

## Policy and Development Review Committee

<b>Meeting Date</b>	13 February 2018
<b>Report Title</b>	Draft Open Spaces & Play Strategy 2017-2022
<b>Cabinet Member</b>	Cllr David Simmons, Cabinet Member for Environment and Rural Affairs
<b>SMT Lead</b>	Mark Radford
<b>Head of Service</b>	Martyn Cassell
<b>Lead Officer</b>	Mike Marsh
<b>Recommendations</b>	1. That Policy and Development Review Committee consider the draft Open Spaces & Play Strategy 2017-2022 to be submitted to Cabinet on the 30 May 2018.

### 1 Purpose of Report and Executive Summary

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

### 2 Background

- 2.1 The draft Strategy (see Appendix I) focuses on what is important for Swale’s Open Space provision for the next 5 years, in consideration of previous studies and strategies, recent audits and the recently adopted Swale Borough Local Plan (2017). Cabinet noted the draft strategy and the covering report at its meeting in October 2017 and agreed the draft to go out for consultation.
- 2.2 To identify the Borough’s future needs and assess the quality and quantity of current open space and play areas, two technical assessment reports were commissioned from consultants, Knight, Kavanagh & Page Ltd who visited every site in the Borough and worked with Leisure and Planning officers to compile the final reports.

- 2.3 The first report addressed what open space provision exists in the Borough, its condition, distribution and overall quality by using standard assessment methodology developed for Planning Policy Guidance 17 (PPG17), aligned with the new National Planning Policy Framework (NPPF).
- 2.4 The second report aggregated the open space audit results and summarised the information by typology, identifying deficiencies by quality and value to enable a grading assessment for each open space as high, adequate or low. It also considered previous audits, studies and reviews such as the Open Space Study 2008 and the Play Review.
- 2.5 Leisure and Planning officers then pulled these findings and information together to form the draft Strategy and combining the 2 assessment report into 1 technical document.
- 2.6 The Strategy is structured in a way that contains an 'overarching vision', a set of 'recommendations' on what should be done and then an 'action plan' stating how we will achieve this. The vision is to;
1. Protect the Council's existing open space network
  2. Provide spaces to encourage a healthy community
  3. Focus on enhancing/improving the quality of the key open spaces
  4. Promote the benefits open space and wildlife has for people living and visiting Swale.
- 2.7 The draft strategy identifies the Council's financial constraints and is addressed in a number of the draft policies and recommendations that allow us to effectively cap expenditure for managing existing provision, where possible reduce open space provision that is of low quality and low value and decline proposals for the Council to adopt new open spaces.
- 2.8 The key conclusions are:
- There is sufficient provision of Council owned and managed open spaces across the seven open space typologies for the current population, with the exception of cemetery capacity.
  - The focus for the next five years is on enhancing the quality of existing open spaces that were assessed as low quality but provide high value to the community, with particular attention to play areas where 1 in 3 of all Council current play areas are of low quality.
  - A rolling programme to refurbish a number of play areas during the life of the strategy.
  - To invest at least £100,000 per year for 5 years on other existing open spaces through section 106 developer contributions held in reserves, supplemented where possible by securing grant funding.
  - A small number of sites that were assessed of being low quality and low value should be considered as redundant and disposed of or repurposed using the standard assessment, proximity to other sites and nationally recognised criteria

- The provision of new spaces associated with development/housing sites as set out in the Local Plan will address the expected demand for the next five years.
- Additional public space provision associated with new developments across the Borough will not be adopted by the Council for ongoing maintenance and management, unless there is an overwhelming case to provide a strategic new open space or the protection of important natural habitat and biodiversity.
- Developers will be responsible for funding the required open space provision related to future new development and put in place arrangements for funding the ongoing maintenance of the open space

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

### **3 Proposal**

1.1 Committee members discuss and note the Draft Open Spaces and Play Strategy 2017-2022 including its assessment recommendations:

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

- 1.2 Cabinet in October 2017, noted the Draft Open Spaces and Play Strategy 2017-2022 and approved the draft to go out for final consultation as detailed in the report, ahead of coming back for final adoption at Cabinet.
- 1.3 That the financial implications of the Strategy as set out in Section 3 in the strategy, be considered as part of the Council's overall Medium Term Financial Plan and Capital Budget proposals, against the total available resources.

## 4 Alternative Options

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

## 5 Consultation Undertaken or Proposed

- 5.1 Following Cabinet's consideration of the draft strategy, the document will be published on the Council's website in late February for a period of six weeks and comments and written submissions invited from ward Councillors, town and parish councils, residents and relevant agencies via an online survey
- 5.2 The final strategy will be adopted by Cabinet at its meeting on the 30<sup>th</sup> May reflecting the range of comments received.

## 6 Implications

Issue	Implications
Corporate Plan	<p><b>Priority Theme One: A Borough To Be Proud of</b>  A borough which is noticeably clean and well maintained, in which the natural and built environments are respected, conserved, and enhanced for future generations. Facilities for residents and visitors alike.</p> <p><b>Priority Theme Two: A Community to be Proud of</b>  A community in which everyone plays their part in maintaining their own physical</p>

	and mental wellbeing through healthy lifestyle choices, but where people have easy access to world-class healthcare when things go wrong												
Financial, Resource and Property	<p>The Grounds Maintenance Contract value for 2017/18 is £1,231,991.64 and is the main expenditure relating to maintaining the open spaces. The open spaces budget also covers the staffing required to manage the service and on-going investment and totals £496,880 for 2017-18.</p> <p>The table below shows a five year financial plan to fund improvements in open spaces utilising section 106 developer contributions</p> <table border="1"> <thead> <tr> <th>year</th> <th>2018/19</th> <th>2019/20</th> <th>2020/21</th> <th>2021/22</th> <th>2022/23</th> </tr> </thead> <tbody> <tr> <td>Open Spaces Capital Cost (justification of this investment as detailed in strategy section 3)</td> <td>£100,000</td> <td>£100,000</td> <td>£100,000</td> <td>£100,000</td> <td>£100,000</td> </tr> </tbody> </table> <p>Capital improvements for play areas will be put forward as part of the annual budget setting process.</p> <p>The proposals in the strategy will be managed within the existing staff resource as the current Transformation work across the Leisure team is expected to generate service efficiencies which will absorb work relating to the proposed play area improvements programme.</p>	year	2018/19	2019/20	2020/21	2021/22	2022/23	Open Spaces Capital Cost (justification of this investment as detailed in strategy section 3)	£100,000	£100,000	£100,000	£100,000	£100,000
year	2018/19	2019/20	2020/21	2021/22	2022/23								
Open Spaces Capital Cost (justification of this investment as detailed in strategy section 3)	£100,000	£100,000	£100,000	£100,000	£100,000								
Legal and Statutory	<p>The provision of Parks and open spaces is not a statutory function but the service helps to contribute to many other statutory functions.</p> <p>The Local Plan is a statutory document covered by The Town and Country Planning (Local Planning) (England) Regulations 2012 and Planning and Compulsory Purchase Act 2004 (and subsequent revisions). The Open Spaces and Play Strategy provides an important evidence base for the Local Plan on which planning decisions are made.</p>												
Crime and Disorder	Open spaces and the assets within them are increasingly susceptible to vandalism adding to the annual maintenance costs. Improving quality and encouraging community ownership of these spaces through volunteering will help to reduce this.												
Environmental Sustainability	<p>Allotments provide production of local produce reducing food air miles.</p> <p>The Strategy encourages important habitat and biodiversity. Open Spaces and woodland reduce CO2 emissions and are particularly important for protected species including migrating birds.</p>												
Health and Wellbeing	The provision of open spaces provides proven health benefits for both physical and mental well-being. There are a wide array of community groups accessing open spaces such as sports and recreation facilities, outdoor gyms, multi-use games areas												
Risk	The Council is required to meet its obligations on Health and Safety. Insurance												

Management and Health and Safety	claims relating to trips and falls in open spaces or accidents relating to faulty play equipment would be at risk of increasing if we reduced maintenance or left sites to decline in quality.
Equality and Diversity	The Strategy aims to provide facilities for all residents in the Borough. Improving the variety and quality of open spaces will allow more people to use them. This is a general high-level strategy rather than a detailed assessment of the ongoing value of any individual site. While there could be potential for different impacts on groups with different personal characteristics, the lack of specificity at this stage makes a general equality impact assessment inappropriate. However, any individual decisions to reduce or remove open spaces/play areas will have equality considerations, including individual equality impact assessments, built into the decision-making process.
Privacy and Data Protection	No implications at this stage

## 7 Appendices

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

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

## 8 Background Papers

n/a