

Economy and Property Committee	
Meeting Date	8 th October 2025
Report Title	Bartons Point Coastal Park - Update
SMT Lead	Emma Wiggins, Director of Regeneration & Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Kieren Mansfield, Strategic Programmes and Assets Manager
Classification	Open
Recommendation	That Members agree that this Committee's approach to the future occupation and use of Bartons Point Coastal Park (as agreed on 19 th January 2023) is rescinded until further consideration of its potential by Environment and Climate Change Committee.

1. Executive Summary

- 1.1 Further to a report to the then Regeneration and Property Committee on 19th January 2023, this paper provides an update in respect of the proposed future use and leasing of Bartons Point Coastal Park.
- 1.2 In light of the update provided, the report recommends that that this Committee's approach to the future occupation and use of Bartons Point Coastal Park (as agreed on 19th January 2023) is rescinded until further consideration of its potential by Environment and Climate Change Committee.

2. Background

- 2.1 Following Members' ambitions to explore opportunities to improve the offering at the Council owned Barton's Point Coastal Park, Expressions of Interest (EOI) were sought in May 2022 to manage the various elements of the site including 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 extended and enhanced leisure offer.
- 2.2 The EOI process generated considerable interest. Whilst officers reviewed the submissions to identify a preferred bidder, a report came to the then Regeneration and Property Committee on 19th January 2023 requesting Member approval of the principle of the leasehold disposal of the site to a user or occupier who could invest in and improve the leisure facilities, whilst maintaining public use and access, with delegated authority to officers to negotiate and agree the leasehold contracts.
- 2.3 The committee resolved:

- 1) That in principle the leasehold disposal of the site to a user or occupier who could invest in and improve the leisure facilities at the site be agreed.**
- (2) That any lease would be granted on the basis that continued use and access of the open spaces by the public would be maintained.**
- (3) That authority be delegated to the Head of Regeneration, Economic Development and Property, in consultation with the Chair and group spokespersons from the Regeneration and Property Committee and to include the Head of Mid-Kent Legal Partnership to complete the necessary legal formalities, negotiate, and agree leasehold contracts as applicable and undertake any additional work required to achieve a leasehold disposal**

- 2.4 Having undertaken commercial negotiations and following engagement with the nominated Group spokespersons a preferred operator was identified, with ambitious plans for the site, including use of the lake for an inflatable adventure course, and accommodation pods. Given the nature of these plans, involving considerable capital investment, any lease agreement would be subject to securing planning permission. A key risk in securing such 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.
- 2.5 Consequently, a specialist company, Bakewell, were instructed to undertake a year-long suite of ecological surveys to fully understand the ecological value of the Park, 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 report received in the late spring.

Survey Findings

- 2.6 Bakewell's surveys revealed the park's exceptional biodiversity, emphasizing 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 specialized 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

- 2.7 Under UK planning law, developments impacting ecologically sensitive areas must comply with the relevant chapters of the National Planning Policy Framework (NPPF), which emphasize biodiversity protection and the need for a

Biodiversity Net Gain (BNG) of at least 10% for new developments (effective since February 2024 under the Environment Act 2021).

2.8 The surveys indicate that intensified site usage in line with the preferred operator's proposals had significant potential to 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 organizations 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 emphasizes 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

2.9 Bakewell's conclusions highlighted the challenges of securing planning consent for the waterpark or any other intensification of use, 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.

2.10 The ecological surveys underscore Barton's Point Coastal Park as a critical biodiversity hotspot, 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 and may not be achievable. Any planning application for intensification of use faces significant hurdles in obtaining planning consent due to potential ecological impacts and likely objections from Natural England and Kent Wildlife Trust.

2.11 This presents a very substantial challenge for any efforts to diversify and intensify use of the site for commercial operators and has led the Council's preferred bidder to reconsider its position. The relevant Council service committee will be presented with options for the long-term future of the site, which will now need to be considered in light of the ecological survey's findings. The park's unique characteristics may present opportunities for conservation-focused initiatives,

such as educational programs or BNG credit generation through grassland enhancement. Delivery mechanisms will need to be explored and understood.

- 2.12 During this period, the on-site Boathouse café has been let to an operator to provide a food and beverage offer at the site and this will continue for the remainder of the 2025 season, with the current or a new operator to continue beyond this to allow for the next decisions to be made.
- 2.13 Given the above, the original ambitions for the site will now not be deliverable and the previous uses of the site may themselves also need to be the subject of review. It is therefore not possible to proceed as had been anticipated in January 2023.

3. Proposal

- 3.1 Therefore, it is recommended that Members agree that this Committee's approach to the future occupation and use of Bartons Point Coastal Park (as agreed on 19th January 2023) is rescinded until further consideration of its potential by Environment and Climate Change Committee.

4. Alternative Options

- 4.1 To proceed with securing a third-party organisation to take on the lease and operation of the site, on the terms set by the Regeneration and Property Committee in January 2023. This is not recommended as the ecological value of the site is such that the type of occupier and use should be considered, both to protect this value and to establish what, if any use will be economically viable.

5. Consultation Undertaken

- 5.1 The outcome of the ecological survey work has been discussed with the preferred potential commercial operator, which has led to it re-considering its position.

6 Implications

Issue	Implications
Corporate Plan	The Environment priority within the Corporate Plan identifies the need to make sure that there is a balanced approach to keeping Council owned public spaces for people to enjoy sports and leisure time but also provide areas that could promote ecological improvements. The recommendation supports this in light of the ecological surveys.
Financial, Resource and Property	The changed appreciation of the site's ecological value is such that it is unlikely to make the scale of income contribution than was originally envisaged by its letting for commercial use. This income is not currently built into the Council budget and the prospect of any future financial contribution will be informed by any review of the site's future use and occupation.

	As matters stand the income from the licence to occupy the on-site café will be maintained and costs associated the management of the site and its facilities will be ongoing.
Legal, Statutory and Procurement	None identified at this stage. The review of the future occupation and use of the site will need to take account of the likely planning and other regulatory issues which will impact on any proposed occupation and use of the site.
Crime and Disorder	None identified at this stage. Facilities at the site do currently experience vandalism and lower intensity use may increase the risk of this.
Environment and Climate/Ecological Emergency	Bakewell's surveys revealed the park's exceptional biodiversity and this is to be a core consideration in any review of the site's future.
Health and Wellbeing	The site provides an important green space for residents and visitors to enjoy, which contributes to the overall health and wellbeing of the community. Any future use would ideally maintain public access but this may need to be managed in a way more in keeping with the ecological value and hotspots on site.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage
Risk Management and Health and Safety	The current buildings and amenities will need to be maintained and these present some risks, given the condition in the case of the Boathouse café and the possibility of vandalism and antisocial behaviour. Some investment has been made through the use of external funding in the case of the former, which has improved the building.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

7 Appendices

7.1 None

8 Background Papers

8.1 Bartons Point Coastal Park, report to the Regeneration and Property Committee, January 19th 2023