the NPPF, will enhance the biodiversity of the site and offer opportunities for a wide range of species including invertebrates, birds and bats.
- 12.4 Section 7 provides the Biodiversity Net Gain baseline unit value of 304.25 AUBU, 1.26 baseline hedge units, 43.33 watercourse units. In line with the current policy requirement a minimum of 337.62 area habitat units and 1.39 hedgerow units and 47.67 watercourse units would be required post development to achieve a 10% BNG uplift.

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14 Appendices

Appendix 1: Level of Importance

Appendix 2: Relevant Legislation

Appendix 3: Designated Features of Internationally Designated Sites

Appendix 4: List of Terrestrial Plant Species

Appendix 5: Water Vole Survey Results

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Appendix 10: NPPF Chapter 15

Appendix 11: Site Photographs

Appendix 1 Level of Importance

Geographic Scale	Example
International	An internationally designated site¹, or site which would meet the criteria for such a designation. A viable area of Annexe 1 habitat type, or smaller area essential to maintain the viability of a larger whole. Any regularly occurring population of an internationally important species, threatened or rare in the UK. A regularly occurring, nationally significant population/ number of any internationally important species.
National	A nationally designated site², or site which would meet the criteria of such a designation. A viable area of a Habitat of Principal Importance and priority habitats in England (NERC Act 2006) or smaller areas essential to maintain the viability of a larger whole. Any regularly occurring, regionally or county significant population/number of any nationally important species. A feature identified as of Habitat or Species of Principal Importance or Priority habitats
Regional	Sites which exceed the County-level designations but fall short of SSSI selection guidelines. Viable areas of key habitat identified in the Regional BAP or smaller areas essential to maintain the viability of a larger whole. Viable areas of key habitat of Regional value in the appropriate Natural Area profile. Any regularly occurring, locally significant population of a species nationally scarce which occurs in 16-100 10km squares in the UK or in a Regional BAP or relevant Natural Area on account of regional rarity or localisation. A regularly occurring, locally significant number of a regionally important species.
Metropolitan, County, Vice County	Semi-natural ancient woodland greater than 0.25ha. County/Metropolitan sites which meet the published ecological selection criteria for designation, including Local Nature Reserves (LNR) selected on County/Metropolitan ecological criteria. A viable area of Habitat of Principle Importance and Priority Habitats in England (NERC) A regularly occurring, locally significant population of a County/Metropolitan “red data book” or LBAP species on account of regional rarity or localisation. A regularly occurring, locally significant number of a County/Metropolitan important species.

Geographic Scale	Example
District	Semi-natural ancient woodland smaller than 0.25 ha. Areas of habitat identified in a sub-county (District/Borough) BAP or in the relevant Natural Area profile. District sites that meet the published ecological selection criteria for designation, including LNR selected on District/Borough ecological criteria. Sites/features scarce within the District/Borough. A diverse and/or ecologically valuable hedgerow network. A population of a species that is listed in a District/Borough BAP because of its rarity in the locality or in the relevant Natural Area profile because of its regional rarity or localisation. A regularly occurring, locally significant number of a District/Borough important species during a critical phase of its life cycle.
Local	Areas of habitat considered to appreciably enrich the habitat resource within the context of the parish or neighbourhood (e.g. species-rich hedgerows); and LNRs selected on parish ecological criteria.

¹ Such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or, Wetlands of International Importance (RAMSAR)

² Such as Site of Special Scientific Interest (SSSI)

Appendix 2 Relevant Legislation

Species	Legal Protection
Bats, Dormice, GCN	All British species of bats, GCN and dormice and their resting and breeding sites, have legal protection under UK and European law (Wildlife and Countryside Act (WCA) 1981 (as amended), and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) It is an offence to: • capture, kill, disturb or injure a dormouse • damage or destroy a breeding or resting place • obstruct access to their resting or sheltering places • possess, sell, control or transport live or dead individuals, or parts of them
Badgers	Badgers, and their setts, are protected in the UK under the Protection of Badgers Act 1992. It is an offence to: • intentionally capture, kill or injure a badger • damage, destroy or block access to their setts • disturb badgers in setts • treat a badger cruelly • deliberately / intentionally allow a dog into a sett • bait or dig for badgers
Reptiles	All common reptiles are protected from killing or injury under the WCA 1981, as amended.
Birds	All active bird nests are protected under the WCA 1981, as amended from damage/destruction. Furthermore, birds that are listed on Schedule 1 of the Act are also protected from disturbance while they are nesting.

Invasive Plants/Animals	Species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) are considered to be invasive. It is an offence to plant or cause these species to grow in the wild.
Protected plants, fungi or lichens	For plants, fungi or lichens listed on Schedule 8 of the Wildlife and Countryside Act 1981 (as amended) it is an offence to intentionally pick, uproot, or destroy them, unless it could not be reasonably avoided (e.g. the incidental result of a lawful action).
Section 41 Priority Species	Regard must be given to the conservation of species listed as rare and threatened species under Section 41 of the Natural Environment and Rural Communities Act (2006) when making planning decisions.

Appendix 3. Designated Features of Internationally Designated Sites

Site Designation/ Reference	Reason for Designation
Outer Thames Estuary SPA (Marine Component)	Protected features: Supports 38% of the Great Britain (GB) overwintering population of red throated diver <i>Gavia stellata</i> . Supports breeding populations of common tern <i>Sterna Hirundo</i> (2.66% of the GB population) and little tern <i>Sternula albifrons</i> (19.64% of the GB population).
Medway Estuary and Marshes SPA and Ramsar	Qualifying species: During the breeding season the area regularly supports avocet <i>Recurvirostra avosetta</i> (6.2%), Little tern <i>Sterna albifrons</i> (1.2%), common tern <i>Sterna Hirundo</i> (0.6%). 0.7% of the population, <i>Calidris alpina alpina</i> 2.3% of the GB population, <i>Tringa tetanus</i> 0.9% of the GB population Also qualifying for important overwintering assemblage of birds: Over winter the area regularly supports waterfowl, including: bewickii swan <i>Cygnus columbianus bewickii</i> (0.2%), avocet (24.7%), pintail <i>Anas acuta</i> (1.2%), shoveler <i>Anas clypeata</i> (0.8%), teal <i>Anas crecca</i> (1.3%), wigeon <i>Anas penelope</i> (1.6%), turnstone <i>Arenaria interpres</i> (0.9%), brent goose <i>Branta bernicla bernicla</i> (1.1%), dunlin <i>Calidris alpina alpina</i> (1.9%), knot <i>Calidris canutus</i> (0.2%), ringed plover <i>Charadrius hiaticula</i> (1.6%), oystercatcher <i>Haematopus ostralegus</i> (1%), black-tailed godwit <i>Limosa limosa islandica</i> (12.9%), curlew <i>Numenius arquata</i> (1.7%), grey plover <i>Pluvialis squatarola</i> (2%), shelduck <i>Tadorna tadorna</i> (1.5%), greenshank <i>Tringa nebularia</i> (2.6%), redshank <i>Tringa totanus</i> (2.1%).
The Swale SPA and Ramsar	Qualifying species: brent goose <i>Branta bernicla bernicla</i> , <i>Anas strepera</i> , <i>Anas crecca</i> , oystercatcher <i>Haematopus ostralegus</i> , ringed plover <i>Charadrius hiaticula</i> , grey plover <i>Pluvialis squatarola</i> , dunlin <i>Calidris alpina alpina</i> , curlew <i>Numenius arquata</i> , redshank <i>Tringa totanus</i> .
Thames Estuary and Marshes SPA and Ramsar	Qualifying species: Supports 38% of the Great Britain (GB) overwintering population of red throated diver <i>Gavia stellata</i> . Supports breeding populations of common tern <i>Sterna Hirundo</i> (2.66% of the GB population) and little tern <i>Sternula albifrons</i> (19.64% of the GB population).

Appendix 4. List of Terrestrial Plant Species

Habitat Type & Area	Common Name	Scientific Name	Presence (DAFOR scale)
Area 1. lowland meadow , mesotrophic grassland covering the majority of the south and west of site			
	Common Couch	<i>Elytrigia repens</i>	D
	Meadow Foxtail	<i>Alopecurus pratensis</i>	D
	Creeping Bent	<i>Agrostis stolonifera</i>	D
	Smooth Tare	<i>Vicia tetrasperma</i>	A
	False Oat Grass	<i>Arrhenatherum elatius</i>	A
	Meadow Fescue	<i>Festuca pratensis</i>	A
	Cock's Foot	<i>Dactylis glomerata</i>	A
	Sea Couch	<i>Elytrigia atherica</i>	A
	Yorkshire fog	<i>Holcus lanatus</i>	F
	Divided sedge	<i>Carex divisa</i>	F
	Lesser Stitchwort	<i>Stellaria graminea</i>	F
	Marsh Foxtail	<i>Alopecurus geniculatus</i>	O
	Spear-leaved Orache	<i>Atriplex prostrata</i>	O
	Cleavers	<i>Gallium aparine</i>	O
	Grass Vetchling	<i>Lathyrus nissolia</i>	O
	Wild Carrot	<i>Daucus carota</i>	O
	Meadow Barley	<i>Hordeum secalinum</i>	O
	Jacobaea erucifolia	<i>Hoary Ragwort</i>	O
	Timothy	<i>Phleum pratense</i>	O
	Common Bent	<i>Agrostis capillaris</i>	R
	Smaller cats tail	<i>Typha angustifolia</i>	R
	Common vetch	<i>Vicia sativa</i>	R
	Curled Dock	<i>Rumex crispus</i>	R

	Meadow Vetchling	<i>Lathyrus pratensis</i>	R
	Hairy Vetchling	<i>Lathyrus hirsutus</i>	R
	Spear Thistle	<i>Cirsium vulgare</i>	R
Area 2.			
Central C3.1 areas	Thistle spp.	Cirsium spp.	A
Central C3.1 areas	Willowherb sp.	Epilobium sp.	O
Central C3.1 areas	Common nettle	Urtica dioica	A
Central C3.1 areas	Ox eye daisy	Leucanthemum vulgare	R
Central C3.1 areas	Cleavers	Galium aparine	O
Central C3.1 areas	Moss spp.	-	D
	Bare ground	-	R
J2.1.2 Intact hedge – species-poor: Several sections around the site boundary			
South boundary line	Leylandii sp.	Cupressus × leylandii	R
Southeast corner, Eastern boundary line & North east corner	Blackthorn	Prunus spinosa	A
Eastern and western boundaries	Rose sp.	Prunus sp.	F
Eastern and western boundaries	Ash	Fraxinus excelsior	F
Eastern and western boundaries	Hazel	Corylus avellana	F
Eastern and western boundaries	Common ivy	Hedera helix	A
A2.1 Scrub - Dense: Across whole site, excluding a strip in the centre			
Across whole area	Bramble	Rubus fruticosus	D
Along eastern boundary beside hedge	Blackthorn	Prunus spinosa	A
A2.2 Scrub - Scattered: Within ruderal vegetation in the centre of site			
Two patches within ruderals	Bramble	Rubus fruticosus	D

Appendix 5 Water Vole Survey Results

Survey date	Ditch No.	Signs recorded
07.05.24	D1	No signs
07.05.24	D2	4 latrines, 2 feeding remains
07.05.24	D2a	No signs
07.05.24	D3	1 latrine, 1 feeding remains & 1 burrow
07.05.24	D3a	1 latrine, 1 feeding remains
07.05.24	D3b	No signs
07.05.24	D4	1 latrine, 1 feeding remains & 1 burrow
07.05.24	D5	17 latrines, 7 feeding remains & 8 burrows
07.05.24	D6	7 latrines, 3 feeding remains
03.09.24	D1	Above water burrows and tracks
03.09.24	D2	Five above water burrows
03.09.24	D2a	Above water burrow
03.09.24	D2b	Above water burrow
03.09.24	D3	Prints, burrow
03.09.24	D3a	Above water burrow, lawn.
03.09.24	D3b	Above water burrow and run
03.09.24	D4	Old latrine
03.09.24	D5	No signs
03.09.24	D6	No signs
03.09.24	D3	Prints, burrow
03.09.24	D3a	Above water burrow, lawn
03.09.24	D3b	Above water burrow and run
03.09.24	D4	Old latrine
03.09.24	D4	No fresh signs

Survey date	Ditch No.	Signs recorded
03.09.24	D5	No fresh signs
03.09.24	D5	No fresh signs
03.09.24	D6	No fresh signs

DRAFT

Appendix 6 Reptile Survey Results

Date	Species	No	Adult/ Juvenile	Mat Number
14 June 24	Common lizard	33	Adult	200,201,210,133,240,243,242,239,226,224,174,178,179,191,192,193,170,168,103,44,31,21,46,67,52,74,78
14 June 24	Common lizard	17	Juvenile	202,217,155,242,238,232,231,228,222,173,92,93,12,46,48,81
14 June 24	Slow worm	25	Adult	201,207,169,168,157,249,246,238,184,185,193,194,181,107,41,42,59
14 June 24	Slow worm	22	Juvenile	201,203,171,164,159,156,151,234,233,176,177,161,193,175,169,151,100,19,58
20 June 24	Common lizard	20	Adult	179,192,191,193,170,168,103,44,31,21,46,67,52,74,78
20 June 24	Common lizard	14	Juvenile	202,217,155,242,228,222,173,92,93,12,46,48,81
20 June 24	Slow worm	7	Adult	181,107,41,42,59
20 June 24	Slow worm	6	Juvenile	175,169,151,100,19,58
16 July 24	Common lizard	111	Adult	233,220,217,183,174,173,169,168,168,194,48,87,244,239,239,238,236,227,227,74,107,112,113,114,98,243,236,227,227,122,46,11,20,24,36,41,52,54,61,69,17,123,230,214,195,186,231
16 July 24	Common lizard	75	Juveniles	227,170,166,157,128,113,99,125,248,247,242,239,238,236,233,194,186,167,161,162,160,154,155,152,130,131,29,58,72,66,80,87,85,246,231,217,173,169,167,163,131,135,99,106,121,50,30,81,246,215,167,167,221,221,227,212
16 July 24	Slow worm	18	Adult	235,232,191,166,163,151,123,43,45,64,32,189,124,97,119,111,107

Date	Species	No	Adult/ Juvenile	Mat Number
16 July 24	Slow worm	16	Juvenile	231,246,129,99,245,216,99,232,177,117,32,114,109,186
12 Sept 24	Common lizard	7	Adult	98,32,212,162,162,194,48
12 Sept 24	Common lizard	1	Juvenile	125
12 Sept 24	Slow worm	7	Adult	32,189,124,97,119,111,107
12 Sept 24	Slow worm	12	Juvenile	245,216,99,232,177,117,32,114,109,186
17 Sept 24	Common lizard	59	Adult	244,239,239,238,236,227,222,201,194,185,184,184,163,162,153,52,15,24,77,81,87,74,107,112,113,114,98,243,236,227,226,192,173,171,170,169,168,167,153,135,101,109,19,122,46,11,20,24,36,41,52,54,61,69
17 Sept 24	Common Lizard	37	Juvenile	248,247,242,239,238,236,233,194,186,167,161,162,160,154,155,152,130,131,129,58,72,66,80,87,85
17 Sept 24	Slow worm	3	Adult	189,124,97
17 Sept 24	Slow worm	2	Juvenile	99
24 Sept 24	Common Lizard	31	Adult	243,236,227,226,192,173,171,170,169,168,167,153,135,101,109,119,122,46,11,20,24,36,41,52,54,61,69
17 Sept 24	Common Lizard	18	Juvenile	246,231,217,173,169,167,163,131,135,99,106,121,50
17 Sept 24	Slow worm	1	Adult	119
17 Sept 24	Slow worm	3	Juvenile	232,177,117
26 Sept 24	Common Lizard	26	Adult	17,22,24,30,37,109,136,63,79,98,102,102,215,168,221,229,230,214,195,186,231
26 Sept 24	Common Lizard	17	Juvenile	246,231,217,173,169,167,163,131,135,99,106,121
26 Sept 24	Slow worm	2	Adult	111,107

Date	Species	No	Adult/ Juvenile	Mat Number
26 Sept 24	Slow worm	4	Juvenile	32,114,109,186

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Appendix 7 Breeding Bird Survey Results

Birds Recorded on Site During The Breeding Bird Survey						
Date	Common name	Scientific name	Peak Count	Possible No Territories	BoCC Status	Behaviour
28.03.24	Black Headed Gull	Chroicocephalus ridibundus	20	3	Amber	In flight landed on site
28.03.24	Carion Crow	Corvus Corone	1	1	Green	In flight on site
28.03.25	Canada Goose	Branta canadensis	1	1	Green (schedule 9)	In flight on site
28.03.24	Meadow Pipit	Anthus pratensis	3	4	Amber	Singing, calling and in flight
28.03.24	Mediterranean gull	Larus melanocephalus	10	1	Amber	No notable behaviour on site
28.03.24	Mute Swan	Cygnus olor	1	1	Green	On lake
28.03.25	Oystercatcher	Haematopus ostralegus	1	1	Amber	On the ground
28.03.26	Pied Wagtail	Motacilla alba	1	1	Green	On the ground
28.03.24	Redshank	Tringa totanus	1		Amber	No notable behaviour
28.03.24	Reed Bunting	Emberiza Schoeniclus	1	1	Amber	No notable behaviour
28.03.24	Skylark	Alauda arvensis	3	4	Red	Singing and calling
28.03.24	Stonechat	Sazicola rubicola	2	1	Green	No notable behaviour on site
28.03.24	Wigeon	Mareca penelope	3	2	Amber	On lake
28.03.24	Magpie	Pica Pica	1	1	Green	No notable behaviour
28.03.24	House Sparrow	Passer domesticus	1	1	Red	Nesting in B1
28.03.24	Starling	Stumus vulgaris	3	1	Red	Nesting in B1
25.04.23	Blackbird	Turdus merula	1	1	Green	In flight on site
25.04.24	Carion Crow	Corvus Corone	1	1	Green	Observed on site
25.04.25	Black Headed Gull	Chroicocephalus ridibundus	1	1	Green	In flight
25.04.24	Goldfinch	Carduelis carduelis	1	1	Green	Singing
25.04.24	Great Crested Grebe	Podiceps cristatus	1	1	Green	On lake
25.04.24	Great White Egret	Ardea alba	1	1	Amber	In flight on site
25.04.24	Kestrel	Falco tinnunculus	1	1	Amber	In flight
25.04.24	Lesser Whitethroat	Curruca curruca	1	1	Green	No notable behaviour on site
25.04.24	Mallard	Anas platyrhynchos	2	3	Amber	On lake, on site, and flying onto site
25.04.24	Oystercatcher	Haematopus ostralegus	2	1	Amber	Singing & in flight from site
25.04.24	Sedge Warbler	Acrocephalus schoenobaenus	1	1	Amber	Flying off site from site
25.04.24	Skylark	Alauda arvensis	2	4	Red	Singing
25.04.24	Starling	Stumus vulgaris	1	1	Red	Seen with nest material flying into B1
25.04.24	House Sparrow	Passer domesticus	1	1	Red	Nesting in B1
25.04.24	Wren	Troglodytes troglodytes	1	1	Amber	Singing off site adjacent to boundary
21.05.24	Blackbird	Turdus merula	1	2	Green	In flight on site
21.05.24	Carion Crow	Corvus corone	1	1	Green	Calling & in flight
21.05.25	Great Tit	Parus major	1	1	Green	In flight on site
21.05.24	Jackdaw	Coloeus monedula	1	1	Green	No notable behaviour on site
21.05.24	Little Egret	Egretta garzetta	1	1	Green	In flight on site
21.05.24	Whitethroat	Sylvia communis	1	3	Amber	Singing in flight towards lake
21.05.24	Starling	Stumus vulgaris	1	1	Red	Seen with nest material flying into B1
21.05.24	House Sparrow	Passer domesticus	1	1	Red	No notable behaviour on site
21.05.24	Mallard	Anas platyrhynchos	5	2	Amber	On lake and a female malarid with 4 duklings recorded within the ditch onsite.
21.05.25	Magpie	Pica Pica	1	1	Green	In flight on site
21.05.26	Meadow pipit	Anthus pratensis	2	1	Amber	Singing
21.05.24	Swallow	Hirundo rustica	1	1	Green	In flight landed off site, adjacent to boundary
20.06.24	Herring Gull	Larus argentatus	1	1	Red	In flight
20.06.24	House Sparrow	Passer domesticus	5	4	Red	No behaviour
20.06.25	Goldfinch	Carduelis carduelis	2	1	Green	Singing
20.06.24	Magpie	Pica Pica	4	2	Green	In flight and on site
20.06.24	Collared Dove	Streptopelia decaocto	1	1	Green	In flight
20.06.24	Egyptian Goose	Alopochen aegyptiaca	1	1	Green (schedule 9)	No notable behaviour on site
20.06.24	Green Woodpecker	Picus viridis	1	1	Green	No notable behaviour on site
20.06.24	Pied Wagtail	Motacilla alba	5	1	Green	In flight onto site
20.06.24	Starling	Stumus vulgaris	12	2	Red	In flight circling or ariel foraging over a small area of land.
20.06.24	Wood pigeon	Columba palumbus	2	1	Amber	Singing and present on site

Birds Recorded Off Site during the Breeding Bird Survey					
Date	Common name	Scientific name	Peak Count	BoCC Status	Behaviour
28.03.24	Canada goose	Branta canadensis	4	Green (Sche)	Singing and flying off site
28.03.24	Eurasian coot	Fulica atra	1	Green	In ditch off site
28.03.24	Long eared owl	Asio otus	2	Green	Alarm calling off site
28.03.24	Blackbird	Turdus merula	1	Green	In hedgrow offsite
28.03.24	Skylark	Alauda arvensis	2	Amber	Singing in fields to the south of site.
25.04.24	Cormorant	Phalacrocorax carbo	1	Green	In flight off site
25.04.24	Oystercatcher	Haematopus ostralegus	2	Amber	Alarm calling off site
25.04.24	Skylark	Alauda arvensis	2	Amber	Singing in fields to the south of site.
25.04.24	Eurasian coot	Fulica atra	1	Green	In ditch off site
25.04.24	Meadow Pipit	Anthus pratensis	2	Amber	Singing, calling and in flight
25.04.24	Canada goose	Branta canadensis	2	Green	Singing and flying off site
25.04.25	Swallow	Hirundo rustica	1	Green	In flight landed off site, adjacent to boundary
21.05.25	Moorhen	Gallinula chloropus	1	Green	No notable behaviour Off site
21.05.26	Whitethroat	Sylvia communis	1	Amber	Singing in fields to the north of site
21.05.27	Black Headed Gull	Chroicocephalus ridibundus	1	Green	On the cannal to the north of the site
21.05.28	Starling	Sturnus vulgaris	1	Red	20+ Starling foraging on the field to the south of the site
21.05.29	Skylark	Alauda arvensis	2	Amber	Singing in fields to the south of site.
21.05.30	Oystercatcher	Haematopus ostralegus	2	Amber	Flying across the site from west to east and north to south
21.05.31	Canada goose	Branta canadensis	2	Green	Singing and flying off site
21.05.32	Herring Gull	Larus argentatus	1	Red	In flight from over fields to the west
20.06.24	Lesser Black Backed Gull	Larus fuscus	1	Green	In flight off site
20.06.24	Pheasant	Phasianus colchicus	1	Non native	Singing off site
20.06.24	Oystercatcher	Haematopus ostralegus	2	Amber	Flying across east to west along the cannal to the north of the site
20.06.24	Skylark	Alauda arvensis	2	Amber	Singing in fields to the south of site.
20.06.24	Whitethroat	Sylvia communis	1	Amber	Singing in scrub to the west of the site
20.06.24	Wood pigeon	Columba palumbus	2	Amber	Singing from the hedgrow to the north of the site
20.06.24	Starling	Sturnus vulgaris	1	Red	Flying north to south above the offsite fields to the west of site
20.06.24	Herring Gull	Larus argentatus	1	Red	In flight from north to south over fields to the west
20.06.24	Meadow Pipit	Anthus pratensis	1	Amber	Singing and calling in fields to the south of the site

Appendix 8 Wintering Bird Survey Results

Birds Recorded On Site

Birds Recorded On Site During the Wintering Bird Survey						
Date	Common name	Scientific name	No	BoCC Status	SPA species	Behaviour
12/03/2024	Black Headed G	<i>Chroicocephalus</i>	1	Green		Visual
12/03/2024	Cormorant	<i>Phalacrocorax c</i>	1	Green	Yes (1)	Visual
12/03/2024	Eurasian Skylar	<i>Alauda arvensis</i>	1	Red		Visual
12/03/2024	Long eared owl	<i>Asio otus</i>	1	Green		Visual
12/03/2024	Mallard	<i>Anas platyrhyn</i>	3	Amber	Yes (1)	Visual
12/03/2024	Oystercatcher	<i>Haematopus os</i>	100	Amber	Yes (1, 2)	Visual
12/03/2024	Redshank	<i>Tringa totanus</i>	10	Amber	Yes (1)	Visual
12/03/2024	Song thrush	<i>Turdus philome</i>	1	Amber		Visual
12/03/2024	Whitethroat	<i>Sylvia commun</i>	1	Amber		Visual
12/03/2024	Wigeon	<i>Mareca penelo</i>	14	Amber		Visual
01/11/2024	Black Headed G	<i>Chroicocephalus</i>	2	Green		Visual
01/11/2024	Brent goose	<i>Branta bernicla</i>	1	Amber		Visual
01/11/2024	Chiffchaff	<i>Phylloscopus co</i>	2	Green		Visual
01/11/2024	Coot	<i>Fulica atra</i>	10	Green		Visual
01/11/2024	Cormorant	<i>Phalacrocorax c</i>	1	Green		Visual
01/11/2024	Goldfinch	<i>Carduelis cardue</i>	10	Green		Visual
01/11/2024	House sparrow	<i>Passer domestic</i>	20	Red		Visual
01/11/2024	Kestrel	<i>Falco tinnunculu</i>	1	Amber		Visual
01/11/2024	Lapwing	<i>Vanellus vanellu</i>	20	Red		Landed on the lake
01/11/2024	Little Egret	<i>Egretta garzetta</i>	1	Green		Visual
01/11/2024	Little grebe	<i>Tachybaptus ru</i>	1	Green		Visual
01/11/2024	Long eared owl	<i>Asio otus</i>	1	Green		Visual
01/11/2024	Meadow pipit	<i>Anthus pratensi</i>	2	Amber		Singing
01/11/2024	Mistle thrush	<i>Turdus viscivoru</i>	1	Red		Visual
01/11/2024	Oystercatcher	<i>Haematopus os</i>	20	Amber	Yes (1, 2)	Visual
01/11/2024	Redshank	<i>Tringa totanus</i>	40	Amber	Yes (1, 2)	Visual
01/11/2024	Reed bunting	<i>Emberiza schoe</i>	1	Amber		Visual
01/11/2024	Shoveler	<i>Anas clypeata</i>	1	Amber		Visual
06/12/2024	Black Headed G	<i>Chroicocephalus</i>	3	Amber		Visual
06/12/2024	Lapwing	<i>Vanellus vanellu</i>	18	Red		Visual
06/12/2024	Little Egret	<i>Egretta garzetta</i>	1	Green		Visual
06/12/2024	Little Grebe	<i>Tachybaptus ru</i>	20	Green		Visual
06/12/2024	Mallard	<i>Anas platyrhyn</i>	6	Amber		Visual
06/12/2024	Mute swan	<i>Cygnus olor</i>	1	Green		Visual
06/12/2024	Oystercatcher	<i>Haematopus os</i>	15	Amber	Yes (1, 2)	Visual
06/12/2024	Redshank	<i>Tringa totanus</i>	34	Amber	Yes (1, 2)	Visual
14/01/2025	Black Headed G	<i>Chroicocephalus</i>	8	Green		Visual
14/01/2025	Carion crow	<i>Corvus corone</i>	1	Green		Visual
14/01/2025	Cormorant	<i>Phalacrocorax c</i>	1	Green		Visual
14/01/2025	Eurasian Skylar	<i>Alauda arvensis</i>	1	Red		Visual
14/01/2025	Herring gull	<i>Larus argentatu</i>	5	Red		Visual
14/01/2025	Great Black Bac	<i>Larus marinus</i>	1	Green		Visual
14/01/2025	Lapwing	<i>Vanellus vanellu</i>	8	Red		Visual
14/01/2025	Little Egret	<i>Egretta garzetta</i>	1	Green		Visual
14/01/2025	Little Grebe	<i>Tachybaptus ru</i>	40	Green		Visual
14/01/2025	Maggie	<i>Pica pica</i>	3	Green		Visual
14/01/2025	Mute swan	<i>Cygnus olor</i>	1	Green		Visual
14/01/2025	Oystercatcher	<i>Haematopus os</i>	60	Amber	Yes (1, 2)	Visual
14/01/2025	Redshank	<i>Tringa totanus</i>	16	Amber	Yes (1, 2)	Visual
14/01/2025	Starling	<i>Sturnus vulgaris</i>	40	Red		Visual
14/01/2025	Wigeon	<i>Mareca penelo</i>	10	Amber		Visual
11/02/2025	Black Headed G	<i>Chroicocephalus</i>	20	Amber		Visual
11/02/2025	Canada goose	<i>Branta canad</i>	1	Green		Visual
11/02/2025	Carion crow	<i>Corvus corone</i>	1	Green		Visual
11/02/2025	Common Gull	<i>Larus canus</i>	1	Amber		Visual
11/02/2025	Cormorant	<i>Phalacrocorax c</i>	1	Green		Visual
11/02/2025	Curlew	<i>Numenius Arqu</i>	50	Red	Yes (1)	Visual
11/02/2025	Egyptian Goose	<i>Alopochen aegy</i>	2	Green		Visual
11/02/2025	Eurasian Skylar	<i>Alauda arvensis</i>	1	Red		Visual
11/02/2025	Goldfinch	<i>Carduelis cardue</i>	5	Green		Visual
11/02/2025	Great Black Bac	<i>Larus marinus</i>	1	Green		Visual
11/02/2025	Herring gull	<i>Larus argentatu</i>	1	Red		Visual
11/02/2025	Kestrel	<i>Falco tinnunculu</i>	1	Amber		Visual
11/02/2025	Lapwing	<i>Vanellus vanellu</i>	13	Red		Visual
11/02/2025	Little Egret	<i>Egretta garzetta</i>	1	Green		Visual
11/02/2025	Little Grebe	<i>Tachybaptus ru</i>	1	Green		Visual
11/02/2025	Maggie	<i>Pica pica</i>	6	Green		Visual
11/02/2025	Mallard	<i>Anas platyrhyn</i>	3	Amber		Visual

Birds Recorded Off Site

Date	Common name	Scientific name	No	BoCC Status	Behaviour
12/03/2024	Starling	<i>Sturnus vulgaris</i>	100	Red	Off site
11/02/2025	Curlew	<i>Numenius arquata</i>	26	Red	Off site

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Appendix 9 Invertebrate Report

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INVERTEBRATE SURVEY
OF
BARTON'S POINT COASTAL PARK,
SHEERNESS,
KENT

SEPTEMBER 2024



Dr. Jonty Denton FRES FLS CEcol MCIEEM

**Prepared by;- Dr.Jonty Denton, 31 Thorn Lane, Four Marks, Hampshire, GU34
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Summary

A survey of terrestrial and aquatic invertebrates was carried out across the on the 17th May , 3rd July and 6th September 2024.

Species totals: 215 species were recorded of which 25 had a conservation designation see table below:-

Species	Family	Order	Conservation status
<i>Podagricra fuscicornis</i>	Chrysomelidae	Coleoptera	NS
<i>Mononychus punctumalbum</i>	Curculionidae	Coleoptera	NS
<i>Agabus conspersus</i>	Dytiscidae	Coleoptera	NS
<i>Graptodytes bilineatus</i>	Dytiscidae	Coleoptera	NS
<i>Hygrotus parallelogrammus</i>	Dytiscidae	Coleoptera	NS
<i>Hydaticus seminiger</i>	Dytiscidae	Coleoptera	NS
<i>Rhantus frontalis</i>	Dytiscidae	Coleoptera	NS
<i>Helophorus alternans</i>	Helophoridae	Coleoptera	NS
<i>Helophorus fulgidicollis</i>	Helophoridae	Coleoptera	NS
<i>Heteroceris obsoletus</i>	Heteroceridae	Coleoptera	NR
<i>Berosus fulvus</i>	Hydrophilidae	Coleoptera	NR
<i>Enochrus bicolor</i>	Hydrophilidae	Coleoptera	NS
<i>Enochrus halophilus</i>	Hydrophilidae	Coleoptera	NS
<i>Paracymus aeneus</i>	Hydrophilidae	Coleoptera	EN; Legal Protection; NR
<i>Stratiomys longicornis</i>	Stratiomyidae	Diptera	NS
<i>Dioxyna bidentis</i>	Tephritidae	Diptera	[Notable]
<i>Melieria picta</i>	Ulidiidae	Diptera	pNS
<i>Raglius alboacuminatus</i>	Lygaeidae	Hemiptera	NS
<i>Aquarius paludum</i>	Gerridae	Hemiptera	NS
<i>Sigara selecta</i>	Saldidae	Hemiptera	NS
<i>Saldula opacula</i>	Saldidae	Hemiptera	NS
<i>Tetrix ceperoi</i>	Tetrigidae	Orthoptera	NS

Schedule 41 Priority Species

<i>Colletes halophilus</i>	Colletidae	Hymenoptera	[Na]; Section 41 Priority Species
<i>Coenonympha pamphilus</i>	Nymphalidae	Lepidoptera	Section 41 Priority Species; VU
<i>Lasiommata megera</i>	Nymphalidae	Lepidoptera	EN; Section 41 Priority Species

PANTHEON ANALYSIS

The M311 saltmarsh & transitional brackish marsh Sat was in favourable condition.

INTRODUCTION

Project brief was to carry out a baseline invertebrate survey on the habitats across the area marked on map 1.

METHODOLOGY

Because it is impracticable to survey all the potential invertebrates within any given site, only specific groups of species were examined during fieldwork. These groups are sufficiently well known as to allow meaningful comparisons to be made with other sites, both locally and nationally. They are also important as indicators of the quality of a site and the habitats present (see Brooks 1993).

Groups covered during the survey were;

- Mollusca (slugs and snails)
- Arachnida (spiders, harvestmen & pseudoscorpions)
- Isopoda (woodlice)
- Thysanura (bristletails)
- Ephemeroptera (mayflies)
- Odonata (dragonflies & damselflies)
- Plecoptera (stoneflies)
- Orthoptera (grasshoppers & crickets)
- Dictyoptera (cockroaches)
- Dermaptera (earwigs)
- Hemiptera-Heteroptera (true-bugs)
- Hemiptera-Homoptera (hoppers)
- Neuroptera (lace-wings)
- Mecoptera (scorpion-flies)
- Lepidoptera (butterflies & moths)
- Trichoptera (caddis flies)
- Diptera (true flies)
- Aculeate Hymenoptera (ants, bees & wasps)
- Coleoptera (beetles)

The main emphasis of the survey was to find as many species with conservation designations as possible within the reviewed groups.

SURVEYS AND SITE VISITS

The site was visited by the author on the 17th April, 17th May, 3rd July and 6th September 2024.

Standard field techniques were employed to sample the invertebrate fauna across the site. These included sweeping vegetation with a wide mouthed sweep net, beating trees and bushes over a beating tray, and grubbing amongst tussocks and key host plant rosettes etc. A 0.5mm mesh pond net was used to sample the aquatic habitats.

RESULTS

In all 215 taxa were recorded, the list of species recorded are shown in Appendix 1. Of these 25 had a conservation designation (see table 1).

Species	Family	Order	Conservation status
<i>Podagrica fuscicornis</i>	Chrysomelidae	Coleoptera	NS
<i>Mononychus punctumalbum</i>	Curculionidae	Coleoptera	NS
<i>Agabus conspersus</i>	Dytiscidae	Coleoptera	NS
<i>Graptodytes bilineatus</i>	Dytiscidae	Coleoptera	NS
<i>Hygrotus parallelogrammus</i>	Dytiscidae	Coleoptera	NS
<i>Hydaticus seminigra</i>	Dytiscidae	Coleoptera	NS
<i>Rhantus frontalis</i>	Dytiscidae	Coleoptera	NS
<i>Helophorus alternans</i>	Helophoridae	Coleoptera	NS
<i>Helophorus fulgidicollis</i>	Helophoridae	Coleoptera	NS
<i>Heteroceris obsoletus</i>	Heteroceridae	Coleoptera	NR
<i>Berosus fulvus</i>	Hydrophilidae	Coleoptera	NR
<i>Enochrus bicolor</i>	Hydrophilidae	Coleoptera	NS
<i>Enochrus halophilus</i>	Hydrophilidae	Coleoptera	NS
<i>Paracymus aeneus</i>	Hydrophilidae	Coleoptera	EN; Legal Protection; NR
<i>Stratiomys longicornis</i>	Stratiomyidae	Diptera	NS
<i>Dioxya bidentis</i>	Tephritidae	Diptera	[Notable]
<i>Melieria picta</i>	Ulidiidae	Diptera	pNS
<i>Raglius alboacuminatus</i>	Lygaeidae	Hemiptera	NS
<i>Aquarius paludum</i>	Gerridae	Hemiptera	NS
<i>Sigara selecta</i>	Saldidae	Hemiptera	NS
<i>Saldula opacula</i>	Saldidae	Hemiptera	NS
<i>Tetrix ceperoi</i>	Tetrigidae	Orthoptera	NS

Schedule 41 Priority Species

<i>Colletes halophilus</i>	Colletidae	Hymenoptera	[Na]; Section 41 Priority Species
<i>Coenonympha pamphilus</i>	Nymphalidae	Lepidoptera	Section 41 Priority Species; VU
<i>Lasiommata megera</i>	Nymphalidae	Lepidoptera	EN; Section 41 Priority Species

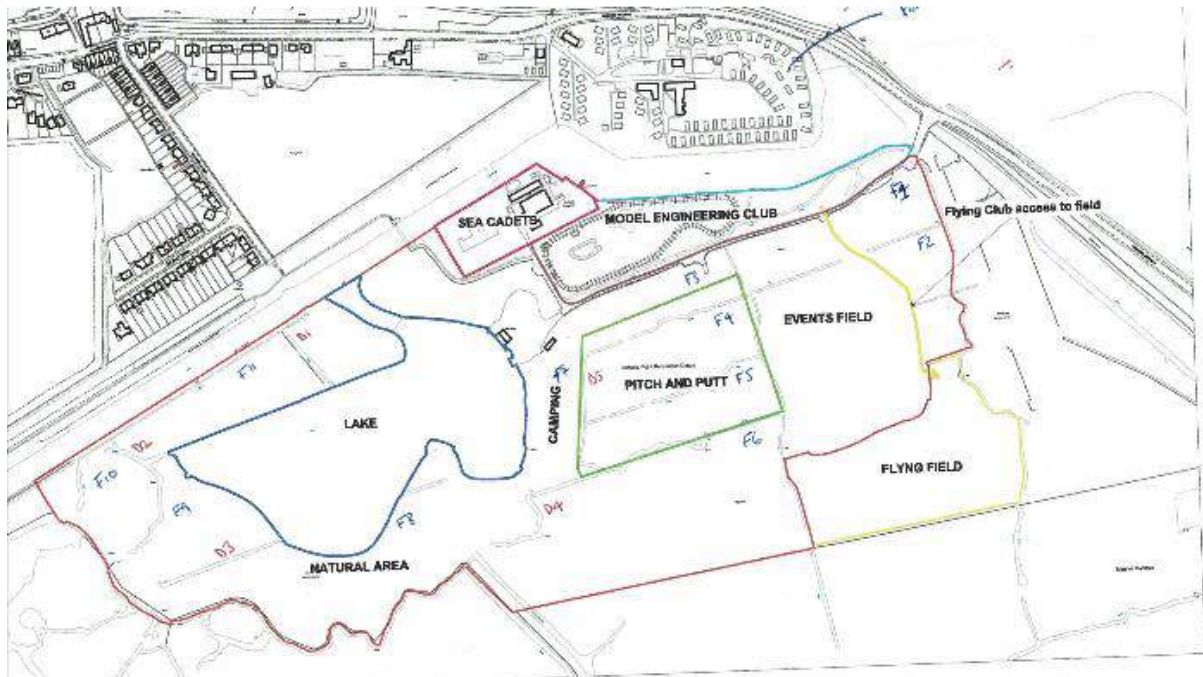


Figure 1. Site map

This species list was run through PANTHEON and M311 saltmarsh & transitional brackish marsh was in favourable condition and reflects the quality of the aquatic beetle and bug assemblage.

HABITAT ASSESSMENT- USING ISIS TO MEASURE SITE QUALITY

Although there is currently no standard framework for evaluating the invertebrate value of a site as part of Ecological Impact Assessment. Most active invertebrate ecologists have adopted the Pantheon database tool developed by Natural England and the Centre for Ecology & Hydrology. Pantheon is an on line spreadsheet used to analyse invertebrate sample data and assess assemblage data for favourable versus unfavourable condition by SSSI standards. Hence, if an assemblage or suite of assemblages are found to be in favourable condition this would indicate that the site is likely to be of significant importance for invertebrates. Further information on Pantheon is available here: <http://www.brc.ac.uk/pantheon/about/pantheon>

Users import lists of invertebrates (called “samples”) into Pantheon, which then matches the species to the preferred name in the *UK species inventory* (A list of species maintained by the Natural History Museum). Not all macro-invertebrate taxa are included in the database. To date over c13,000 species have been assessed, this being about a quarter of the total macro-invertebrate fauna (estimated at 37,000). It remains limited to those taxa and families where there is enough ecological information to give a fair level of coding accuracy. These include species such as beetles, flies, bugs and hoppers, moths, ants, bees, wasps, spiders and molluscs.

The method for defining species resources was broadly similar to that followed in Natural England Research Report 024 (Webb *et. al.*, 2010).

‘For each species, a literature search was undertaken. All relevant ecological information was extracted and added to a spreadsheet. This included ‘structural elements of the habitats that the species is generally associated with (e.g. emergent vegetation, seed heads) and/or other environmental factors that it requires, host plant and/or animal species alongside ecological guild of larvae as well as adults where these differed, (e.g. herbivore, carnivore). Only those resources which were considered important to the species in completing its life cycle were included’.

The assemblage types are labelled in terms that relate to their favoured habitats in order to make them accessible to non-specialists. However, they are actually defined by lists of characteristic species that are generally found together in nature. Two levels are recognised in the classification. Broad assemblage types (BATs) are a comprehensive series of assemblage types that are characterised by more widespread species. They can be expressed in lists from a wide range of sites. Specific assemblage types (SATs) are characterised by ecologically restricted species and are generally only expressed in lists from sites with conservation value. Since 2008 there has also been a third category of assemblage types that cut across this

classification. They are mainly defined by lists of species dependent on a particular environmental resource, such as flowers as a source of pollen and nectar.

Table 2. Specific assemblage type (SAT) scores

Code	SAT	No. of species	Reported condition
M311	saltmarsh & transitional brackish marsh	9	Favourable (9 species, 9 required)
W314	reed-fen & pools	4	Unfavourable (4 species, 11 required)
F002	rich flower resource	10	Unfavourable (10 species, 15 required)
F112	open short sward	4	Unfavourable (4 species, 13 required)
W211	open water on disturbed mineral sediments	3	Unfavourable (3 species, 6 required)

SURVEY LIMITATIONS

Clearly diurnal surveys will miss the vast majority of night flying species (moths, many Ichneumons etc.).

ECOLOGICAL ASSESSMENT

The grassland is generally very species poor but did support some uncommon plants (ie Narrow leaved bird's-foot trefoil *Lotus tenuis* which was locally abundant along the southern edge of the site and hairy vetchling *Lathyrus hirsuta*) but did support the grass feeding small heath *Coenonympha pamphilus* and wall *Lasiommata megera* butterflies which are both schedule 41 priority species.

The brackish ditch complex across the eastern half of the site supports a very rare assemblage with the water beetles *Berosus fulvus*, *Enochrus bicolor*, *E.halophilus* *Helophorus fulgidicollis*, *H.alternans*, *Heterocerus obsoletus*, *Agabus conspersus*, *Hygrotus parallelogrammus* and the corixids *Sigara stagnalis* in abundance with occasional *S.selecta* as well as the shorebug *Saldula opacula* which was frequent on the ditch edges and drawn down zones in the ditches.

The most important find was the Schedule 5 Bembridge beetle *Paracymus aeneus*: the first for East Kent and only the sixth known site in Britain.

The sea aster mining bee *Colletes halophilus* was visiting most stands of its host plant in July and September. Britain supports a significant proportion of the world population of this localised bee (Allen, 2009).

The ditches south of the lagoon support a different assemblage reflective of much lower levels of salinity more typical of the grazing level community on Minster marshes. These yielded the nationally scarce diving beetles *Hydaticus seminiger*, *Graptodytes bilineatus*, and the long-horned general soldierfly *Stratiomys longicornis*.

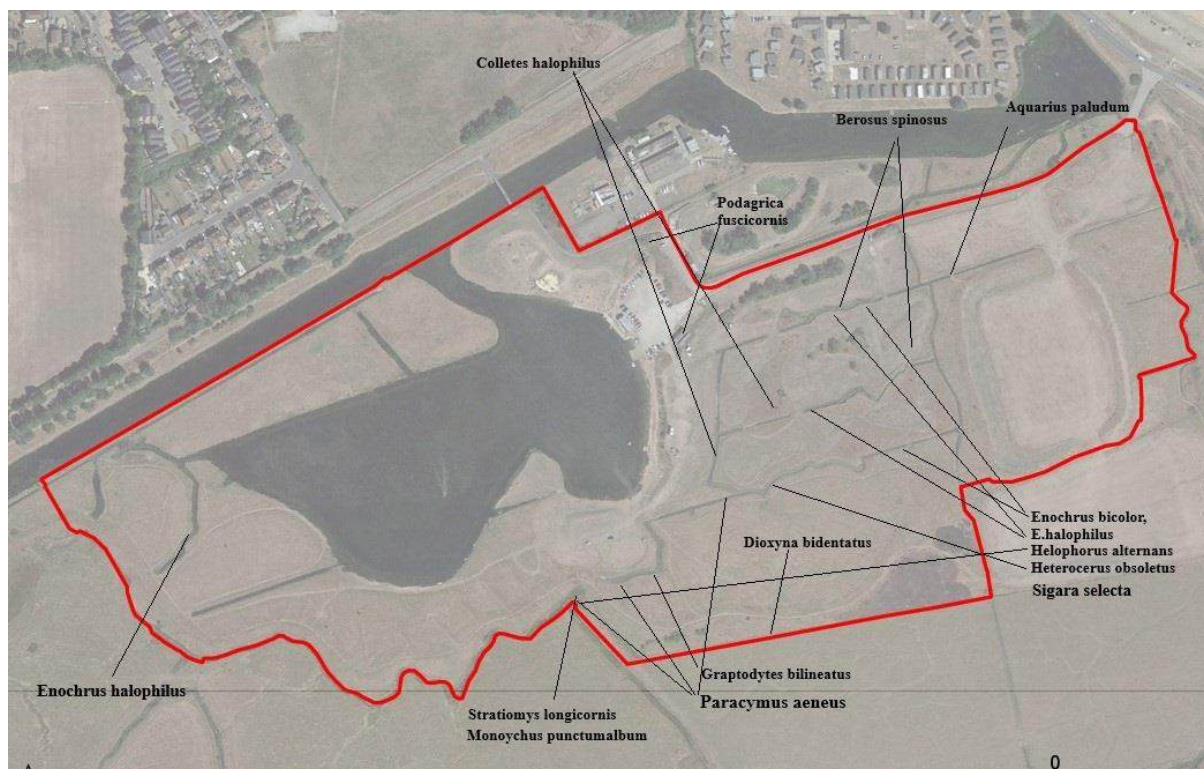


Figure 2. Locations of significant captures



Figure 2. Brackish ditch looking northeast

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APPENDICES

APPENDIX 1. SPECIES LIST 2024

Species	Family	Order	Conservation status
<i>Agalenatea redii</i>	Araneidae	Araneae	local
<i>Araneus diadematus</i>	Araneidae	Araneae	common
<i>Araneus quadratus</i>	Araneidae	Araneae	local
<i>Hypsosinga pygmaea</i>	Araneidae	Araneae	common
<i>Larinioides cornutus</i>	Araneidae	Araneae	common
<i>Mangora acalypha</i>	Araneidae	Araneae	common
<i>Neoscona adianta</i>	Araneidae	Araneae	common
<i>Clubiona neglecta sensu stricto</i>	Clubionidae	Araneae	common
<i>Clubiona phragmitis</i>	Clubionidae	Araneae	common
<i>Dictyna uncinata</i>	Dictynidae	Araneae	common
<i>Micaria micans</i>	Gnaphosidae	Araneae	common
<i>Erigone atra</i>	Linyphiidae	Araneae	common
<i>Erigone dentipalpis</i>	Linyphiidae	Araneae	common
<i>Microlinyphia pusilla</i>	Linyphiidae	Araneae	common
<i>Oedothorax fuscus</i>	Linyphiidae	Araneae	common
<i>Oedothorax retusus</i>	Linyphiidae	Araneae	common
<i>Prinerigone vagans</i>	Linyphiidae	Araneae	local
<i>Pardosa prativaga</i>	Lycosidae	Araneae	common
<i>Pirata piraticus</i>	Lycosidae	Araneae	common
<i>Ero cambridgei</i>	Mimetidae	Araneae	common
<i>Cheiracanthium erraticum</i>	Miturgidae	Araneae	local
<i>Philodromus cespitum</i>	Philodromidae	Araneae	common
<i>Philodromus dispar</i>	Philodromidae	Araneae	common
<i>Philodromus praedatus</i>	Philodromidae	Araneae	local
<i>Pisaura mirabilis</i>	Pisauridae	Araneae	common
<i>Euophrys frontalis</i>	Salticidae	Araneae	common
<i>Heliophanus flavipes</i>	Salticidae	Araneae	common
<i>Metellina segmentata</i>	Tetragnathidae	Araneae	common
<i>Tetragnatha extensa</i>	Tetragnathidae	Araneae	common
<i>Tetragnatha montana</i>	Tetragnathidae	Araneae	common
<i>Tetragnatha striata</i>	Tetragnathidae	Araneae	local
<i>Zora spinimana</i>	Zoridae	Araneae	common
<i>Anthicus antherinus</i>	Anthicidae	Coleoptera	common
<i>Aspidapion radiolus</i>	Apionidae	Coleoptera	common
<i>Malvapion malvae</i>	Apionidae	Coleoptera	common
<i>Pseudapion rufirostre</i>	Apionidae	Coleoptera	common
<i>Rhagonycha fulva</i>	Cantharidae	Coleoptera	common
<i>Bembidion minimum</i>	Carabidae	Coleoptera	local
<i>Bembidion varium</i>	Carabidae	Coleoptera	common
<i>Aphthona nonstriata</i>	Chrysomelidae	Coleoptera	common
<i>Bruchus rufimanus</i>	Chrysomelidae	Coleoptera	common
<i>Podagrica fuscicornis</i>	Chrysomelidae	Coleoptera	NS

<i>Adalia bipunctata</i>	Coccinellidae	Coleoptera	common
<i>Anisosticta novemdecimpunctata</i>	Coccinellidae	Coleoptera	local
<i>Coccidula rufa</i>	Coccinellidae	Coleoptera	common
<i>Coccidula scutellata</i>	Coccinellidae	Coleoptera	local
<i>Propylea quattuordecimpunctata</i>	Coccinellidae	Coleoptera	common
<i>Psyllobora vigintiduopunctata</i>	Coccinellidae	Coleoptera	common
<i>Rhyzobius chrysomeloides</i>	Coccinellidae	Coleoptera	common
<i>Rhyzobius litura</i>	Coccinellidae	Coleoptera	common
<i>Subcoccinella</i>			
<i>vigintiquattuoropunctata</i>	Coccinellidae	Coleoptera	common
<i>Tytthaspis sedecimpunctata</i>	Coccinellidae	Coleoptera	common
<i>Rhamphus pulicarius</i>	Curculionidae	Coleoptera	common
<i>Monoychus punctumalbum</i>	Curculionidae	Coleoptera	NS
<i>Sitona lineatus</i>	Curculionidae	Coleoptera	common
<i>Agabus bipustulatus</i>	Dytiscidae	Coleoptera	common
<i>Agabus conspersus</i>	Dytiscidae	Coleoptera	NS
<i>Colymbetes fuscus</i>	Dytiscidae	Coleoptera	common
<i>Graptodytes bilineatus</i>	Dytiscidae	Coleoptera	NS
<i>Hydaticus seminiger</i>	Dytiscidae	Coleoptera	NS
<i>Hydroporus angustatus</i>	Dytiscidae	Coleoptera	common
<i>Hydroporus planus</i>	Dytiscidae	Coleoptera	common
<i>Hygrotus inaequalis</i>	Dytiscidae	Coleoptera	common
<i>Hygrotus parallellogrammus</i>	Dytiscidae	Coleoptera	NS
<i>Laccophilus minutus</i>	Dytiscidae	Coleoptera	common
<i>Helophorus alternans</i>	Helophoridae	Coleoptera	NS
<i>Helophorus brevipalpis</i>	Helophoridae	Coleoptera	common
<i>Helophorus fulgidicollis</i>	Helophoridae	Coleoptera	NS
<i>Helophorus minutus</i>	Helophoridae	Coleoptera	common
<i>Heteroceris obsoletus</i>	Heteroceridae	Coleoptera	NR
<i>Ochthebius minimus</i>	Hydraenidae	Coleoptera	common
<i>Anacaena limbata</i>	Hydrophilidae	Coleoptera	common
<i>Berosus fulvus</i>	Hydrophilidae	Coleoptera	common
<i>Cercyon sternalis</i>	Hydrophilidae	Coleoptera	local
<i>Cymbiodyta marginella</i>	Hydrophilidae	Coleoptera	common
<i>Enochrus bicolor</i>	Hydrophilidae	Coleoptera	NS
<i>Enochrus halophilus</i>	Hydrophilidae	Coleoptera	NS
<i>Paracymus aeneus</i>	Hydrophilidae	Coleoptera	EN; Legal Protection; NR
<i>Malachius bipustulatus</i>	Malachiidae	Coleoptera	common
<i>Noterus clavicornis</i>	Noteridae	Coleoptera	common
<i>Meligethes aeneus</i>	Nitidulidae	Coleoptera	common
<i>Meligethes ruficornis</i>	Nitidulidae	Coleoptera	common
<i>Olibrus aeneus</i>	Phalacridae	Coleoptera	common
<i>Contacyphon coarctatus</i>	Scirtidae	Coleoptera	common
<i>Contacyphon laevipennis</i>	Scirtidae	Coleoptera	local

<i>Brachygluta helferi</i>	Staphylinidae	Coleoptera	local
<i>Drusilla canaliculata</i>	Staphylinidae	Coleoptera	common
<i>Ochtheophilum collare</i>	Staphylinidae	Coleoptera	local
<i>Paederus littoralis</i>	Staphylinidae	Coleoptera	common
<i>Paederus riparius</i>	Staphylinidae	Coleoptera	common
<i>Stenus juno</i>	Staphylinidae	Coleoptera	common
<i>Tasgius ater</i>	Staphylinidae	Coleoptera	common
<i>Lagria hirta</i>	Tenebrionidae	Coleoptera	common
<i>Palaemon varians</i>	Palaemonidae	Decapoda	common
<i>Forficula auricularia</i>	Forficulidae	Dermaptera	common
<i>Adia cinerella</i>	Anthomyiidae	Diptera	common
<i>Anthomyia procellaris</i>	Anthomyiidae	Diptera	common
<i>Delia florilega</i>	Anthomyiidae	Diptera	local
<i>Delia platura</i>	Anthomyiidae	Diptera	common
<i>Pegomya betae</i>	Anthomyiidae	Diptera	common
<i>Pegomya cunicularia</i>	Anthomyiidae	Diptera	common
<i>Pegoplata aestiva</i>	Anthomyiidae	Diptera	common
<i>Leptogaster cylindrica</i>	Asilidae	Diptera	common
<i>Lucilia sericata</i>	Calliphoridae	Diptera	common
<i>Poecilobothrus nobilitatus</i>	Dolichopodidae	Diptera	common
<i>Dicranomyia modesta</i>	Limoniidae	Diptera	common
<i>Dicranomyia sera</i>	Limoniidae	Diptera	common
<i>Symplecta stictica</i>	Limoniidae	Diptera	common
<i>Chamaepsila rosae preocc.</i>	Psilidae	Diptera	common
<i>Ptychoptera minuta</i>	Ptychopteridae	Diptera	common
<i>Sarcophaga crassimargo</i>	Sarcophagidae	Diptera	common
<i>Sarcophaga dissimilis</i>	Sarcophagidae	Diptera	common
<i>Beris vallata</i>	Stratiomyidae	Diptera	common
<i>Nemotelus uliginosus</i>	Stratiomyidae	Diptera	local
<i>Nemotelus pantherinus</i>	Stratiomyidae	Diptera	local
<i>Odontomyia tigrina</i>	Stratiomyidae	Diptera	local
<i>Pachygaster atra</i>	Stratiomyidae	Diptera	common
<i>Stratiomys longicornis</i>	Stratiomyidae	Diptera	NS
<i>Eristalinus aeneus</i>	Syrphidae	Diptera	common
<i>Eristalis arbustorum</i>	Syrphidae	Diptera	common
<i>Eristalis pertinax</i>	Syrphidae	Diptera	common
<i>Eristalis tenax</i>	Syrphidae	Diptera	common
<i>Eupeodes corollae</i>	Syrphidae	Diptera	common
<i>Platycheirus albimanus</i>	Syrphidae	Diptera	common
<i>Platycheirus manicatus</i>	Syrphidae	Diptera	common
<i>Sphaerophoria scripta</i>	Syrphidae	Diptera	common
<i>Syrpitta pipiens</i>	Syrphidae	Diptera	common
<i>Syrphus ribesii</i>	Syrphidae	Diptera	common
<i>Haematopota crassicornis</i>	Tabanidae	Diptera	common
<i>Eriothrix rufomaculata</i>	Tachinidae	Diptera	common

<i>Siphona geniculata</i>	Tachinidae	Diptera	common
<i>Triarthria setipennis</i>	Tachinidae	Diptera	local
<i>Dioxya bidentis</i>	Tephritidae	Diptera	[Notable]
<i>Tephritis formosa</i>	Tephritidae	Diptera	common
<i>Tipula oleracea</i>	Tipulidae	Diptera	common
<i>Melieria picta</i>	Ulidiidae	Diptera	pNS
<i>Philaenus spumarius</i>	Aphrophoridae	Hemiptera	common
<i>Opsiurus stactogalus</i>	Cicadellidae	Hemiptera	local
<i>Paramesus obtusifrons</i>	Cicadellidae	Hemiptera	local
<i>Populicerus albicans</i>	Cicadellidae	Hemiptera	common
<i>Sigara stagnalis</i>	Corixidae	Hemiptera	local
<i>Sigara selecta</i>	Corixidae	Hemiptera	NS
<i>Aquarius paludum</i>	Gerridae	Hemiptera	NS
<i>Kleidocerys resedae</i>	Lygaeidae	Hemiptera	common
<i>Peritrechus geniculatus</i>	Lygaeidae	Hemiptera	common
<i>Raglius alboacuminatus</i>	Lygaeidae	Hemiptera	NS
<i>Ischnodemus sabuleti</i>	Lygaeidae	Hemiptera	common
<i>Kleidocerys resedae</i>	Lygaeidae	Hemiptera	common
<i>Atractotomus mali</i>	Miridae	Hemiptera	common
<i>Deraeocoris ruber</i>	Miridae	Hemiptera	common
<i>Lygus maritimus</i>	Miridae	Hemiptera	common
<i>Megaloceroea recticornis</i>	Miridae	Hemiptera	common
<i>Notostira elongata</i>	Miridae	Hemiptera	common
<i>Plagiognathus arbustorum</i>	Miridae	Hemiptera	common
<i>Sthenarus rotermundi</i>	Miridae	Hemiptera	common
<i>Tuponia hippophaes</i>	Miridae	Hemiptera	local
<i>Notonecta glauca</i>	Notonectidae	Hemiptera	common
<i>Notonecta viridis</i>	Notonectidae	Hemiptera	common
<i>Aelia acuminata</i>	Pentatomidae	Hemiptera	common
<i>Podops inuncta</i>	Pentatomidae	Hemiptera	common
<i>Plea minutissima</i>	Pleidae	Hemiptera	common
<i>Chartoscirta cincta</i>	Saldidae	Hemiptera	common
<i>Saldula opacula</i>	Saldidae	Hemiptera	NS
<i>Microvelia reticulata</i>	Veliidae	Hemiptera	common
<i>Physa</i> sp.	Physidae	Hygrophila	common
<i>Andrena flavipes</i>	Andrenidae	Hymenoptera	common
<i>Panurgus calcaratus</i>	Andrenidae	Hymenoptera	common
<i>Apis mellifera</i>	Apidae	Hymenoptera	common
<i>Bombus lapidarius</i>	Apidae	Hymenoptera	common
<i>Bombus pascuorum</i>	Apidae	Hymenoptera	common
<i>Bombus pratorum</i>	Apidae	Hymenoptera	common
<i>Bombus terrestris</i>	Apidae	Hymenoptera	common
<i>Colletes halophilus</i>	Colletidae	Hymenoptera	[Na]; Section 41 Priority Species
<i>Lasius flavus</i>	Formicidae	Hymenoptera	common

<i>Lasius niger</i>	Formicidae	Hymenoptera	common
<i>Myrmica rubra</i>	Formicidae	Hymenoptera	common
<i>Lasioglossum puncticolle</i>	Halictidae	Hymenoptera	Local [Nb]
<i>Lasioglossum villosulum</i>	Halictidae	Hymenoptera	common
<i>Gammarus locusta</i>	Gammaridae	Amphipoda	common
<i>Armadillidium vulgare</i>	Armadillidiidae	Isopoda	common
<i>Idotea chelipes</i>	Idoteidae	Isopoda	common
<i>Ligia oceanica</i>	Ligiidae	Isopoda	common
<i>Oniscus asellus</i>	Oniscidae	Isopoda	common
<i>Agriphila straminella</i>	Crambidae	Lepidoptera	common
<i>Agriphila tristella</i>	Crambidae	Lepidoptera	common
<i>Chrysoteuchia culmella</i>	Crambidae	Lepidoptera	common
<i>Phragmatobia fuliginosa</i>	Erebidae	Lepidoptera	common
<i>Hemithea aestivaria</i>	Geometridae	Lepidoptera	common
<i>Thymelicus lineola</i>	Hesperiidae	Lepidoptera	common
<i>Thymelicus sylvestris</i>	Hesperiidae	Lepidoptera	common
<i>Agrotis exclamationis</i>	Noctuidae	Lepidoptera	common
<i>Autographa gamma</i>	Noctuidae	Lepidoptera	common
<i>Mythimna pallens</i>	Noctuidae	Lepidoptera	common
<i>Coenonympha pamphilus</i>	Nymphalidae	Lepidoptera	Section 41 Priority Species; VU
<i>Lasiommata megera</i>	Nymphalidae	Lepidoptera	EN; Section 41 Priority Species
<i>Maniola jurtina</i>	Nymphalidae	Lepidoptera	common
<i>Vanessa atalanta</i>	Nymphalidae	Lepidoptera	common
<i>Pieris brassicae</i>	Pieridae	Lepidoptera	common
<i>Pieris rapae</i>	Pieridae	Lepidoptera	common
<i>Potamopyrgus antipodarum</i>	Tateidae	Littorinimorpha	common
<i>Aeshna mixta</i>	Aeshnidae	Odonata	common
<i>Orthetrum cancellatum</i>	Libellulidae	Odonata	common
<i>Sympetrum striolatum</i>	Libellulidae	Odonata	common
<i>Ischnura elegans</i>	Coenagrionidae	Odonata	common
<i>Pyrrhosoma nymphula</i>	Coenagrionidae	Odonata	common
<i>Chorthippus albomarginatus</i>	Acrididae	Orthoptera	common
<i>Chorthippus brunneus</i>	Acrididae	Orthoptera	common
<i>Pseudochorthippus parallelus</i>	Acrididae	Orthoptera	common
<i>Conocephalus dorsalis</i>	Conocephalidae	Orthoptera	local
<i>Conocephalus fuscus</i>	Conocephalidae	Orthoptera	common
<i>Meconema meridionale</i>	Meconematidae	Orthoptera	common
<i>Tetrix ceperoi</i>	Tetrigidae	Orthoptera	NS
<i>Roeseliana roeselii</i>	Tettigoniidae	Orthoptera	common
<i>Cepaea hortensis</i>	Helicidae	Pulmonata	common
<i>Limnephilus flavicornis</i>	Limnephilidae	Trichoptera	common

Appendix 2. Status categories for rare and Notable species

Red Data Book Category 1 (RDB 1) – Endangered

Definition.

Taxa in danger of extinction *in Great Britain* and whose survival is unlikely if the causal factors continue operating.

Included are those taxa whose numbers have been reduced to a critical level or whose habitats have been so dramatically reduced that they are deemed to be in immediate danger of extinction. Also included are *some* taxa that are *possibly* extinct.

Criteria.

Species which are known *or believed to occur* as only a single population within one 10 km square of the National Grid.

Species which only occur in habitats known to be especially vulnerable.

Species which have shown a rapid or continuous decline over the last twenty years and are now *estimated* to exist in five or fewer 10 km squares.

Species which are *possibly* extinct *but have been recorded this century* and if rediscovered would need protection.

Red Data Book Category 2 (RDB 2) - Vulnerable

Definition.

Taxa *believed* likely to move into the endangered category in the near future if the causal factors continue operating.

Included are taxa of which most or all of the populations are decreasing because of *over-exploitation*, extensive destruction of habitat or other environmental disturbance; taxa with populations that have been seriously depleted and whose ultimate security is not yet assured; and taxa with populations that are still abundant but are under threat from serious adverse factors throughout their range.

Criteria.

Species declining throughout their range.

Species in vulnerable habitats.

Red Data Book Category 3 (RDB 3) – Rare

Definition.

Taxa with small populations *in Great Britain* that are not at present endangered or vulnerable, but are at risk.

These taxa are usually localised within restricted geographical areas or habitats or are thinly scattered over a more extensive range.

Criterion.

Species which are estimated to exist in only fifteen or fewer 10 km squares. *This criterion may be relaxed where populations are likely to exist in over fifteen 10 km squares but occupy small areas of especially vulnerable habitat*

Nationally Scarce Category A - Notable A (Na)

Definition.

Taxa which do not fall within **RDB** categories but which are none-the-less uncommon in Great Britain and are thought to occur in 30 or fewer 10 km squares of the National Grid or, for less well recorded groups, within seven or fewer vice-counties.

Nationally Scarce Category B - Notable B (Nb)

Definition.

Taxa which do not fall within **RDB** categories but which are none-the-less uncommon in Great Britain and are thought to occur in between 31 and 100 10 km squares of the National Grid or, for less well recorded groups, within eight and twenty vice-counties.

Nationally Scarce - Notable (N)

Definition.

Taxa which do not fall within **RDB** categories but which are none-the-less uncommon in Great Britain and are thought to occur in between 16 to 100 10 km squares of the National Grid. Species within this category are often too poorly known for their status to be more precisely estimated.

Summary of the IUCN categories and criteria.

- **REGIONALLY EXTINCT (RE)**

A taxon is Extinct when there is no reasonable doubt that the last individual has died. In this review the last date for a record is set at fifty years before publication.

- **CRITICALLY ENDANGERED (CR)**

A taxon is Critically Endangered when the best available evidence indicates that it meets any of the criteria A to E for Critically Endangered.

- **ENDANGERED (EN)**

A taxon is Endangered when the best available evidence indicates that it meets any of the criteria A to E for Endangered.

- **VULNERABLE (VU)**

A taxon is Vulnerable when the best available evidence indicates that it meets any of the criteria A to E for Vulnerable.

- **NEAR THREATENED (NT)**

A taxon is Near Threatened when it has been evaluated against the criteria but does not qualify for Critically Endangered, Endangered or Vulnerable now, but is close to qualifying for or is likely to qualify for a threatened category in the near future.

- **LEAST CONCERN (LC)**

A taxon is Least Concern when it has been evaluated against the criteria and does not qualify for Critically Endangered, Endangered, Vulnerable or Near Threatened. Widespread and abundant taxa are included in this category.

- **DATA DEFICIENT (DD)**

A taxon is Data Deficient when there is inadequate information to make a direct, or indirect, assessment of its risk of extinction based on its distribution and/or population status. A taxon in this category may be well studied, and its biology well known, but appropriate data on abundance and/or distribution are lacking. Data Deficient is therefore not a category of threat. Listing of taxa in this category indicates that more information is required and acknowledges the possibility that future research will show that threatened classification is appropriate.

- **NOT EVALUATED (NE)**

A taxon is Not Evaluated when it has not yet been evaluated against the criteria.

GB Rarity Status categories and criteria

- **Nationally Rare (NR)**

Native species which have not been recorded from more than 15 British hectads since 31st December 1979 and where there is reasonable confidence that exhaustive recording would not find them in more than 15 hectads. This category includes species which are probably extinct.

- **Nationally Scarce (NS)**

Native species which are not regarded as Nationally Rare AND which have not been recorded from more than 100 British hectads since 31st December 1979 and where

there is reasonable confidence that exhaustive recording would not find them in more than 100 hectads.

Other species status terminology.

- **Local.** Species that are restricted in distribution either geographically or by habitat. Also used for species that are widespread but infrequently encountered, e.g. encountered in no more than 300 10km squares of the national Ordnance Survey grid since 1970. Or those species listed as such, based upon modern geographical data, by ISIS (2010) and/or relevant recording schemes.
- **Widely Scattered.** Generally distributed but at low densities.
- **Southern.** Mainly or completely confined to southern England and/or its westerly or easterly regions – as indicated.
- **Common.** Generally widespread throughout the UK.
- **Unknown.** Usually indicates a lack of available data for difficult taxa but may also imply recent taxonomic confusion.

Appendix 10 NPPF Chapter 15

“The NPPF requires that the local planning authority should aim to enhance biodiversity when determining planning applications, and opportunities to incorporate biodiversity in and around developments should be encouraged, especially where this can secure measurable net gains for the environment. Chapter 15 “Conserving and enhancing the natural environment, paragraphs 187-199”; states that this should be achieved by:

187. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
- e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*

Habitats and Biodiversity

192. *To protect and enhance biodiversity and geodiversity, plans should:*

- a) *Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁸; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶⁹; and;*

- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

⁶⁸ *Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.*

⁶⁹ *Where areas that are part of the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them.*

193. When determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the Site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

⁷⁰ *For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.*

194. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;*

- b) listed or proposed Ramsar sites⁷¹; and*
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

⁷¹ *Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site.*

195. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. “

14.1 In addition, this chapter of the NPPF covers ground conditions and pollution, paragraphs directly relevant to biodiversity are summarised below.

196. Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use by taking account of ground conditions and risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*

198. Planning policies and decisions should also ensure that the new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise for the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise and new development – and avoid noise giving rise to significant adverse impacts of health and the quality of life⁷²;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

⁷² *See Explanatory Note to the Noise Policy Statement for England (Department for Environment, Food & Rural Affairs, 2010).*

Appendix 11 Site photographs

Building 1



Building 2



Ditch 2



Ditch 2



Ditch 3



Ditch 4



Ditch 5



Field 1



Field 4



Lagoon Shore



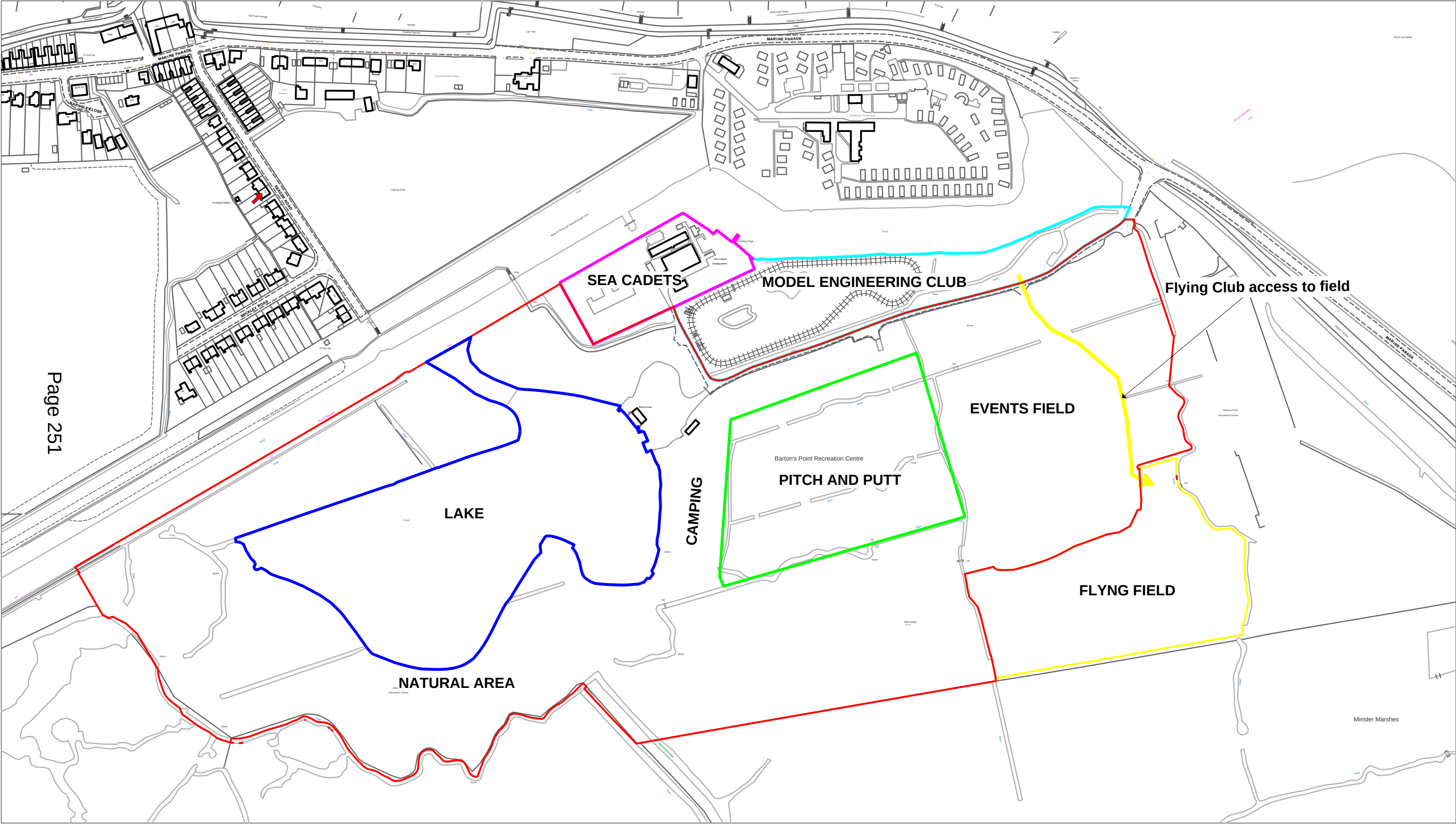
Lagoon



Field 9



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