



Agenda

Meeting: **Overview and Scrutiny Committee**
Date: **17 March 2020**
Time: **7.00 pm**
Place: **Council Chamber - Civic Centre, Folkestone**

To: **All members of the Overview and Scrutiny Committee**

The committee will consider the matters, listed below, at the date, time and place shown above. The meeting will be open to the press and public.

Members of the committee, who wish to have information on any matter arising on the agenda, which is not fully covered in these papers, are requested to give notice, prior to the meeting, to the Chairman or appropriate officer.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>. Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

1. **Apologies for Absence**
2. **Declarations of Interest (Pages 3 - 4)**

Members of the committee should declare any interests which fall under the following categories:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

3. **Minutes (Pages 5 - 8)**

To consider and approve, as a correct record, the minutes of the meeting held on 18 February 2020.

Queries about the agenda? Need a different format?

Contact: Kate Clark – Tel: 01303 853267
Email: committee@folkestone-hythe.gov.uk or download from our website
www.folkestone-hythe.gov.uk

4. **How the profile of Tourism is promoted and managed, and the resources used for this purpose**

This item was requested by New Romney Town Council and included as part of the 2019/20 Annual Scrutiny Programme. A presentation will be provided and members will be asked for their views on the matter.

5. **Hackney Carriage and Private Hire (Taxi) Draft Licensing Policy (Pages 9 - 86)**

Report OS/19/08 sets out proposed revisions to the Council's Hackney Carriage and Private Hire (Taxi) Licensing Policy. The policy was last reviewed in 2012 and whilst not time limited it is good opportunity to refresh the policy. The new policy will be sent for public consultation and then to Planning and Licensing Committee for approval. The purpose of this report is to give the Overview & Scrutiny Committee the opportunity to review the proposed changes and give feedback that can be incorporated in the development of the final policy.

6. **Play Area Strategy 2020 - 2030 Consultation Responses and Outcome (Pages 87 - 216)**

Report No. C/19/48 considered the draft Play Area Strategy 2020-2030 as presented to Cabinet on 11/12/2019. The report detailed how high quality play areas will be provided and maintained throughout the District over the next ten years. Cabinet resolved:

1. That report C/19/48 be received and noted
2. That the suggestion of sites to be sold in respect of non-strategic play areas be removed
3. That the principles of the draft Play Area Strategy 2020-2030 and associated action plan be approved
4. To proceed to formal consultation
5. That a report be brought back to Cabinet following formal consultation with a view to approving the Strategy from 1st April 2020

These resolutions have been actioned with the formal consultation beginning 20/12/2019 and concluding on 31/01/2020. Report C/19/75 summarises the consultation responses and minor amendments to the strategy.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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Minutes

Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre, Folkestone
Date	Tuesday, 18 February 2020
Present	Councillors Miss Susan Carey, Laura Davison, Peter Gane, Michelle Keutenius (Vice-Chair), Terence Mullard, Patricia Rolfe, Rebecca Shoob (Chairman) and John Wing
Apologies for Absence	Councillor Gary Fuller
Officers Present:	Kate Clark (Committee Services Officer), Cheryl Ireland (Lead Accountant), Amandeep Khroud (Assistant Director) and Charlotte Spendley (Director of Corporate Services)
Others Present:	Councillors David Monk and Connor McConville

The Chairman welcomed Councillor John Wing as a new member of the Committee. The Chairman also reminded members that the Annual Scrutiny Programme for 2020/21 is currently open and accepting topics for discussion for the forthcoming year.

54. **Declarations of Interest**

Councillors Patricia Rolfe and Terry Mullard declared a disclosable pecuniary interest as they are both Board members of Oportunitas Ltd, dispensations have been applied.

Councillors Peter Gane and Michelle Keutenius made a voluntary announcement as they are members of Folkestone Town Council.

Councillor Patricia Rolfe made a voluntary announcement as she is a member of New Romney Town Council.

All announcements and interests referred to Agenda Item 5, General Fund Budget and Council Tax 2020/21. All members took part in discussions and voting on this item.

55. **Minutes**

The minutes of the meeting held on 21 January 2020 were approved and signed by the Chairman following the amendments noted below:

Minute 48 – Additional information as follows:

‘Some members raised concerns about the Accounts and some members were not aware that the District Council’s Chairman Councillor Mrs Ann Berry is a Trustee of the Step Short Charity, although this does not impact on the decision made by Cabinet.’

Minute 50 – Members asked about the Minimum Revenue Provision and its appropriateness, referring specifically to Paragraph 2 (iii) Appendix 3 of the report C/19/58.

Minute 51 – Amendment to resolution as follows:

‘To recommend to Cabinet that feedback is given to the *Overview & Scrutiny Committee* on the deployment of the Q3 underspend monies against corporate priorities.’

56. Members' Allowances - Draft Parental Leave Policy

Report OS/19/07 set out the draft parental leave policy for the Committee’s consideration.

Mrs Amandeep Khroud, Assistant Director, advised members that this report would be presented to the Governance Working Group and subsequently to Full Council for their consideration.

Generally members agreed this report showed a reasonable and fair approach to the subject in a non-discriminatory way.

Councillor Laura Davison questioned the removal of the Special Responsibility Allowance (SRA) if a councillor takes parental leave and special responsibilities are not undertaken. She believed this could cause financial difficulties and may be seen as indirect discrimination.

In comparing the proposed Parental Leave Policy, Mrs Khroud looked at other local authorities, the LGA guidance and the LGA’s Labour Women’s Taskforce, concluding that the SRA is paid to councillors who carry out special responsibilities. In this respect these would not be carried out if Parental Leave was taken and it would seem reasonable and legally correct for the SRA payment to cease.

Proposed by Councillor Laura Davison
Seconded by Councillor Michelle Keutenius and

RESOLVED:

To recommend to Council that the Special Responsibility Allowance remains intact when a Councillor, who receives it, takes Parental Leave.

(Voting: For 3; Against 5; Abstentions 0)

THIS MOTION FELL.

Further comments made included encouraging all members to accept their allowances, attracting a younger generation of potential councillors and pointing out that this policy is relevant to both sexes.

Proposed by Councillor Peter Gane
Seconded by Councillor Terry Mullard and

RESOLVED:

- 1. To receive and note report OS/19/07.**
- 2. That the Committee fully supports the Draft Parental Leave Policy.**

(Voting: For 8; Against 0; Abstentions 0)

57. General Fund Budget and Council Tax 2020/21

Report C/19/66 sets out the final General Fund budget and council tax requirement for 2020/21, including that part of the local tax covering district and parish services.

Members noted the following:

- Budgeting decisions relating to the Folkestone Parks and Pleasure Grounds Charity rests with the Trustees.
- Town and Parish Councils determine their own level of precept requirement which on average has increased.

It was also noted that the Budget consultation received little response, comments received were broken down as follows:

- Some respondents said 2% increase in Council Tax charges seemed reasonable for the District.
- Reviewing contracts to ensure value for money.
- Funds should be increased for graffiti removal making for a smarter district.
- Proposed overall increase too high with further comments received on a broad range of topics.

Proposed by Councillor Rebecca Shoob
Seconded by Councillor Peter Gane and

RESOLVED:

To receive and note report C/19/66.

Voting: For 8; Against 0; Abstentions 0)

This Report will be made public on 9 March 2020



Report Number: **OS/19/08**

To: Overview & Scrutiny Committee
Date: 17 March 2020
Status: Non- executive Decision
Responsible Officer: Amandeep Khroud, Assistant Director,
Governance, Law and Regulatory Services

SUBJECT: REVISED HACKNEY CARRIAGE AND PRIVATE HIRE (TAXI) LICENSING POLICY

SUMMARY: This report sets out proposed revisions to the Council's Hackney Carriage and Private Hire (Taxi) Licensing Policy. The policy was last reviewed in 2012 and whilst not time limited it is good opportunity to refresh the policy. The new policy will be sent for public consultation and then to Planning and Licensing Committee for approval. The purpose of this report is to give the Overview & Scrutiny Committee the opportunity to review the proposed changes and give feedback that can be incorporated in the development of the final policy.

RECOMMENDATIONS:

1. To receive and note report OS/19/08.
2. To consider and provide any feedback on the policy to be included in the consultation exercise and developed into final draft to be presented to the Planning and Licensing Committee for adoption.

1. BACKGROUND

- 1.1 The council has adopted the Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847 and as such is responsible for licensing the Hackney Carriage and Private Hire trade within the district. Licences are issued to drivers, vehicles and private hire operators
- 1.2 The council has a policy which sets out its approach to determining licensing applications and the conditions which it will apply to licence holders. Revisions to the policy have been limited and piecemeal. The most recent amendment was in 2012. There has been no formal review of the policy since that time.
- 1.3 The current policy “Hackney Carriage and Private Hire Vehicle and Driver Conditions and Procedures” is published on the council website
https://www.folkestone-hythe.gov.uk/media/46/Hackney-Carriage-and-Private-Hire-Vehicles-Driver-Conditions-and-Procedures/pdf/Hackney_Handbooklive_2012.pdf?m=637164963970970000
- 1.4 A full review and update of the policy has been carried out. A copy of the draft policy is attached to this report. The policy does not propose any radical changes but seeks to modernise and refresh the policy to ensure it is fit for purpose.
- 1.5 The policy is brought to this committee for review and comment prior to a period of public consultation.

2. KEY CHANGES TO THE POLICY

2.1 General Matters

- Improved layout and wording to provide clear, easy to understand, information for prospective applicants, licence holders and decision makers.
- A commitment to review the policy every 5 years.
- Inclusion of an enforcement policy specific to taxi licensing, including reference to use of “suspensions” for licence holders subject to allegations/ investigations for serious offences.
- Introduction of a “penalty points” scheme for breaches of licence conditions to promote compliance and act as an “early warning” to licence holders.
- Revised (and more stringent) policy on approach to applicants and licence holders with convictions and cautions, to largely reflect current Institute of Licensing Guidance.

- Inclusion of a general policy on refunds for surrendered licences.
- Removal of the complicated “proposals from trade” process, which set a process for reviews of the policy by the relevant licence holders.

2.2 Drivers

- Hackney Carriage only driver licence discontinued. Driver licences to be Private Hire only or Dual (Hackney Carriage and Private Hire combined)
- Removal of a minimum age for drivers (other than statutory requirement to have held a full driving licence for one year).
- Introduction of requirement for new drivers to pass a Driving Standards Assessment.
- Applicants failing knowledge test 3 times in 3 month period to wait 6 months before further application accepted.
- Provision of Disclosure and Barring Service (DBS) certificate to tie in with licence renewal. Drivers must sign up to the DBS online update service.
- Drivers residing abroad within 10 years prior to application to provide certificate of good conduct from relevant embassy (increased from 12 months).
- Interval for medical certificates for drivers aged 45-65 reduced from 4 years to 3 years, to be supplied as part of a renewal application. There is a proposed transitional process for existing drivers, to align this with licence renewal periods.
- Condition to notify of any medical condition affecting ability to drive or safety of passengers. Council may require additional medical assessments where reasonably required.
- Legal Obligations for assistance of passengers in wheelchairs or with assistance dogs clearly set out and incorporated into licence conditions.
- Condition to issue receipts for payment, where requested.
- Revision of basic dress code.

2.3 Private Hire Operators

- Condition requiring premises accessible to public to be covered by public liability insurance.

- Enhanced record keeping requirements concerning vehicles, drivers and booking details. Retention period for records increased from 3 months to 12 months.
- Correction to reflect Basic DBS is required for operators (not enhanced)

2.4 Vehicles

- Extend maximum age for newly licensed vehicles from 3 to 4 years. Maximum age for standard vehicle renewals clarified at 7 years (with 2 further years if in exceptional condition).
- Maximum age for new and relicensed Wheelchair Accessible Vehicle (WAV) increased to 6 years and 12 years respectively (matching that for “London Style” specification cabs).
- Policy not to permit “dual plating” of vehicles (i.e. vehicles will not be licensed if they hold a licence with another authority).
- Update of vehicle specifications and conditions e.g. relating to LPG conversions, use of Space saver tyres, tinted windows.
- Introduction of specific policy and conditions for stretch limousines.
- Inclusion of policy on exemptions from display of plates.
- Introduction of published “statutory list “of WAVs, which will be subject to requirements of Equality Act 2010.
- Valid inspection certificates to be maintained for mechanical lifting equipment used on WAVs.
- Update of advertising restrictions on vehicles.

2.5 Some key areas of the policy remain unchanged. As follows:

- There is no proposal to introduce mandatory CCTV in vehicles.
- No proposal to restrict numbers of Hackney Carriage Vehicles
- No proposal to require vehicles to be Wheelchair Accessible.

2.6 The proposed changes will not result in any increased in costs to the council. The proposed changes around DBS and medical certificates should increase efficiency of the process.

2.7 The proposed changes will increase direct costs to licence holders estimated as follows:

- Practical Driving Assessment for new drivers - £90

- Up to 2 extra medical checks over a 20 year period for drivers age between 45 and 65. Cost dependent on medical provider charges but estimated from £55 per check.
- Cost of public liability insurance policy for licensed private hire operators (although responsible operators may already hold a policy).

2.8 The changes to DBS checks will result in a saving to drivers of up to £34.50 per each 3 year licence period. The relaxation on age of newly licensed vehicles will allow potential savings for owners when purchasing a vehicle.

3. CONSULTATION

3.1 An 8-week consultation period is proposed. This will include direct consultation with key stakeholders, including:

- Hackney Carriage and Private Hire licence holders in the district
- F&HDC district councillors
- Town and Parish Councils
- Kent Police
- Kent County Council

The draft policy will also be published on the council website, inviting comments.

3.2 Following the consultation and amendments, the policy would be brought to the Planning and Licensing committee for consideration and adoption.

4. RISK MANAGEMENT ISSUES

4.1 Members of the Overview and Scrutiny Committee will be asked for their views of risks relating to this matter for consideration as the item is progressed.

Perceived risk	Seriousness	Likelihood	Preventative action

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (NE)

- The suspension of a drivers licence as an interim measure or holding exercise pending the outcome of a final decision (as proposed at paragraph 9.5 of Appendix J of the draft policy) is unlawful; this position having been established in two separate Court of Appeal judgements [Singh v. Cardiff 2012 and later Reigate and Banstead Borough Council v. Pawlowski 2017]. These judgements are binding on local authorities however there has been some debate as to whether section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 was correctly applied; some other local authorities having deviated from established case law and incorporating the

use of interim suspensions in their published policies. Whilst an interim suspension may appear to be a proportionate response in circumstances of public safety or crime and disorder where reasonable concern is raised about the suitability of a licensed driver to continue to hold a driver licence established legal precedent in these circumstances would be for the licence to be revoked.

5.2 Finance Officer's Comments (LH)

There are minimal financial implications arising from this report other than staff time in preparing and sending the consultation documentation out however, any small cost should be able to be contained within the existing budget.

5.3 Diversities and Equalities Implications (GE)

There are no negative equalities implications directly arising from this report. The policy makes clear reference to the obligations of drivers of both taxis and private hire vehicles to accommodate those with a physical disability under the Equality Act 2010. The notable introduction of a statutory list of wheelchair accessible vehicles (WAVs) to be publicised on the Council's website will positively assist wheelchair users in making more informed decisions about their day to day transportation needs.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Sarah Pinkstone, Environmental Health & Licensing Team Leader
Telephone: 01303 853347
Email: sarah.pinkstone@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

Appendices:

Appendix 1: Draft Hackney Carriage & Private Hire Licensing Policy 2020

HACKNEY CARRIAGE AND PRIVATE HIRE

Licensing Policy

2020



Folkestone & Hythe District Council

Hackney Carriage and Private Hire Licensing Policy

Folkestone & Hythe District Council (F&HDC) licences hackney carriage (taxi) and private hire drivers, vehicles and operators. It has adopted the Local Government (Miscellaneous Provisions) Act 1976 together with the Town Police Clauses Act 1847 and the Public Health Act 1875

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2.0	Drivers	
3.0	Private Hire Operators	
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5.0	Fees	
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	APPENDICES	
A	Application Procedures	
B	Standards for Insulin Treated Diabetes	
C	Relevance of Convictions and Cautions	
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E	Private Hire Driver Conditions	
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H	Stretch Limousine Additional Conditions	
I	Driver Dress Code	
J	Enforcement Policy – Hackney Carriage & Private Hire	
K	Penalty Points System	

Licensing Team
Licensing@folkestone-hythe.gov.uk

1. Introduction

- 1.1.1 Hackney carriage and private hire vehicles have a specific roles to play in an integrated transport system. They are able to provide services in situations where public transport is either not available (for example in rural areas), or outside “normal” hours of operation such as in the evenings or on Sundays), and / or for those with mobility difficulties. Taxi and private hire vehicles play an integral part in the dispersal of customers and staff of the night-time economy. Many also undertake contract work transporting vulnerable people to schools and colleges.
- 1.1.2 The council’s authority to regulate the hackney carriage and private hire trade is through the adoption of the Local Government (Miscellaneous Provisions) Act 1976 (as amended) and the Town and Police Clauses Act 1847 (as amended).
- 1.1.3 The council licenses the following;
- Hackney Carriage Vehicles and Drivers
 - Private Hire Vehicles and Drivers
 - Private Hire Operators
- 1.1.4 A hackney carriage is a public transport vehicle with no more than 8 passenger seats, which is licensed to ply for hire. This means that it may stand at ranks or be hailed in the street by members of the public.
- 1.1.5 Private Hire vehicles (PHV) must also have no more than 8 passenger seats but these must be booked in advance by customers through an operator and may not ply for hire in the street or stand at ranks.
- 1.1.6 A Private Hire Operator makes provision for the acceptance of bookings for private hire vehicles.
- 1.1.7 The requirements of the Acts are that the council must be satisfied that a vehicle is suitable in type, size and design for use as a hackney carriage or private hire vehicle and is in a suitable mechanical condition, safe and comfortable.
- 1.1.8 Concerning drivers, the 1976 Act requires the council to be satisfied that the applicant is a fit and proper person to hold a licence.
- 1.1.9 In addition to statutory requirements, the council may attach conditions to licences as it considers reasonably necessary.

1.2 Aims of Policy

- 1.2.1 The fundamental aim of this policy is protection of the public. In particular, it aims to ensure that licensed vehicles are safe, comfortable, insured and are driven by safe, professional and competent drivers.
- 1.2.2 The council looks to well-run and responsible businesses that provide a professional service to the public.

- 1.2.3 The policy sets out the minimum requirements for licensing drivers, vehicles and operators that will be implemented through the licensing regime to achieve these aims. In setting conditions, it is recognised that these should not be unduly stringent, to the extent that entry to the trade is restricted or operational costs are increased such that supply of Hackney Carriage and Private Hire services is restricted. Such a restrictive approach may have a detrimental impact on the public, including safety.
- 1.2.4 For example, it is clearly important that somebody using a taxi to go home alone late at night should be confident that the driver does not have a criminal record for assault and that the vehicle is safe. But on the other hand, if the supply of taxis or Private hire vehicles has been unduly constrained by onerous licensing conditions, then that person's safety might be put at risk by having to wait on late-night streets for a taxi to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.
- 1.2.5 The cost of a licensing requirement therefore needs to be considered in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety. This is not to propose that a detailed, quantitative, cost-benefit assessment is undertaken, but that broadly the costs of introducing a licensing condition is weighed against the benefit it is intended to achieve.
- 1.2.6 Enforcement matters will be addressed with transparency and fairness but robustly when dealing with serious and / or repetitive issues of non-compliance and enforcement.
- 1.2.7 In exercising its discretion in carrying out its regulatory functions, the Licensing Authority shall have regard to this policy document as an aid to consistent decision making.
- 1.2.8 The policy represents the council's view on the best approach to achieving its aims, and so in normal cases it is expected that this policy will be followed. However, each case will be considered on its merits. Should a decision depart from this policy then there will be clear, documented reasons for doing so.
- 1.2.9 Licence holders and potential applicants are strongly advised to be familiar with this policy as it sets out considerations and criteria the council use when determining applications as well as the standards that are expected of licence holders. This should help minimise the likelihood of refused applications or enforcement action.

1.3 Preparation, Implementation and Review of This Policy

- 1.3.1 In preparing this policy, account was taken of the guidance
- "Taxi and Private Hire Vehicle Licensing – Best Practice Guidance" (Department of Transport (DfT)– 2010)
 - Guidance on Determining the Suitability of Applicants and Licensees in the Hackney and Private Hire Trades (Institute of Licensing April 2018).
 - Access for wheelchair users to Taxis and Private Hire Vehicles – Statutory Guidance (Department For Transport 2017)

1.3.2 Consultation was also undertaken with the following

- **LIST OF CONSULTEES**

The policy was presented to Planning and Licensing Committee on XXXXXX
Came into effect on XXXXXXXXXXXXXXXX

1.3.3 The council will review its policy to reflect changes in legislation, government guidance and other relevant council policies. It aims to review the policy at least every 5 years.

1.4 Publication of information

1.4.1 The council is under a duty to publish its driver, vehicle and operator licensing data form in such form as the Secretary of State may require.

1.4.2 The council may publish details of licensed vehicles, drivers and operators on its website, including licences recently suspended or revoked.

1.4.3 Under the Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales) Regulations 2019, the local authority is required to submit details of licensed vehicles to- DEFRA

1.4.4 F&HDC will share information in relation to refused licence applications and revoked licences through the National Antifraud Network

1.4.5 Further information in relation to handling and sharing of information is set out in the council's privacy notice on Taxi Licensing.

2. DRIVERS

2.1 Licences

2.1.1 We issue two types of driver licence: Private Hire and Dual (Hackney Carriage and Private Hire)

2.1.2 Licences are normally granted for a period of three years. A licence may be granted for a shorter period where appropriate. Note: The driver cannot receive a licence for a period longer than their "right to work".

2.1.3 Before granting a drivers licence, the council must be satisfied that the applicant is a 'fit and proper person' to hold a licence

2.2 Age and Experience

2.2.1 Department for Transport (DFT) Guidance recommends that maximum age limits for drivers should not be set, providing that regular medical checks are undertaken. It also considers minimum age limits (beyond the statutory age for holding a full drivers licence) as inappropriate. Therefore the council **will not set minimum** or maximum age limits for drivers. However, in accordance with legal requirements, applicants must have held hold a valid full UK (OR EU/EAA driving licence) for a minimum of 12 months prior to their application.

2.3 Driver & Vehicle Licensing Agency disclosure

2.3.1 The grant of a licence is subject to a check being made with the DVLA in respect of any relevant convictions. The check is carried out annually or at other times if the council believes that there is reason to do so. Each applicant must complete a mandate to the DVLA to enable the check to be made or give consent for officers to make appropriate checks via gov.uk

2.4 Driving Proficiency

2.4.1 New applicants will be required to provide evidence that they have, within the 12 months prior to their application, passed a Driving Standards Assessment specifically designed for Hackney Carriage and Private Hire drivers.

2.4.2 The Assessment must be carried out by one of the Council's nominated providers.

2.4.3 Where there is any doubt as to the driving ability of the licence holder, or any significant changes to the driver's circumstances, since the grant of the licence, the Authority may require the applicant to pass a further DSA test. Any fees must be met by the applicant.

2.5 The Knowledge Test

All new applicants must pass the Folkestone & Hythe District Council Knowledge test. This is to test the driver's knowledge of the local area, Highway Code, aspects of taxi licensing law and our policy. Further information on the knowledge test is included in [Driver Application Procedures \(Appendix A\)](#). Applicants must have passed the test within 12 months of the date of their application.

2.6 English assessment

Applicants must have a reasonably adequate standard of spoken English to be a hackney carriage or private hire driver. This will be assessed throughout the application process and during the Knowledge test.

2.7 Disclosure and Barring Service (DBS) check

2.7.1 A DBS check on a driver is an essential measure in determining whether an applicant is a suitable person to hold a licence. An enhanced disclosure provided by the Disclosure and Barring Service is required for all applicants. Enhanced disclosures include details of spent convictions, police cautions and other information.

2.7.2 The Rehabilitation of Offenders Act 1974 **does not apply** to applicants for drivers licences. They are required to disclose all convictions, including those that would normally be regarded as spent.

2.7.3 DBS checks are carried out at the applicant's expense.

2.7.4 As part of our policy, we will require licensed drivers are required to maintain an online certificate through the DBS update service. (<https://www.gov.uk/dbs-update-service>) and enable the council to access this certificate on renewal or at other times as reasonably necessary. Drivers must pay an annual fee to the DBS for the on-line update facility.

2.7.5 The advantage of the online update service is:

- Drivers maintaining an up to date online certificate will not need to apply for and submit a paper DBS certificate when renewing their licence. (providing that the information on the online DBS is up to date) This will result in a quicker process.
- The Online Certificate can be checked by the licensing authority at renewal and at any other time as reasonably required.
- Maintaining an online certificate through annual subscription may cost the driver less than obtaining a paper certificate every 3 years.

2.7.6 Drivers who already hold a licence on the date that this policy comes into effect and have not already signed up to the update service, will be required to provide a paper DBS certificate at their next renewal then sign up to the online update service.

2.7.6 If an applicant has within the last **10 YEARS** lived outside the UK, a certificate of good conduct from the relevant embassy or equivalent document, issued and authenticated by the relevant embassy will also be required. This must either be in English or translated by an approved translator at the applicant's expense.

2.7.7 If an officer has any doubt as to the validity, completeness or accuracy of the document, then an applicant may not proceed to next step of process. The burden to establish validity lies with the applicant.

2.8 Medical Assessment

2.8.1 The DfT guidance states that it is clearly good practice for drivers to undergo medical checks prior to grant or renewal of a licence. The Group 2 Medical Standards adopted by the DVLA for lorry and bus drivers are considered best practice for Hackney Carriage and Private Hire Drivers.

2.8.2 All applicants must undergo a medical examination to assess their fitness to work as a Hackney Carriage / Private Hire Driver .A group 2 medical standard will be required. A request form will either be sent as part of an application pack or can be obtained from the Council. [The assessment must be carried out either by the applicant's General Practitioner or by a suitably qualified GMB registered medical](#)

practitioner who has access to the applicant's medical records. The completed form must be submitted as part of the application.

- 2.8.3 The applicant is responsible for paying the fee for the assessment.
- 2.8.4 A medical assessment is required for all new driver applications. A new medical assessment is required every **6** years for drivers aged up to 45, every **3 years** for drivers aged up to 65. Drivers aged 65 or over are required to undergo a medical assessment annually. **More frequent checks will be required if considered necessary by the Medical Practitioner. Certificates provided must be less than 3 months old.**
- 2.8.5 In order to streamline processes, it is intended that the submission of routine medical certificates is synchronised with, and part of, the licence renewal process, as far as possible. To facilitate this, drivers aged between 45 and 65 who hold a licence at the time this policy comes into effect, must submit a new medical certificate at next renewal. However, if their last medical was carried out within 12 months of the renewal date, they will not need to submit a new routine medical until the following renewal.
- 2.8.5 The Group 2 standards preclude the licensing of drivers with insulin treated diabetes. However, exceptional arrangements do exist for drivers with insulin treated diabetes, who can meet a series of medical criteria, to obtain a licence to drive category C1 vehicles (i.e. 3500-7500 KG lorries. As suggested best practice, This authority will also apply criteria based on the C1 standards to taxi and PHV drivers with insulin treated diabetes. These are set out in **Appendix B**
- 2.8.6 Licence holders must advise the Council of any deterioration in their health that may affect their driving capabilities. Licence holders may be required to undergo a further medical assessment to confirm their fitness to drive a licensed vehicle. Should concerns arise regarding the health of a licensed driver, the council at any time may request further information or a further medical examination to be carried out and certificate submitted.
- 2.8.7 The council reserves the right to revoke or suspend a licence if requested information is not submitted within 4 weeks of the request and a satisfactory explanation is not given for the failure to provide such information or where the information provided raises further concerns as to the applicant's fitness to carry out his/her duties as a licensed driver.

2.9 Child Sexual Exploitation and Safeguarding Training

- 2.9.1 The knowledge test includes questions about safeguarding. A short video is an integral part of the test. All applicants will have to pass the section on safeguarding.
- 2.9.2 The council may promote awareness through other information and education campaigns

2.10 Immigration Checks – Right to Work

2.10.1 The council has a duty to carry out immigration checks to ensure applicants have a right to work in the UK. A licence will not be granted unless sufficient proof of right to work in the UK has been provided. Licences will not be granted for a longer period than the applicant's right to work.

2.10.2 The Immigration Act does not permit the issue of Licences to self-employed persons who are in the country on a student visa.

2.11 Convictions and Cautions

2.11.1 In assessing whether an applicant or licence holder is a fit and proper person, the council will consider convictions, cautions and other information that has been disclosed, so far as they are relevant to a licence.

2.11.2 **Appendix C** sets out the council's policy on the relevance of convictions and cautions

2.12 Applications and Renewals

2.12.1 The process for new applications and renewals is set out in **Appendix A**

2.13.2 Applications must be made with the appropriate fee, forms and supporting documents. Whilst reminders will be sent, it is the responsibility of the licence holder to ensure a renewal application is submitted in time, failure to do so may result in the lapse of the licence.

2.13.3 The Council is not permitted to attach conditions to a hackney carriage driver's licence. It is, however, empowered to attach such conditions to a private hire driver's licence as are considered necessary.

2.13.4 Hackney carriage drivers are subject to the Council's byelaws (see **Appendix D**) and joint licence holders are subject to the private hire driver's conditions.

2.131 It is considered that the conditions set out in **Appendix E** are reasonably necessary and appropriate for private hire drivers. Dress Code for Drivers is in Appendix I

3 PRIVATE HIRE OPERATORS

3.1.1 Any person that takes bookings for private hire vehicles in the Folkestone and Hythe District must be licensed as a Private Hire Operator.

- 3.1.2 A private hire vehicle may only be despatched to a customer by a private hire operator who holds a private hire operator's licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle
- 3.1.3 The objective in licensing Private Hire Operators is the safety of the public, who will be using operator's premises and vehicles and drivers arranged through them.
- 3.1.4 Applications for operator's licences must be made on the prescribed form, together with the appropriate fee. The Authority will then decide whether the applicant is a fit and proper person to hold an operator's licence.
- 3.1.5 Licences are normally issued for a period of 5 years. This is consistent with best practice guidance and is the maximum length of licence permitted.
- 3.1.6 Fees for private hire operator licences are based on the number of vehicles operated. Applicants will be required to give details of the number of vehicles they intend to operate. Should an operator wish to increase the number of vehicles then they must notify the council in order that the licence can be amended. An additional fee may be charged to account for the increase in vehicles.

3.2 Disclosure and Barring Service (DBS) Checks

- 3.2.1 Private Hire Operators (that are not licensed drivers) are not exempt from the Rehabilitation of Offenders Act 1974. As such they will not be subject to an Enhanced DBS check. A Basic disclosure will be required.
- 3.2.2 Licensed operators are encouraged to maintain an online certificate through the DBS update service. (<https://www.gov.uk/dbs-update-service>) Operators must pay an annual fee to the DBS for the on-line update facility.
- 3.2.3 Operators that are also drivers licensed by this authority, will be required to provide an enhanced DBS as part of their drivers;' application and maintain an online certificate through the update service. In such cases operators, will not be required to submit an additional basic DBS.
- 3.2.4 The advantage of the online update service is:
- Drivers maintaining an up to date online certificate will not need to apply for and submit a paper DBS certificate when renewing their licence (providing that the information on the online DBS is up to date). This will result in a quicker process.
 - The Online Certificate can be checked by the licensing authority at renewal and at any other time as required.
- 3.2.5 Disclosure of convictions will be taken into consideration when determining whether an operator is a fit and proper person to hold a licence.

3.3 Address from which Operator based

3.3.1 The Operator's base must be located in Folkestone & Hythe District. If it is not, the council will not grant a licence. This is to ensure that proper regulation and enforcement measures may be taken by the council and is in no way intended as a restraint of trade.

3.3.2 It will be the responsibility of the operator to ensure that appropriate planning permission exists for the operational address to be used for that purpose, prior to starting operating. The grant of a private hire operator's licence does not override the need for planning permission nor does it imply that such planning permission is or isn't required or likely to be granted, as such determination will be subject to the appropriate planning process. The Licensing Team may provide the Council's planning team with names and addresses of licensed operators. Applicants are advised to check with the planning team regarding the need for planning permission using the Council's pre application advice service which can be accessed via the link below:

[pre-application planning advice service](#)

3.4 Insurance

3.4.1 If the operator's premises is open to the public, suitable Public Liability Insurance must be in place. Evidence of insurance must be provided before a licence is issued.

3.5 Use of Vehicles and Drivers

3.5.1 As a result of the Deregulation Act 2015, Private Hire Operators are allowed to sub-contract work to other licensed Private Hire Operators who hold licences with a different Licensing Authority.

3.5.2 A private hire operator must ensure that every private hire vehicle has a valid private hire vehicle licence and is driven by a person who holds a private hire driver's licence.

3.6 Licence Conditions

3.6.1 Standard Conditions applied to Private Hire Operator Licences are given in [**Appendix F**](#). Further conditions can be added to a licence where considered appropriate.

4. VEHICLES

4.1 Limitation on Numbers

4.1.1 No powers exist for licensing authorities to limit the number of private hire vehicles that they licence.

4.1.2 Section 16 of the Transport Act 1985 made provision for the grant of a hackney carriage licence may be refused, for the purpose of limiting the number of licensed hackney carriages “if, but only if, the local authority is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet”. In the event of a challenge to a decision to refuse a licence on these grounds, it would, therefore, have to be established that the Council had been reasonably satisfied that there was no significant unmet demand.

4.1.3 Most local authorities do not impose quantity restrictions. The Department for Transport regards this as best practice.

4.1.4 The council does not intend to set a limit on the number of hackney carriages that it licences.

4.2 Vehicle Specifications

4.2.1 Local Authorities have a wide range of discretion over the types of vehicles that they can licence as Hackney Carriage or Private Hire Vehicles. Best Practice Guidance is that local authorities should adopt the principle of specifying as many different types of vehicles as possible. This could be done, for example by specifying general criteria, and allowing the Hackney and Private Hire Trades to put forward vehicle that meet those criteria

4.2.2 The Council is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a hackney carriage or private hire vehicle licence. Hackney carriages and private hire vehicles provide a necessary service to the public, so it is appropriate to set standards for the external and internal condition of the vehicles, provided that the standards are reasonable and proportionate.

4.2.3 Specifications and licence conditions for vehicles are set out in [Appendix G](#)

4.2.4 This policy does not specify colours for Hackney Carriage or Private Hire vehicles

4.2.5 The council will not licence a vehicle which is already licensed with another council or Transport for London. If the council becomes aware that a vehicle is dual licensed, then the licence is likely to be revoked.

4.3.5 Stretch Limousines are sometimes used for private hire bookings and special events. These are often imported vehicles, and due to their nature may not meet standard vehicle specifications set out in licensing policy. (for example to be right hand drive.

4.3.6 Imported vehicles may not have certification to EU Whole Vehicle Standards. Such vehicles would normally require certification under the Individual Vehicle Approval (IVA) Scheme to demonstrate that they meet appropriate safety standards.

4.3.7 The Department of Transport view is that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle. A policy of excluding limousines creates an unacceptable risk to the travelling public, as it may lead to higher levels of unlawful operation.

- 4.3.8 Applications for stretch limousines to be licensed as private hire vehicles will be considered on their merits provided they have no more than 8 passenger seats.
- 4.3.9 Additional Specifications and Conditions relating to stretch limousines are set out in **Appendix H**
- 4.3.10 All bookings for a stretch limousine licensed as a private hire vehicle by the council must be booked through a private hire operator licensed by Folkestone & Hythe District Council in accordance with S55 of the Local Government (Miscellaneous Provisions) Act 1976.

4.3 **Accessibility**

- 4.3.1 The council is committed to supporting and promoting equality and diversity.

The Equality Act 2010 has made provision for the assistance of taxi and private hire vehicle passengers in wheelchairs and to those who have guide dogs and other assistance dogs. The sections relating to wheelchair users (sections 165 and 167) came into force on 06 April 2017 and the provisions relating to assistance dogs (sections 168 – 173) came into force in October 2010. In accordance with sections 168 – 173 taxi and private hire vehicle drivers are under a duty to carry guide, hearing and assistance dogs without additional charge. Drivers must convey a disabled passenger's dog and allow it to remain with the passenger.

- 4.3.2 The Secretary of State has the power to impose accessibility requirements on large operators. In particular, the power could permit the setting of quotas of accessible vehicles which must be available to such operators

- 4.3.3 This policy does not currently mandate vehicles to be a wheelchair accessible design. However, such vehicles are encouraged.

- 4.3.4 The council will maintain a list of Designated Wheelchair Accessible Vehicles in accordance with S167 of the Equality Act 2010. A designated wheelchair accessible vehicle is a licensed hackney carriage or private hire vehicle which can carry a passenger whilst they remain in their wheelchair. This list will be published on the council website. It will be updated when information becomes available following issue of licences.

- 4.3.5 The council will look to introduce a second “voluntary list”. This will provide a list of vehicles that are accessible to passengers in wheelchairs, who are able to transfer from their wheelchair into a seat within the vehicle and the wheelchair can be folded down and placed in the vehicle. The list will be updated when Information becomes available following issuing of licences.

4.3.6 Drivers of designated wheelchair accessible hackney carriage and private hire vehicles have a legal duty under Section 165 of The Equalities Act 2010 to:

- to carry the passenger while in a wheelchair
- not to make any additional charge for doing so
- if the passenger chooses to sit in a passenger seat, to carry the wheelchair
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- to give the passenger such mobility assistance as is reasonably required.

Mobility assistance is assistance:

- to enable the passenger to get into or out of the vehicle;
- if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- to load the passenger's luggage into or out of the vehicle;
- if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

4.3.8 It is accepted that there will be some specialist or motorised wheelchairs which due to their dimensions may not be able to be loaded or conveyed safely in all designated vehicles and it is not practicable to require vehicles to be able do so. It may be a reasonable defence if a driver is not able to fulfil duties under the Act due to the size/ design of the wheelchair. However, it is expected that if passengers cannot be accommodated for this reason, that it is dealt with sensitively and clearly explained to the passenger.

4.3.9 The legal duties set out in 4.3.6 above do not apply to drivers of vehicles on the voluntary list. However, it is expected that drivers on this list will accept a passenger who is able to transfer onto a seat from their wheelchair and provide reasonable assistance to the passenger, without extra charge.

4.3.10 DfT guidance states that fare meters should not be left running whilst a driver is fulfilling these duties (e.g. loading / unloading wheelchairs, providing assistance to the passenger,) as this would constitute making an extra charge for doing so. Meters left running under these circumstances would be treated as a breach of the Act and this policy.

4.3.11 Drivers who for medical reasons or due to their physical condition make it impossible or unreasonably difficult for them to carry out duties to passengers in wheelchairs, may apply to the council for an exemption certificate. Such certificate will only be issued on production of medical evidence. Exemption Certificates must be displayed in the vehicle at all times the driver is working.

4.3.12 Under the Equality Act 2010, licensed drivers of taxis and private hire vehicles are under a duty to carry passengers with guide, hearing and other assistance dogs. When carrying such passengers, drivers have a duty to:

- Convey the disabled passenger's dog and allow it to remain under the physical control of the owner; and
- Not to make any additional charge for doing so.

4.3.13 Drivers who, for medical reasons are unable to accept assistance dogs are able to apply to the Council for an exemption certificate. Such a certificate will only be issued on production of sufficient medical evidence. Exemption certificates must be displayed in the vehicle at all times the driver is working.

4.4 Environmental considerations

- 4.4.1 The Best Practice Guidance asks licensing authorities to consider how far their vehicle licensing policies can and should support any local environmental policies that they have adopted, bearing in mind the need to ensure that the benefits outweigh costs (in whatever form). They suggest that authorities may, for example, wish to consider setting vehicle emissions standards, perhaps by promoting cleaner fuels.
- 4.4.2 The age criteria for vehicles within this policy will ensure that over time the fleet will benefit from general improvements in environmental performance.
- 4.4.3 Vehicle Specifications enable Electric, Hybrid or LPG converted vehicles to be licensed.
- 4.4.4 Local licensing authorities are encouraged to consider how they can support any local air quality management policies that the local authority may have adopted, particularly where Air Quality Management Areas (AQMAs) or Clean Air Zones have been introduced. .At present F&HDC does not have any Air Quality Management Areas or Clean Air Zones. However, should this happen in the future, then the vehicle emissions standards for hackney carriage and private hire vehicles could be incorporated into the policy.
- 4.4.5 Emissions from hackney carriages and private hire vehicles could be reduced further, by encouraging better maintenance of vehicles and by switching off engines when stationary or idling, particularly at hackney carriage ranks. It is proposed that this aspect be tackled through education and promotion

4.5 Age of Vehicles

- 4.5.1 This policy sets maximum age for vehicles when licensed for the first time and on renewal. The age restrictions contribute to ensure vehicles within the licensed fleet of license are of a high standard and benefit from general improvements in safety features and emission standards over time.

4.6 Vehicle Testing & Inspection

- 4.6.1 Vehicles must be mechanically tested and inspected at a garage nominated by the council. Vehicles meeting required standard will be issued with a "Compliance

Certificate". This is valid for 6 months. Vehicles must not be used unless it has a valid compliance certificate.

4.6.2 Owners of new vehicles with less than 500 miles and under 12 months old from its first registration will not be required to provide a compliance certificate until the first renewal of the vehicle's licence, unless on inspection an officer requires one, e.g. after inspecting accident damage.

4.6.3 Newly licensed Vehicles will be subject to a check by council officers to ensure that it meets specifications and conditions set out in this policy.

Further checks may be undertaken by officers from time to time to ensure that exterior and interior standards are maintained,

4.7 Insurance and Road Tax

4.7.1 Vehicles must be taxed and have valid insurance which covers the vehicle for carriage of passengers for hire or reward. Insurance will be checked as part of the application process. The certificate of insurance must be provided on request. On renewal of the policy, a copy of the insurance certificate should be provided to the council at the earliest opportunity.

4.7.2 Given the importance of maintaining valid insurance which covers the vehicle for carriage of passengers for hire or reward. Licensed Vehicles found to have no valid insurance cover or where evidence of valid insurance cover is not provided, will be suspended.

4.7.3 Vehicles may be checked to ensure they have paid road tax at the following web site: <https://www.gov.uk/check-vehicle-tax>. Vehicles with no road tax will be suspended.

4.8 Damage to Vehicles

4.8.1 Any damage to a licensed vehicle materially affecting the safety, performance or appearance of the vehicle or the comfort and convenience of passengers, must be notified to a council as soon as possible and in any case within 72 hours. Unless the vehicle is so severely damaged that it will never again be serviceable as a licensed vehicle, an appointment will be made for the vehicle to be inspected by a licensing officer and a decision will be made as to whether or not the vehicle is in such condition to continue in service.

4.8.2 If the Licensing Officer considers the damage to the vehicle to be extensive enough to seriously affect the general appearance and/ or use of the vehicle, it will be suspended from use until such time as satisfactory permanent repairs are completed. During this time, plates must be removed from the vehicle.

4.8.3 If the damage to the vehicle is minor, such that the Licensing Officer considers it still to be in a fit condition to continue in service, a notice will be issued requiring the vehicle to be repaired. The vehicle will not be suspended.

- 4.8.4 When such notice is given, repairs must be made to the vehicle and the vehicle presented for re-inspection within the time given in the notice. In some cases the council may require its compliance inspection garage to certify that the vehicle is fit to return to service/
- 4.8.5 Failure to carry out repairs or to present the vehicle for re-inspection within such time may result in further action including suspension of the vehicle and imposition of penalty points.
- 4.8.6 Where due to accident damage a vehicle cannot be used, there is a process enabling proprietors to licence a replacement vehicle.

4.9 Vehicle Identification

- 4.9.1 Signage is a key measure in ensuring that licensed vehicles can be easily identified.
- 4.9.2 Members of the public can often confuse private hire vehicles with hackney carriages, without realising that private hire vehicles are not available for immediate hire or able to be hailed in the street. It is, therefore, important that the public are able to easily distinguish each type of vehicle.
- 4.9.3 “London” style Cabs will not be licensed as private hire vehicles.
- 4.9.4 All licensed Hackney Carriage and Private Hire Vehicles are required to permanently display licence plates on the rear of the vehicle. The Plates include the registration number, licence number and expiry date of the licence. Different colour plates are issued for Hackney Carriage and Private Hire Vehicles.
- 4.9.5 Private Hire Vehicles must also display a FHDC Private Hire Vehicle Panel on the rear passenger doors of both sides of the vehicle.
- 4.9.6 Hackney Carriage Vehicles must display an illuminated roof mounted bearing the word “TAXI”. The word Taxi must be plainly and distinctly visible from the front and rear of the vehicle. The sign may include the name and telephone number of the taxi company.
- 4.9.7 Private Hire vehicles must not bear any roof mounted or other sign bearing the word “TAXI” or “Cab ” or any words of a similar meaning or appearance whether alone or as part of another word.

4.10 Plate and side panel Exemption

- 4.10.1 Whilst the legislation requires vehicles to display plates at all times. It also provides for exemptions to be given to private hire vehicles. Not all private hire vehicles will have access to this exemption. It is intended that exemption will apply to only a very small minority of private hire vehicles where it is necessary for commercial or safety reasons – for example, executive chauffeur services.
- 4.10.2 Proprietors of vehicles who wish to be exempted from displaying licence plates and side panels must apply for an exemption certificate. Applications will be considered where

- the vehicle is used for executive chauffeur type work (evidence of a contract may be requested)
- the vehicle to be exempted is of high quality in terms of brand and condition
- the vehicle will normally be an accepted luxury brand, such as Mercedes Benz, BMW, Jaguar, Lexus, Bentley, Rolls Royce
- the proprietor must satisfy the licensing officer that the exemption is necessary.

4.11 Advertising

4.11.1 This policy places restrictions on signs and advertising in order to maintain professional appearance of vehicles, to ensure that advertising does not distract from signage identifying vehicles as Hackney Carriage or Private Hire Vehicles and to minimise confusion between the two types of licensed vehicles.

4.11.2 No external third party advertising will be permitted on any hackney carriage or private hire vehicle.

4.11.3 Internal advertising is permitted subject to certain conditions.

4.11.4 No advertising to be religious or political in nature or anything likely to cause offence.

4.11.5 Restrictions and conditions relating to advertising and signage are set out in Vehicle Specifications and Conditions (**Appendix G**)

4.11.6 All existing signage must be compliant with the policy within three months from the date of adoption of this policy.

4.12 CCTV and Security

4.12.1 The DfT guidance recommends that licensing authorities look sympathetically on the installation of security measures, such as a screen between driver and passengers or CCTV systems. Such measure can act as a deterrent to would be trouble makers. It may also protect drivers from unjustified complaints, and provide a source of evidence in the event of dispute between passenger and driver.

4.12.2 This policy does not require mandatory installation of CCTV systems. Currently it is left to the judgement of the owners and drivers themselves.

4.12.3 The hackney carriage and private hire vehicle trade is, however encouraged to consider the installation of CCTV cameras in their vehicles on a voluntary basis. It will be the responsibility of the operator to handle relevant data gathered in an appropriate and secure manner. For information and guidance on data protection see Information Commissioners Office (ICO) website <https://ico.org.uk/>

4.12.4 Vehicle Proprietors must notify the Licensing Authority in writing if they have a CCTV system fitted. They must register with the ICO and obtain documented evidence of that registration.

4.12 Applications and Renewals

- 4.12.1 The process for vehicle licence applications and renewals is set out in **Appendix A**
- 4.12.2 Applications must be made with correct application form, fee and supporting documentation. Whilst reminders will be sent, it is the responsibility of the licence holder to ensure a renewal application is submitted in time, failure to do so may result in the lapse of the licence.
- 4.12.3 Legislation limits the maximum length of a vehicle licence to 12 months. Licences will therefore normally be granted for 12 months. There may be circumstances where a shorter licence is granted
- 4.12.4 It is considered that the specifications and conditions set out in **Appendix G** are reasonably necessary and appropriate for vehicles. Additional conditions relating to stretch limousines are set out in **Appendix H**
- 4.12.5 Case law has determined that Licensed Vehicles remain licensed at all times, even when not being used for private hire work. Licensed vehicles must comply with legal requirements and conditions at all times.

5 FEES

5.1 General

- 5.1.1 Applicants must pay the fees for their application as set out in the policy. Applications will not be progressed until the appropriate fee has been paid.
- 5.1.2 A schedule of fees is available on the council's website. The schedule is reviewed each year as part of the budget process. Fees reflect the cost of the administrative costs of the licensing regime, processing applications, compliance and enforcement of licenced drivers and vehicles etc.
- 5.1.3 This policy does not deal with the fee setting process.

5.2 Refunds

- 5.2.1 There is no statutory requirement to issue refunds following surrender of a licence. Historically, the council has received requests for refunds for licences that have been surrendered, for example, due to ill health or the licence holder moving away from the area. These have and will continue to be considered, subject to the paragraphs below.
- 5.2.2 Licence holders should think carefully before surrendering a licence. If they decide to reapply in future, then their application will be considered as a new application and subject to the same conditions as for all new applicants (e.g. knowledge tests, driver assessments, for new drivers)

- 5.2.1 Refunds will not be issued for licences which have been revoked, or surrendered following suspension.
- 5.2.2 Refunds will not be issued on licences issued for 12 months or less.
- 5.2.3 Refunds on surrendered driver and operator licences will be considered on written request. Requests will not be considered unless badges and paper licences have been returned to the licensing authority. The refund amount will be pro-rata based on the amount of whole months remaining on the licence. The pro-rata amount for the first 12 months of the licence period will not be refunded. An administrative charge for dealing with the refund application will also be deducted.

6 FARES

- 6.1 The council has set Hackney Carriage fares (Tariff) for journeys within its District. This sets the maximum fare that can be charged by Hackney Carriage Drivers.
- 6.2 There is no provision to set fares for private hire vehicles.
- 6.3 Current fare rates are shown on the council website. The council's official table of fares (tariff) must be displayed in Hackney Carriage Vehicles.
- 6.4 A taxi driver is allowed to charge more than the metered fare for journeys starting inside the licensing area and ending beyond the district **only if this is agreed in advance**. In the case of a pre-booked journey starting outside the district, the price / estimate should be given on request by the passenger, and, if so, recorded.
- 6.5 The Authority will review fare rates from time to time as necessary or in response to a bona fide request. Proposed changes will be introduced in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

7 DELEGATIONS

- 7.1 Part 8 of the council's constitution sets out the arrangements for delegation of functions to officers.
- 7.2 All functions relating to licensing, including determining applications and associated enforcement action have been delegated to officers.
- 7.3 Authorised Officers have written delegated authority to deal with all licensing matters, including making decisions to grant or refuse applications and taking enforcement action, including suspending or revoking licences.
- 7.4 Officers may refer matters to the Planning & Licensing Sub Committee for determination where they consider it appropriate to do so

8 DISCIPLINARY AND ENFORCEMENT MATTERS

8.1 General

- 8.1.2 Guidance recognises that well directed enforcement activity benefits not only the public but responsible members of the Hackney Carriage and Private Hire Trade.
- 8.1.3 The Council has a responsibility to ensure that all licensed drivers, owners and operators of vehicles adhere to basic minimum standards. These standards are set out in legislation, byelaws and the Council's Hackney Carriage and Private Hire licensing Policy.
- 8.1.4 In addition it is important that firm action is taken to deal with those who evade the licensing regime.
- 8.1.5 Enforcement action may be initiated by Authorised Officers. In addition, Licence Holders may be referred to a panel of the Planning and Licensing Sub Committee regarding offences or breaches of conditions or byelaws. Following a hearing, the subcommittee may recommend enforcement action to be taken.
- 8.1.6 **Appendix J** sets out the Council's Enforcement Policy in relation to Hackney Carriage and Private Hire Licensing Matters.

8.2 Penalty Points System

- 8.2.1 Many local authorities use a penalty point scheme as an effective means of promoting compliance with legislation and conditions.
- 8.2.2 Folkestone & Hythe District Council will operate a penalty points system as set out in **Appendix K**. This will serve both as an early warning system to licence holders who fail to meet the Council's required standards and as a consistent and transparent method of enforcement. It will be used to deal particularly with minor breaches or infringements of legislation, policy or unacceptable behaviour by licence holders. It supports a risk based approach to enforcement as the points threshold for considering further sanctions will be triggered by repeated or serious breaches.
- 8.2.3 Penalty points remain on a licence for a period of two years from the date on which they are imposed. If a licence holder accumulates twelve or more penalty points within a period of twenty four months, commencing from the date of imposition of the earliest 'live' penalty points on the licence, he/she will be referred to the Planning and Licensing Sub Committee.
- 8.2.4 The Licensing Committee will follow the objectives of this Policy and have a range of sanctions available, including suspension or revocation of the licence.
- 8.2.5 The adoption of the Penalty Points System will not, however, compromise the council's ability to take other enforcement action to deal with offences or breaches of conditions, should it be warranted.

9 TAXI STANDS (RANKS)

- 9.1 Hackney Carriage Stands (Ranks) are designated areas where Hackney Carriage Vehicles may wait and ply for hire. They are usually located in strategic areas, such as near stations or town centre areas.
- 9.2 Comments are welcome from either the hackney carriage trade or the public on the need for additional Ranks in specific locations, the potential for re-locating or extending existing ranks or the removal of ranks which no longer fulfil a useful purpose.
- 9.3 It is an offence for any person to cause or permit any vehicle other than a Hackney Carriage to wait on any rank or stand for Hackney Carriages. Drivers of Hackney Carriages may only wait on a rank or stand whilst plying for hire or waiting for a fare; drivers who park on a rank or stand and leave their vehicle unattended are committing an offence.

APPENDIX A – APPLICATION PROCEDURES

1. General Matters

- 1.1 Potential applicants are advised to check this policy so that they understand application requirements and conditions attached to licences. This will help minimise likelihood of a refused application and associated incurred costs.
- 1.2 The council is moving towards a system of electronic applications, which enables a more efficient process. However, applicants may need to bring original documents to the council offices for verification. Original documents will be scanned/ copied where necessary and returned to the applicant.
- 1.3 The licensing Authority will endeavour to send reminders to licence holders when licences are due to be renewed. However it is the responsibility of the applicant to ensure that their renewal application is submitted in time, correctly together with any required documentation. Failure to do so may result in a delay in processing an application. If the licence has not been issued at the point when an existing licence expires, the licence holder must cease operating until the new licence has been received. Failure to submit a renewal application in time, may result in the application being considered a “new application” and subject to the same requirements as for new applicants.
- 1.4 A serious view will be taken where Applicants or licence holders are found to have knowingly or recklessly misled the council, lied or omitted information during the application process, particularly in relation to convictions and similar matters. Not only is it an offence, which may be subject to further action in accordance with the council’s enforcement policy, but In these circumstances, applicants may be referred to the licensing sub-committee for consideration as to whether they are a fit and proper person to hold a licence. Applications will normally be refused where an applicant has given false information or attempted to conceal / omit information during the application process.

- 1.5 Authorised officers will normally make decisions concerning the grant or refusal applications, however, decisions may be referred to a planning and licensing subcommittee.
- 1.6 Once a full, correct application including required supporting documents has been submitted and decision to grant a licence has been made (e.g. following licensing sub-committee hearing , where necessary) we aim to issue the licence within 5 working days.
- 1.7 Where applications are refused, there is a right of appeal to Magistrates Court. Decisions to refuse applications and the reasons for doing so will be confirmed in writing together with details of rights to appeal.

2. Drivers

- 2.1 New applications are usually for private hire licenses. For those wishing to be considered for a hackney carriage or dual licence, it is recommended that they have held a private hire drivers licence for at least 6 months before making an application
- 2.2 Drivers must have held a full UK or EU/EAA drivers licence continuously for at least 12 months immediately prior to making application.
- 2.3 New Drivers will be required to undertake a Driving Standards Assessment for Hackney Carriage/ Private Hire Drivers. Applicants are advised to undertake this test and obtain a pass certificate before making their full application. The test must have been taken within 12 months of the application. Drivers who hold a valid driver's licence from FHDC and are converting to another type of drivers licence (e.g. Private Hire to Hackney Carriage Driver) will not be automatically required to undertake a Driving Standards Assessment as part of the application process.
- 2.4 New applicants will be required to pass the council's knowledge test. This must have been passed within 12 months prior to submitting an application. Applicants should book and pass the test before submitting a full application. Drivers converting to a Hackney Drivers / Dual Licence will need to sit the Hackney Drivers Knowledge test which requires more in-depth knowledge of the area than a Private Hire Driver. If an Applicant fails 3 consecutive tests within a 3 month period it is considered that they are not ready to be licensed as a driver by this council. It would normally be expected that they wait a further 6 months before taking the test again, in order for them to spend further time developing their knowledge and skills. Further guidance on the knowledge test is available on the council website.
- 2.5 The following must be provided before a licence can be issued. Where original documents are provided these will be checked/ photocopied and returned to the applicant.

- **Fully Completed Driver Licence Application Form**
 - **One passport size photo**
 - **Application Fee**
 - **A Full UK or EU/EAA Drivers Licence.** This must have been held continuously for at least 12 months immediately prior to the application.
 - **DVLA Share your Driving Licence Information Code** that enables us to check your driving history.
 - **A Pass Certificate for a recognised Driving Standards Assessment for Hackney / Private Hire Drivers** (new drivers)
 - **A Completed Group 2 Medical Certificate.** Confirming the applicant is fit to drive a hackney carriage/ private hire vehicle. This must be carried out by your GP or a GMC registered practitioner who has access to your medical records. The Certificate must be not more than 3 months old.
 - **An Enhanced Disclosure and Barring Service (DBS) certificate.** Certificates must be less than 3 months old at the date of application. (See 2.6 – 2.8).
 - **New Applicants who have lived outside the UK within 10 years prior to the application must obtain a Certificate of Good Conduct from the relevant embassy.**
 - **Suitable Identity documents providing Evidence of Right to Work in the UK.** Additional checks will be carried out if considered necessary under the Immigration Act.
 - Council's Knowledge test must have been passed within last 12 months (see 2.4)
- 2.6 The application for a DBS certificate must be made via our online system. We will send you an email with a link to the application system. **In order for the DBS application to complete and proceed, applicants must pay the DBS fee and bring original form of ID to our offices for verification.**
- 2.7 The DBS certificate will be sent to the applicant's home address. This must be provided to the council, as the council will not be sent a separate copy.
- 2.8 Drivers are required to sign up for and maintain a subscription with the online update service during the time that they are licensed, and give the council ongoing permission to check the status of the certificate as necessary.
- <https://secure.crbonline.gov.uk/crsc/subscriber>
- Where an up to date online certificate is maintained, drivers will not need to submit a paper DBS certificate with their renewal application as the council can check the online certificate.
- 2.9 The council will check the status of a drivers DBS certificate as part of a renewal application. If a driver has failed to register for the update service, they will need to reapply for an Enhanced DBS Certificate and register for the update service.
- 2.10 If the status check shows the certificate as no longer current , then the applicant will need to apply for a new Enhanced DBS certificate as set out in 2.6- 2.8.
- 2.11 Where the DBS certificate contains disclosures, then a decision will be made as to whether the applicant is a fit and proper person to hold a licence. Appendix C outlines the Council policy on convictions and cautions.

- 2.12 Following a successful application a driver will be issued with a paper licence and a driver's badge. These remain the property of the council and must be returned on request following surrender, revocation or lapse of the licence.

Drivers Licence Renewal applications

- 2.13 A driver's licence will expire after three years from the date of issue / renewal. Licences may be issued for shorter periods under special circumstances.
- 2.14 A driver must make a renewal application at least one month before the current licence expires.
- 2.15 Failure to renew a licence, a DBS check, medical certificate or DVLA disclosure means that a driver is not entitled to drive until valid documentation has been produced to an officer. Driving otherwise than in accordance with the conditions of the licence and policy may result in a licence being suspended or revoked.
- 2.16 Existing Drivers who have not submitted their renewal application within 1 month following expiry of the licence, will be considered new applicants and will be required to meet all the criteria for new driver.

3. PRIVATE HIRE OPERATOR APPLICATIONS

- 3.1 Applicants will need to submit the following

- **Fully completed application form**

- **Application fee**

- **Proof of Public Liability Insurance** (if the operating premises will be accessible to the public)

- **A Basic Disclosure Barring Service (DBS) check** for each person named on the application form. Procedures are as set out for drivers in 2.6 – 2.7. This does not apply to Persons who have provided an up to date Enhanced DBS certificate (within 3 months) or maintained an up to date online certificate accessible to FHDC as part of a Drivers Licence application with this Authority.

- 3.2 Where a DBS contains disclosures, then the suitability of the applicant to hold a licence will be considered. The Council Policy on convictions and cautions is set out in Appendix C
- 3.3 Following successful application, licensed operators will be issued with a paper licence. This remains the property of the council and must be returned on request following surrender, revocation or otherwise lapse of the licence.
- 3.4 Renewal applications must be submitted within 1 month of expiry of the licence to allow sufficient time to process the application.

4 VEHICLE APPLICATIONS

- 4.1 Vehicles must meet the specifications set out in Appendix G of this policy. Applicants are therefore strongly advised to check these requirements and if necessary discuss any queries with a licensing officer prior to purchasing a new vehicle or making an application
- 4.2 The following must be provided before an application can be considered
- **Fully completed Application Form**
 - **Application Fee**
 - **Vehicle Registration Document (V5) issued by the DVLA** showing the applicant to be the registered keeper. If the vehicle has recently been purchased and the V5 is with DVLA, then other acceptable proof of ownership eg bill of sale, showing full buyer and seller details will be accepted, but the V5 will need to be supplied as soon as this is available.
 - **Insurance Certificate or cover note confirming the Vehicle is covered for “Hire and Reward”.** If a cover note is provided, licence holders will be required to produce further insurance certificates on or before the expiry of the cover note.
 - **Individual Vehicle Approval (IVA) Certificate (stretch limousines only)**
- 4.3 A Licensing Officer will arrange to inspect the vehicle at the council offices to confirm compliance with vehicle specifications.
- 4.4 If a vehicle is being licensed for the first time, then following validation of documents in 4.2, a compliance slip will be issued enabling the applicant to book the vehicle for compliance testing at our nominated garage.
- 4.5 All vehicles must have a valid compliance certificate in place before a licence can be issued.
- 4.6 Following a successful application, a paper licence and vehicle plates will be issued. The vehicle must not be used for hire and reward until the plates have been affixed to the vehicle (unless a plate exemption letter has been issued.) These must be returned on request following surrender, revocation or lapse of the licence.
- 4.7 Renewal applications must be submitted 14 days prior to expiry of the licence to allow sufficient time for processing. Failure to do so may result in the existing licence expiring before a new licence is issued. The vehicle could not be used for hire or reward whilst it is unlicensed.
- 4.8 If a renewal application is made more than 1 month after expiry of the licence, the application will be treated as a new application and vehicles will be required to meet the specifications (including age requirements) for vehicles being licensed for the first time.

Transfer of a licensed vehicle to new proprietor

5.0 Where a licensed vehicle is transferred to a new proprietor, notice of transfer must be given within 14 days. It is necessary for a new licence to be obtained showing the new owner details.

5.1 The following must be submitted:

- **Fully completed Application Form**
- **Application Fee**
- **Vehicle Registration Document (V5) issued by the DVLA** showing the applicant (new proprietor) to be the registered keeper or other acceptable proof of ownership
- **Insurance Certificate or cover note confirming the Vehicle is covered for “Hire and Reward”**. If a cover note is provided, licence holders will be required to produce further insurance certificates on or before the expiry of the cover note.

Replacement Vehicle

5.2 If during the term of the licence, it is necessary to replace the vehicle e.g. insurance replacement due to accident damage, the replacement vehicle must meet the same specifications as for a new vehicle. The application process is the same as set out in 4.1- 4.6.

APPENDIX B - STANDARDS FOR INSULIN TREATED DIABETES

1. These arrangements mean that those with good diabetic control and who have no significant complications can be treated as "exceptional cases" and may have their application for a Hackney Carriage or Private Hire Driver licence considered. The criteria are :
 - To have been stable on insulin for at least 1 month;
 - Not to have suffered an episode of hypoglycaemia requiring the assistance of another person in the last 12 months;
 - To have full awareness of the symptoms and risks of hypoglycaemia
 - To provide evidence of blood glucose monitoring at least twice daily, including on days when vehicles are not driven and no more than 2 hours before the start of the first journey and every 2 hours while driving. This must be done using blood glucose meters with a memory function to enable at least 3 continuous months of readings to be available for assessment.
 - Drivers may be required to provide evidence of monitoring to the licensing authority.
 - To have no complication arising from diabetes or any other medical condition which would render the driver unfit to drive a licensed vehicle
 - To sign an undertaking to comply with the directions of the doctor(s) treating the diabetes and to report immediately to the licensing authority any significant change in condition.
 - To attend an examination by a hospital consultant specialising in the treatment of diabetes and to provide a report from such a consultant in support of the application which confirms a history of responsible diabetic control with a minimal risk of incapacity due to hypoglycaemia. This is to be provided before a licence is first granted or renewed and / every 12 months thereafter. This is at the applicant's expense.

APPENDIX C – RELEVANCE OF CONVICTIONS AND CAUTIONS

1. General

- 1.1 The purpose of this policy is to set out the council's approach to convictions and cautions when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a driver or operator licence.
- 1.2 The Institute of Licensing publication "Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades" (2018) has been taken into account in preparation of this policy and will be taken into consideration when making decisions.
- 1.3 The existence of this policy aims to promote a transparent and consistent approach that is clear to applicants and decision makers. Notwithstanding the existence of this Policy, each application will be determined on its own merits. Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons will be given for doing so
- 1.4 The leading case as to whether a person is a 'fit and proper person' is:

McCool v Rushcliffe Borough Council [1998] EWHC Admin 695

The test sets out the requirement to ensure, so far as possible, that those licensed to drive taxis or PHVs are safe drivers with good driving records and adequate experience, sober, mentally and physically fit, honest, and not persons who would take advantage of their employment to abuse or assault passengers.

In layman's terms the question to ask is "Would you let this person drive your daughter, son, mother etc. alone in a car?"
- 1.5 The overriding consideration is the safety of the public.
- 1.6 Hackney Carriage and private hire drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no "spent" convictions. Any and all convictions, so far as they are relevant can be taken into account in determining whether an individual is a fit and proper person to hold a Hackney Carriage or Private Hire drivers licence
- 1.7 The onus is on the applicant or licence holder to demonstrate that they meet this requirement; not on the council to demonstrate that the applicant does not.
- 1.8 Applicants and existing licenced drivers should note that offences are not considered less serious just because they were committed when they were not driving a taxi or working in their capacity as a licensed driver or operator
- 1.9 If a new applicant has been charged with an offence, which if they were convicted of would normally lead to refusal of a licence, a decision will be deferred until proceedings have been completed or the charges withdrawn.
- 1.10 If a court has found an applicant guilty of an offence, that person cannot subsequently claim to the council that they did not commit the offence. If they seek to do so, their representation will not be considered as this is entirely a matter for

the courts. The applicant can, however, offer any mitigating circumstances relating to the offence that they wish the council to consider.

- 1.11 In all but the most serious cases, the disclosure of cautions, convictions or other information will not permanently debar individuals from gaining a licence. The council will however require applicants with a criminal record to remain free of conviction for an appropriate period and show adequate evidence of good character from the time of the conviction. Simply remaining free of conviction will not generally be regarded as sufficient evidence of good character.
- 1.12 In the sections that follow, guidance is given following the disclosure of various convictions, in terms of if and when a person with such convictions may be eligible for a licence. Compliance with the guidelines does not guarantee that a licence will be granted, particularly when there are aggravating factors, such as multiple offences.
- 1.13 In making its decision the council will consider, amongst other matters, the nature/class of any offence, how long ago it occurred and the applicants' age at that time, the apparent seriousness as gauged by the penalty imposed, and any other factors which the council may consider to be relevant.
- 1.14 Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour which will be taken into account
- 1.15 As well as convictions, this policy will take into account other issues or intelligence received from other agencies which may be relevant to the "fit and proper" person test.
- 1.16 In considering whether or not a person is fit and proper the council may also consider such matters as an applicant's history as a licence holder; their complaint and compliance history, their co-operation with and attitude towards Licensing Officer's requests, and any other reasonable matters.
- 1.17 Any existing licence holder convicted of an offence during the period of their current licence will be subject to this policy relating to the relevance of convictions. In circumstances where a new applicant would normally have their application refused, an existing licence holder would normally have their licence revoked.
- 1.18 If the applicant has declared any other offences not specifically covered by this policy on the relevance of convictions, the application may be referred to the Licensing Sub Committee for determination
- 1.19 A serious view will be taken where applicants or licence holders are found to have intentionally misled the council, lied or withheld information during the application process, particularly in relation to convictions and similar matters. In these circumstances, they may be referred to the licensing sub-committee for consideration as to whether they are a fit and proper person to hold a licence. Applications will normally be refused where an applicant has sought to conceal information during the application process.

2. Crimes Resulting in Death

- 2.1 Where an applicant or licence holder has been convicted of a crime resulting in death of another person or was intended to cause the death or serious injury of another person, they will not be licensed.

3. Offences involving violence

- 3.1 A Licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

4. Exploitation

- 4.1 Where an applicant or licence holder has been convicted of a crime involving or related to abuse or exploitation, regardless of whether the victims were adults or children, they will not be licensed. This includes, but is not limited to, slavery, child sexual exploitation, grooming, and psychological, emotional or financial abuse.

5 Possession of a Weapon

- 5.1 Where an applicant has a conviction for possession of a weapon or any other weapon related offences, a licence will not be granted until at least 7 years have elapsed since completion of any sentence imposed.

6 Sexual or Indecency Offences

- 6.1 Drivers often carry unaccompanied passengers, children and other vulnerable persons. For this reason, an extremely serious view is taken with regard to sexual offences. Applicants and licence holders with convictions involving or connected with illegal sexual activity or indecency will not be licensed.
- 6.2 Individuals on the sex offenders register or any “barred” list will not be licensed.

7. Dishonesty

- 7.1 Drivers and operators are expected to be trustworthy. It is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare and in other ways.
- 7.2 Members of the public entrust themselves to the care of drivers for their own safety and for fair dealing. Drivers may be entrusted with delivering unaccompanied property and may also recover lost property from their vehicles. In certain situations, drivers may know that a property is empty whilst occupants are on holiday after taking them to the airport.
- 7.3 For this reason, a serious view is taken of any convictions relating to dishonesty.
- 7.4 Where an applicant or licence holder has a conviction for any offence of dishonesty they will not be licensed until 7 years has elapsed since the completion of any sentence imposed.

8 Drugs

- 8.1 Where an applicant or licence holder has a conviction related to the supply of drugs or possession with intent to supply, they will not be licensed until at least 10 years has elapsed since the completion of any sentence.
- 8.2 Where an applicant has a conviction for an offence related to the possession of drugs, they will not be licensed until at least 7 years have elapsed since the completion of any sentence imposed. An applicant may be required to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

9 Discrimination

- 9.1 Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years has elapsed since the completion of any sentence imposed.

10. Drunkenness (not in a motor vehicle)

- 10.1 An isolated conviction for drunkenness shall not prevent an applicant from gaining a licence.
- 10.2 A number of convictions for drunkenness could indicate a medical problem necessitating critical examination. If the applicant is found to be an alcoholic / alcohol dependent, a period of five years should elapse after treatment is complete before a further licence application is considered.

11 Drink Driving / Driving under the influence of drugs

- 11.1 A serious view will be taken of convictions of driving or being in charge of a vehicle whilst under the influence of alcohol or drugs.
- 11.2 Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban, whichever is the later. An applicant may be required to undergo testing at their own expense to demonstrate that they are not using controlled drugs.

12. Driving whilst using a hand-held phone or other hand held device

An applicant with a conviction for using a handheld mobile telephone or a hand held device whilst driving will not be granted a licence until at least 5 years have elapsed since the completion of any sentence or driving ban, whichever is the later.

13. Other Motoring Offences

- 13.1 Major traffic offences involving death, driving under the influence of alcohol or drugs or whilst using a phone are dealt with in preceding sections. Other major traffic offences include those involving injury to another person or property (including vehicles), dangerous driving, driving whilst disqualified and driving without insurance (or other insurance related offences). Applicants with convictions for major traffic offences will not be licensed until at least 5 years has

elapsed since the completion of any sentence or driving ban imposed, whichever is the later.

- 13.2 Minor Traffic Offences are those not dealt with in the sections above. A single minor traffic offence would not normally prevent a licence being granted or lead to a licence being revoked. Subsequent convictions may indicate that a person does not take their professional responsibilities seriously and many not be a safe and suitable person to hold a licence.
- 13.3 Applicants with six penalty points or less on their DVLA licence will granted a licence. However drivers may be warned regarding future conduct and the implications of additional points. Applications would normally be refused where the applicant has 7 or more penalty points on their licence (whether or not the applicant was convicted by a court for the offences for which the points were imposed) or where the applicant has more than one conviction for this type of offence within the last 6 months.
- 13.4 Where several minor traffic offences have resulted in a period of disqualification, applicants would expect to have been free of further convictions for a period of 12 months from reinstatement of the DVLA licence.
- 13.5 In “totting up” cases where disqualification is considered but the court do not disqualify, e.g. due to exceptional circumstances. Applicants would normally be expected to be free of conviction for 12 months from the date when the court made the decision not to disqualify due to exceptional circumstances.

14 Offences under the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976

- 14.1 One of the main purposes of the licensing regime is to ensure the protection of the public. For this reason a serious view is taken of convictions for offences under the Acts (including illegally plying for hire) when deciding whether an applicant is to be treated as a fit and proper person to hold a licence.
- 14.2 An applicant will normally be refused a licence where (s)he has been convicted of an offence under the Acts at any time during the 6 months preceding the application or has more than one conviction within the last 2 years preceding the date of the application.

APPENDIX D – HACKNEY CARRIAGE BYELAWS

HACKNEY CARRIAGE BYELAWS

SHEPWAY DISTRICT COUNCIL

Made: 5 November 1992 Confirmed: 21 December 1992 Operative: 25 January 1993

BYELAWS

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the District Council of Shepway with respect of hackney carriages in the District of Shepway.

INTERPRETATION

1. Throughout these byelaws "the Council" means the District Council of Shepway and "the district" means the District of Shepway.

PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE CORRESPONDING WITH THE NUMBER OF ITS LICENCE, SHALL BE DISPLAYED

2. (a) The proprietor of a hackney carriage shall cause plates indicating the number of the licence granted to him in respect of the carriage to be affixed to the outside of the carriage on the offside on or adjacent to the rear bumper bar or in the place provided on the boot lid whichever is appropriate and inside the carriage in a conspicuous position such plates with the numbers painted or marked thereon shall be provided by the Council.

and

(b) A proprietor or driver of a hackney carriage shall:

(i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;

(ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED

3. The proprietor of a hackney carriage shall:

(a) provide sufficient means by which any person in the carriage may communicate with the driver;

(b) cause the roof or covering to be kept watertight;

(c) provide any necessary windows and a means of opening and closing not less than one window on each side;

(d) cause the seats to be properly cushioned or covered;

(e) cause the floor to be provided with a proper carpet, mat or other suitable covering;

(f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;

(g) provide means for securing luggage if the carriage is so constructed as to carry luggage;

(h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;

(i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. (1) The Proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements, that is to say

(a) the taximeter shall be fitted with a key, flag or other device the operation of which will bring the machinery of the taximeter into action;

(b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;

(c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the tariff fixed by the Council in that behalf;

(d) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;

(e) the taximeter and all the fittings thereof shall where practicable be so affixed to the carriage with seals and other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS, AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES

5. The driver of a hackney carriage provided with a taximeter shall:

(a) when standing of plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;

(b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device and keep the machinery of the taximeter in action until the termination of the hiring;

(c) cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is during the hours of darkness - this being the time between half an hour after sunset to half an hour before sunrise, and also at any other time at the request of the hirer.

6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof or with the seals affixed thereto.

7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:

(a) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;

(b) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.

9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such a carriage at such appointed time and place.

11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.

12. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly and distinctly visible.

13. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:

(a) convey a reasonable quantity of luggage;

(b) afford reasonable assistance in loading and unloading;

(c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

PROVISIONS FOR FIXING THE RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT, AND SECURING THE DUE PUBLICATION OF SUCH FARES

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate of fare prescribed by the Council the rate or fare being calculated by distance unless the hirer expressed at the commencement of the hiring his desire to engage by time. Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

15. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the Council in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures;

(b) the proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or

figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES, AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF

16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.

17. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him;

(a) report the finding and handing to him of the property to a police station as soon as possible, and in any event within 48 hours if not sooner claimed by or on behalf of its owner;

(b) if not sooner claimed by or on behalf of its owner carry it as soon as possible and in any event not later than noon on the second day on which the Council offices are open after the date on which the property is found or handed to him to the office of the Council and leave it in the custody of an employee of the Council on his giving a receipt for it;

(c) be entitled to receive from any person to whom the property shall be redelivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the Police Station, whichever be the greater) but not more than five pounds.

PENALTIES

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction thereof.

REPEAL OF BYELAWS

19. The byelaws relating to hackney carriages which were made by the Council on the 30th day of April 1975 and which were confirmed by one of Her Majesty's Principal Secretaries of State on the 13th day of June 1975 are hereby repealed.

DATED this 5th day of November 1992

THE COMMON SEAL OF THE DISTRICT COUNCIL OF SHEPWAY was hereunto affixed in the presence of:-

LS

(Signed) Peter Rossiter Vice-Chairman

(Signed) P J Wignall Chief Assistant Solicitor

The foregoing Byelaw is hereby confirmed by the Secretary of State and shall come into operation on the 25th day of January 1993.

(Signed) P E Pickering

As Assistant Secretary in the Department of Transport on behalf of the Secretary of State for Transport

I RONALD JAMES THOMPSON, the Proper Officer of the District Council of Shepway ("the Authority") hereby certify pursuant to Section 238 of the Local Government Act 1972:

- (a) that these byelaws were made by the Authority;
- (b) that this copy is a true copy of the byelaws;
- (c) that on 21 December 1992 the byelaws were confirmed by the Secretary of State for Transport; and
- (d) the date fixed by the Secretary of State for the coming into operation of the byelaws was 25 January 1993.

R J Thompson (Solicitor) Chief Executive and Director of Administration

DRAFT

APPENDIX E - PRIVATE HIRE DRIVER CONDITIONS

1. Appearance

- 1.1 The Driver shall be clean and tidy in appearance
- 1.2 The Driver shall at all times be dressed in a manner not to cause embarrassment to members of the public
- 1.3 The driver shall comply with the Dress Code set out in [Appendix I](#) of this policy.

2. Badges

- 2.1 The Driver shall at all times when operating wear the badge provided by the council in such a position as to be plainly visible.
- 2.2 Drivers shall immediately report any lost, stolen or damaged badge. A fee is payable for replacement badges
- 2.3 The driver's identity badge must be produced on request by any authorised officer of the Council or any Police officer.
- 2.4 The driver shall not lend his badge or permit it to be worn by any other person.
- 2.5 All licences, badges and plates remain the property of the Council. They must be returned on request within 7 days if the licence expires and is not renewed, or where the licence is suspended or revoked.

3. Conduct

- 3.1 The driver shall behave in a civil and orderly manner
- 3.2 The Driver shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 3.3 The Driver who has agreed or has been hired to be in attendance with the vehicle at an appointed time and place shall unless delayed or prevented by some sufficient cause punctually attend with the vehicle at such appointed time and place.
- 3.4 The driver of a private hire vehicle must not cause or permit the vehicle to stand on a public road, on a hackney carriage rank, or in a public place so as to suggest that it is plying for, or available for, hire.
- 3.5 The driver shall not by calling out or otherwise, importune any person to hire such a vehicle and shall not make use of the services of any other person for that purpose.
- 3.6 Drivers must not use a mobile phone whilst driving unless it is designed for hand-free operation
- 3.7 The driver shall not operate the horn as a means of signalling that the vehicle has arrived.

- 3.8 The vehicle shall be presented in a clean and tidy condition for each journey.
- 3.9 The driver shall report any accidents or incidents affecting the safety or physical appearance of the vehicle to the operator/proprietor of the vehicle immediately (or as soon as practicable) to ensure that the proprietor can fulfil their obligations to report the matter to the Authority within the required 72 hour period
- 3.10 Any animal belonging to or in the possession of the driver must not be carried in any licensed vehicle when the vehicle is plying for hire, during a hiring or prior to any booking. Any animal belonging to or in the custody of any passenger may be conveyed in a licensed vehicle at the discretion of the driver (apart from where section 5 below applies). The animal must be carried in a suitable cage, or safely restrained on a lead, whilst in the vehicle.

4. Number of Passengers

- 4.1 The Driver shall not convey in the vehicle any greater number of persons than that specified on the plate affixed to the outside of the vehicle.

5. Carriage of Guide, Hearing or Other Assistance Dogs

- 5.1 Drivers must carry passengers with a guide, hearing or other assistance dogs without additional charge.
- 5.2 When carrying such passengers, drivers have a duty to:
- Convey the disabled passenger's dog and allow it to remain under the physical control of the owner; and
 - Not to make any additional charge for doing so.
- 5.3 A driver, who for medical reasons, has been granted an exemption from carrying assistance dogs under Section (4.3.13) of this policy, must display their exemption certificate in the vehicle at all times when working.
- 5.4 Drivers must notify vehicle proprietors and operators if they have an exemption certificate

6 Wheelchair Accessible Vehicles

- 6.1 All drivers of wheelchair accessible vehicles must:
- Be fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle.
 - Before any movement of the vehicle takes place, ensure that all wheelchairs are firmly secured to the vehicle using an approved restraining system and the brakes of the wheelchair have been applied.
 - Ensure that any wheelchairs, equipment and passengers are carried in such a manner that no danger is likely to be caused to those passengers, or to anyone else, in accordance with the regulations detailed in section 100 of the Road Vehicles (Constructions and Use) Regulations

- 6.2 Drivers of designated wheelchair Accessible vehicles must not refuse to take a passenger in wheelchair unless they hold an Exemption certificates on medical grounds
- 6.3 Drivers must not charge extra for carrying passengers with wheelchairs (whether or not the passenger remains in the wheelchair.). Fare Meters must not be kept running whilst passengers with wheelchairs are being assisted into and out of the vehicle.
- 6.3 Exemption Certificates issued under 4.3.11 of this policy must be kept In the vehicle at all times when the driver is working and produced on request. Drivers must notify vehicle proprietors and operators of exemptions.

7. Luggage

- 7.1 The Driver of a vehicle so constructed as to carry luggage shall, when requested by any person hiring the vehicle:
- Convey a reasonable quantity of luggage
 - Afford reasonable assistance loading and unloading
 - Afford reasonable assistance in removing it to or from the entrance of any building, station or place at which they may take up or set down such person.

8 Property Left in Vehicles

- 8.1 The proprietor or driver of a private hire vehicle shall immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left therein.
- 8.2 The proprietor or driver of a private hire vehicle shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:
- Report the finding or handing to him of property to a police station as soon as possible and in any event within 48 hours if not sooner claimed by or on behalf of its owner.
 - If not sooner claimed by or on behalf of its owner, carry it as soon as possible and in any event not later than noon on the second day on which the Council Offices are open after the date on which the property is found or handed to him to the office of the council on being given a receipt for it.
 - Be entitled to receive from the person to whom the property shall be redelivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the police station , whichever is the greater) but not more than five pounds.

9 Fares and Taximeters

- 9.1 The driver/operator of a private hire vehicle may make their own agreement with the hirer as to the fare for a particular journey.

- 9.2 The driver shall, if requested by the hirer, provide him with a written receipt for the fare paid. Each receipt should show the date of journey, driver badge number and amount paid.
- 9.3 The driver must not demand any fare in excess of that previously agreed between the hirer or operator, or if the vehicle is fitted with a taximeter, the fare shown on the face of the taximeter.
- 9.4 If the vehicle is fitted with a taximeter, the driver must:
- When standing, keep the flag or other device in such position in which no fare is recorded on the face of the taximeter.
 - Unless prior agreement has been made with the hirer to engage by time, to bring the machinery of the taximeter into action by moving, the key, flag or other device and keep the machinery in action until the termination of the hiring.
 - Cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is during the hours of darkness – this being the time between half an hour after sunset to half an hour before sunrise, and also at any other time as requested by the hirer.
 - Not tamper with or permit any person to tamper with any taximeter, its fittings or seals.
- 9.5 In the event of a journey commencing in, but ending outside the Folkestone & Hythe District there may be charged, for the journey, such fare or rate (if any) as was agreed before the hiring was effected. If no such agreement was made then the fare to be charged should be no greater than that determined by the taximeter.

10 Convictions

- 10.1 The driver must within 7 days, disclose to the council in writing, details of any conviction imposed on him during the period of the licence
- 10.2 Drivers must supply DBS certificates and maintain an online certificate through the DBS update facility as set out in Section 2.7 of this policy.

11 Medical Examinations

- 11.1 All new applicants for a private hire drivers licence must have a medical examination to Group II standards as set out in this policy and produce the relevant medical certificate signed by a medical practitioner that the applicant is fit to drive a private hire vehicle.
- 11.2 Further medical examinations to group II standards will be required at the following frequency.
- Up to 45 years of age – 6 yearly
 - Between 45 and 65 years of age - 3 yearly
 - Aged 65 years and over – annually
- 11.3 The driver of a private hire vehicle must undergo a medical examination to group II standards at other times where reasonably required by the Council.

11.4 The driver shall disclose to the Council in writing, within five days, details of any serious illness or injury that may impair their ability to driver or affect the safety of passengers (for example, head injury, heart attack, stroke, broken limbs, diabetes)

12. Miscellaneous

12.1 The driver must notify the Authority, within 14 days of starting or terminating employment, as to the name and address of the operator and/or proprietor concerned, and the date when the employment either started or ended.

12.2 A copy of the private hire driver's licence must be presented to the proprietor/operator at the beginning of an employment.

12.3 The driver shall notify the Council in writing of any change of address within 14 days.

12.4 The driver must produce his DVLA driving licence to the Council within seven days of a written request for production being made.

12.5 The private hire driver's licence must be made available for inspection, upon request, by any authorised officer of the Council or any police officer.

12.6 Where a customer has, during the course of a hiring, cause to make a complaint, the driver must give enough information to enable him to identify the driver (badge number), vehicle details including the plate and/or registration number in the event that it is their wish to report the matter to the Council

APPENDIX F - PRIVATE HIRE OPERATOR CONDITIONS

1. Standards of Service

- 1.1 The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose, shall in particular:
 - 1.1.1 Ensure that when a private hire vehicle has been hired that the driver attends at the appointed time and place punctually, unless delayed or prevented by sufficient cause
 - 1.1.2 Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.
 - 1.1.3 Ensure that any waiting area has adequate seating facilities
 - 1.1.4 The proprietor of a Private Hire Business shall not cause any advertisement in respect of his business or the vehicles used for that purpose to include the word "Taxi" or "Cab" whether in the singular or plural, or any word of similar meaning or appearance to either of those words, whether alone or as part of another word.

2. Bookings

- 2.1 Pursuant to s56 Local Government (Miscellaneous Provisions) Act 1976, The operator shall keep a record in a suitable book, folder or electronic log of, particulars for every booking of a private hire vehicle invited or accepted by him, [whether direct from the hirer or by undertaking bookings at the request of another operator.](#)
- 2.2 Records must be made prior to the commencement of the journey and as a minimum, must include:
 - The time and the date of the booking
 - The name and contact details of the hirer
 - The time, date and place of pick up
 - The destination
 - [The Registration or plate number of the Vehicle and Driver allocated for the journey](#)
 - [The fare \(if this was agreed at the time of booking.\)](#)
- 2.3 The operator shall keep the above records for a period of not less than 12 months following the date of entry.
- 2.4 Records shall be produced on request by a licensing officer or police officer.

The Operator shall produce his licence on request to any licensing officer or police officer.

3. Drivers and Vehicles

- 3.1 Operators must ensure that only drivers with a valid private hire or dual licence and vehicles with a valid private hire vehicle licence are utilised. Both Licences must be issued by Folkestone and Hythe District Council.
- 3.2 The operator shall keep a copy of licences issued by the Authority, for private hire vehicles it operates.
- 3.3 The operator shall keep a copy of licences issued by the Authority, for drivers it operates.
- 3.4 The operator shall keep records of the following:-
- Driver call signs;
 - Date of when a new driver begins service; and
 - Date when a driver ceases service;
- 3.5 These records must be made available to a licensing officer or police officer on request.

4 Convictions

- 4.1 The operator shall within 14 days disclose to the council in writing, details of any convictions imposed on him, (or if the operator is a company or partnership, on any of the directors or partners) during the period of the licence.

5 Complaints

- 5.1.1 The Operator shall maintain a record of complaints concerning the condition / cleanliness of a vehicle or any complaint concerning a driver. These records shall be maintained for 6 months and be available to a licensing officer on request. Operators shall immediately upon receipt notify the council in writing of any complaints leading to the suspension or termination of a contract with a driver.

6 Change of Address

- 6.1 The operator shall notify the council in writing of any change of his address including any address from which he operates or otherwise conducts his business as an operator) during the period of the licence, within seven days of such change taking place

APPENDIX G

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE SPECIFICATIONS AND CONDITIONS

1. Vehicle Age

1.1 The age of the vehicle is from the date of first registration with the DVLA.

1.2 The maximum age criteria for licensing of vehicles is summarised in the table below.

Type of Vehicle	Maximum Age at time of first licensing	Maximum Age at Renewal
Metropolitan Carriage Office Specification	6 Years	12
Wheelchair Accessible Vehicle	6 Years	12
Stretch Limousines	6 years	12 years
Other vehicles	4 years	7 Years

1.3 Licensing of a vehicle meeting the maximum age criteria is still subject to it having a valid compliance certificate and being in good condition in all other respects as set out in this policy.

1.4 Vehicles in exceptional condition may be considered for licensing for a further two years beyond maximum age subject to compliance with all other conditions of this policy.

1.5 A vehicle in exceptional condition is defined as follows:

- It is in excellent mechanical condition and in all respects safe and roadworthy with no signs of corrosion to the mechanical parts, chassis, underside or bodywork.
- Full service history is provided showing that the vehicle has been correctly and regularly serviced by a reputable garage in accordance with the manufacturer's service specifications.
- The exterior of the vehicle to be in near perfect condition with no dents, damage or signs of corrosion.
- The paintwork to be in excellent condition and free from scratches and marks.
- The interior of the vehicle to be in near perfect condition. The upholstery, linings, seats and floor to be perfectly clean with no holes, tears or signs of wearing.
- The boot or luggage compartment to be in good condition, clean and undamaged

The decision of the Licensing Manager shall be binding in relation to this condition.

- 1.6 A vehicle licence shall be taken as being a renewal , if there was in force a current licence previously issued by Folkestone & Hythe District Council, immediately prior to being relicensed.
- 1.7 If a vehicle is being repaired and work will not be completed prior to expiry of a licence, but relicensing is sought then a renewal application with fee must be submitted prior to expiry of the licence

2. General Specifications

- 2.1 The vehicle must be an M1 category vehicle (i.e. designed to carry up to 8 passengers) and certified as meeting EC Whole Type Approval Standards.
- 2.2 Motorbikes, three wheel motor vehicles and unpowered vehicles will not be licensed.
- 2.3 Vehicles must not have been previously written off, except for Category N (formerly Category D)
- 2.4 Vehicles must provide at least two doors for the use of persons conveyed in such a vehicle and a separate means of ingress and egress for the driver
- 2.5 The vehicle must be of sufficient size to comfortably accommodate the number of passengers it will be licensed to carry. The minimum number of passengers to be carried is four. Vehicles with seating capacity for more than eight passengers will not be licensed
- 2.6 The number of passengers for which a vehicle is licensed will be determined by the licensing authority and displayed on the licence plate.
- 2.6 Each seat shall not be less than 406mm in width. Where bench seats are provided, then the seat shall provide a minimum of 406mm seating space for each passenger i.e. a rear bench seat shall not be less than 1218 mm (clear of any obstructions such as handles and armrests) in order to accommodate 3 passengers.
- 2.7 There must be a minimum of 178mm of leg room for rear passengers with the front seat fully back and upright.
- 2.8 The vehicle must be Right Hand Drive
- 2.9 There must be side access and egress to all seats without the need to climb over seats and /or luggage.
- 2.11 Windows and a means of opening and closing not less than one window on each side shall be provided.

3 Tyres

- 3.1 All wheels should be free of material damage, matching in size and style and be within the manufacturer guidelines for the vehicle.
- 3.2 Re-moulded or re-cut tyres must not be fitted to the vehicle and all tyres must be kept at the correct pressure.
- 3.3 "Space Saver" tyres are acceptable on vehicles, if they conform to the Original Manufacturer's Specifications.
- 3.4 If a Space Saver tyre kit or repair kit is used, then it must only be used for the duration of the current fare and for returning the vehicle to a garage for repair. No further fares may be taken whilst the repair kit / space saver tyre is in use on the vehicle.

3 Tinted Windows

- 3.1 All windows must meet the requirements as prescribed by the Road Vehicles (Construction and Use) Regulations. (75% light transmission windscreen, 70 % light transmission front passenger windows). However, in the interest of passenger safety, no windows shall be fitted with mirror / tint such that it restricts all view into the passenger compartment. Vehicles already licensed at the date when this policy came into effect will continue to be licensed until they are replaced. Replacement vehicles (permanent or temporary) must comply with this condition.
- 3.2 No vehicle shall be fitted with films to darken or tint the windows
- 3.3 Vehicles which are licensed at the time of this policy coming into effect, which due to design do not meet requirements of 3.1 will continue to be licensed. Replacement vehicles must comply with the policy.

4 Fire Extinguisher

- 4.1 All vehicles must carry a suitable dry powder fire extinguisher, in serviceable condition, and stored in a readily accessible position.

5 LPG Conversions

- 5.1 An applicant for a licence involving a vehicle that has been converted to run on LPG is required to produce, prior to a licence being issued, a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with LPG Association Code of Practice. This certificate is required to ensure that the vehicle is considered safe by an approved inspector
- 5.2 If the vehicle is powered by Liquid Petroleum Gas and the LPG fuel tank has been installed in the boot space there shall remain free an amount of space for the

storage of a reasonable amount of luggage. Any spare wheel displaced as a result of the tank installation must be stowed in a location that does not impinge on the passenger carrying area of a vehicle. Where relocation of the spare wheel is not possible an acceptable alternative, as supplied by the conversion company may be permitted.

6. Modifications

6.1 No material alteration or change in the specification, design, condition or appearance of any licensed vehicle may be made without:

- compliance with road traffic legislation;
- compliance with insurance requirements; and
- obtaining approval for the changes(s) from the Council.

7. General Condition of Vehicle

7.1 The vehicle and its fittings must at all times when it is available for hire or being used as a licensed vehicle:

- be safe
- be tidy
- be clean
- comply with all relevant statutory requirements applicable to the class of vehicle to which the vehicle belongs including , but without prejudice to the generality of the foregoing the Motor Vehicles (Construction and Use) Regulations which currently apply

7.2 The body shell including doors, panels, wings, bumpers, mirrors, front and rear lights and indicators, and interior floor covering to be in good condition, free from rust , holes, broken metal or any other visible damage.

7.3 All fittings and handles must be operational.

7.4 Windscreens and windows to be in good, clean condition and at all times meet the requirements of the MOT test standards.

7.5 Seats, upholstery, panelling, floor covering and roof lining must be in good condition, clean and free from any tears, damage, grease or any other contamination.

7.6 The boot must be carpeted or fitted with the manufacturer's boot covering and clean.

7.7 There shall be provided sufficient means by which any person in the vehicle may communicate with the driver

6.7 The roof or covering to be kept watertight

- 6.9 The seats shall be properly cushioned or covered
- 6.10 The floor to be provided with a proper carpet, mat or other suitable covering
- 6.11 The fittings and furniture generally to be kept in clean condition, well maintained and in every way fit for public service
- 6.12 The proprietor shall provide means for securing luggage if the carriage is so constructed as to carry luggage.

Smoking in Vehicles

- 7.1 Under the Health Act 2006 and associated Regulations, Smoking inside licensed vehicles is strictly prohibited at **all** times, whether they are being used for hire or private use.
- 7.2 No smoking signs must be displayed in the vehicle as required by the Smoke Free (Signs) Regulations 2007.
- 7.3 The Smoke Free (Vehicle Operator and Penalty Notices) Regulations 2007 set out the persons who will have legal duties to cause any person who is smoking in a smoke free vehicle to stop smoking, namely:
- The Driver
 - Any person with management responsibilities for the vehicle; and
 - Any person in a vehicle who is responsible for order or safety in it.
- 7.4 Any licence holder committing an offence under the regulations may be subject to enforcement action as set out in this policy. (In addition to action taken under Health Act 2006 and associated Regulations)

8. Wheelchair Accessible Vehicles

- 8.1 Where a vehicle is utilised for the carriage of a passenger in a wheelchair, the following conditions shall apply:
- Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus;
 - Ramps and other loading apparatus must be maintained in good working order and be available for use at all times.
 - Wheelchair internal anchorage must be of the manufacturer's design and construction and secured in such a position as to not obstruct any emergency exit;
 - A suitable restraint must be available for the occupant of a wheelchair;
 - Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper; and
 - Ramps and lifts must be securely stored in the vehicle before it may move off.
 - Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been examined in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S.I. 1998/2307). A

valid certificate of examination confirming the equipment is in safe working condition must be obtained and be provided for inspection by the licensing authority on request.

9 Insurance, MOT and Vehicle Excise (Road Tax)

- 9.1 A licensed vehicle must not be used as a hackney carriage or private hire vehicle unless there is a current compliance certificate, valid insurance and current vehicle excise licence (road tax) in place.

10 Licence Plates

- 10.1 The proprietor must ensure that the licence plate provided and allocated to him for the vehicle is affixed to the outside of the vehicle, on or adjacent to the rear bumper or in such other position as may be approved by the Council.
- 10.2 [Para 10.1 above does not apply to Vehicles granted plate exemption in accordance with Section 4.10 of this policy. The exemption letter must be kept with the vehicle and be made immediately available on request. If the Exemption Letter is not with the vehicle, plates must be displayed.](#)
- 10.3 The Council must be informed immediately should the licence plate be lost, broken or defaced. Proprietors will be liable for fees for replacement plates.
- 10.4 The licence plate must at all times be kept in a clean and legible condition
- 10.5 The Proprietor shall not cause or permit the vehicle to be used or operated with the said plate so defaced that any figure or material particular is illegible.
- 10.6 The licence plate remains the property of the Council and must be returned within seven days when:
- the vehicle ceases to be licensed as a hackney carriage or private hire vehicle; or
 - requested to do so by an Authorised Officer of the Council in writing when the plate is suspended, or revoked
 - The plate has expired.

11. Signage

Hackney Carriage Vehicle Markings

- 11.1 Hackney Carriage Vehicles must be fitted with an illuminated roof sign bearing the words "Taxi". Vehicles built to Metropolitan Carriage Office Specification must display an illuminated sign bearing the word "Taxi" on the front face.
- 11.2 The signs must be plainly and distinctly visible.

Private Hire Vehicle Markings

- 11.3 A private hire vehicle must not carry any roof sign or any markings that may give the impression that it is a hackney carriage.
- 11.4 Private Hire Vehicles must display on both offside and nearside rear passenger doors the Folkestone & Hythe District Council Identification Panel bearing the Private Hire Vehicle Licence Number
- 11.5 Private Hire Vehicles granted a plate exemption are also exempt from displaying the Identification panels, subject to carrying the exemption letter as set out in 10.2 above.
- 11.6 Any advertising or signage on the vehicle must not include the words 'Taxi' 'cab', or any word of a similar meaning or appearance to either of those words, whether alone or as part of another word.

12 ADVERTISING

- 12.1 External advertisements must be restricted to the name, logo or insignia, telephone number, or other contact details of the owner or operator of the vehicle. No other advertisement is permitted on the outside of the vehicle.
- 12.4 No advertisement shall obliterate, obscure or be confused with the vehicle's licence plate or side panels
- 12.5 Internal first or third party advertisements may be displayed but must:
- Not be affixed to glass or windows
 - no larger than A4 size;
 - positioned so that they do not obstruct the driver's view in any way
- 12.6 No advertisement shall contain anything of a religious or political nature or contain any matter likely to cause offence.
- 12.7 The following signage is not considered advertising and is permitted:
- Any signs required by legislation or this policy.
 - Signs indicating membership of a national motoring / breakdown organisation.
 - Parking / taxi rank permits
 - Signs on taximeters indicating the vehicle is for hire
 - Signs indicating the vehicle is wheelchair accessible
 - A sign provided by Kent County Council for Schools Contracts. These may be displayed in the windscreen in such a position so as not to obstruct the driver's vision. The sign to be displayed only during the contract when pupils are on board.
 - Signs indicating that CCTV is fitted in the vehicle
 - Signs on the windscreen or inside the vehicle indicating that payments may be made by credit / debit card.

- 12.8 Any sign and advertising permitted must be positioned so as not to impede visibility and in any event no sign shall be placed on the rear window of the vehicle.
- 12.9 Prior approval for other signs, or posters e.g. relating to public safety campaigns may be considered on a case by case basis by the licensing team leader.
- 12.10 Signs or advertisements must be removed from vehicles on request by a licensing officer, where they consider it contravenes this policy. Vehicles may be suspended until they have been removed.

13 TAXIMETERS

13.1 Hackney Carriages

- 13.1.1 An EU approved taximeter must be fitted in all hackney carriages and must be correctly calibrated, sealed and fully functional in accordance with the current Council approved fare structure.
- 13.1.2 The taximeter shall be positioned so that the display on the face of the meter may be clearly visible to any person being conveyed in the vehicle at all times. The dial of the taximeter shall be kept properly illuminated throughout any part of the hiring including during the hours of darkness and also at any time at the request of the hirer.
- 13.1.3 When the meter is operating there shall be recorded on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey.
- 13.1.4 An official copy of the Council's fare tariff shall be clearly displayed and legible in the vehicle so as to be plainly visible to passengers carried therein.
- 13.1.5 The vehicle taximeter shall be brought into operation at the commencement of the journey and the fare demanded by the drivers shall not be greater than that fixed by this Council in connection with the fare tariff for the hire of hackney carriages.
- 13.1.6 In the event of such a journey commencing in but ending outside the Folkestone & Hythe District, the driver may charge for the journey such fare as was agreed before the hiring was effected. If no such agreement was made then the fare to be charged should be no greater than that fixed by the Council in connection with the fare tariff for the hire of hackney carriages.

13.2 Taximeters – Private Hire Vehicles

- 13.2.1 Private hire vehicles are not required to be fitted with a taximeter.
- 13.2.2 If a taximeter is fitted to a private hire vehicle it must be EU Approved, correctly calibrated and sealed and charge no more than the proprietor's displayed maximum fare tariff

13.2.3 The taximeter shall be positioned so that the display on the face of the meter may be clearly visible to any person being conveyed in the vehicle at all times. The dial of the taximeter shall be kept properly illuminated throughout any part of the hiring including during the hours of darkness and also at any time at the request of the hirer.

13.2.4 If a taximeter is fitted within a private hire vehicle, details of the tariff of fares to which it is calibrated shall be clearly displayed and legible in the vehicle so as to be plainly visible to passengers carried therein.

14 Vehicle Inspection and Compliance Testing

14.1 All vehicles must have a valid certificate of compliance issued following testing by the council's nominated garage. (Unless 14.4 applies)

14.2 A certificate of compliance is valid for 6 months. It is the responsibility of the proprietor to ensure that a new test is undertaken by the due date

14.3 A vehicle must not be used for hire and reward without a valid compliance certificate.

14.4 Vehicles which are less than 12 months old from the date of first registration and have less than 500 miles on the milometer are exempt from a compliance test for the first 12 months when licensed.

14.5 All hackney carriage and private hire vehicles must be available for inspection or testing at any reasonable time when requested by an Authorised Officer of the Council or a Police Officer.

15. Mobile Telephones / Devices

15.1 [Mobile telephones and similar devices may only be used with a hands free kit.](#)

16. Production of documents, certificates etc

16.1 A proprietor must produce any document within seven days if requested to do so by any officer of the council. Failure to adhere to the request may result in suspension of the driver or vehicle licence until the requested document has been produced

17 Convictions

17.1 Vehicle Proprietors shall with 14 days of receiving a conviction disclose to the licensing authority in writing, details of any convictions imposed on him (or if the proprietor is a limited company or partnership, on any of the directors or partners) during the period of the licence.

17.2 Fixed penalty traffic offences are not considered convictions and need not be reported unless resulting in loss of the DVLA licence.

18 Change of Address

18.1 A proprietor must inform the council within 7 days of any change of address during the period of the licence.

19 Unauthorised use

19.1 The proprietor of a hackney carriage or private hire vehicle shall not allow the vehicle to be driven by any person who does not hold an appropriate hackney carriage/private hire driver's licence issued by Folkestone & Hythe District Council

20 Dual Plating

20.1 No vehicle will be granted a licence by Folkestone & Hythe District Council if it is licensed by another authority. This is due to the fact that a vehicle may be subject to different requirements of two separate licensing authorities which may prevent effective enforcement. It will also cause confusion to members of the public

21 Damage Reporting

21.1 The proprietor of a hackney carriage or private hire vehicle must report to the licensing authority as soon as reasonably practicable and in any case within 72 hours of the occurrence, any damage to such vehicle materially affecting the safety, performance or appearance of the vehicle or the comfort and convenience of passengers

22 Temporary Replacement Vehicle

22.1 Any licensed vehicle suffering (major) accident damage or requiring mechanical repair may be replaced by a temporary vehicle provided:

- The accident damage has been reported by the licence holder in accordance with the requirements of these conditions, or the defect to the licensed vehicle has been similarly reported.
- An application is made by the licence holder for a temporary plate/transfer and the appropriate fee paid.
- The replacement vehicle is properly taxed, insured and tested to the requirements of the normal licence vehicle.
- the replacement vehicle is of suitable size (like for like)
- the replacement vehicle meets specifications and conditions for new licensed vehicles set out within this policy

23.0 The proprietor shall not knowingly cause or permit the vehicle to be used for any illegal purpose

APPENDIX H - Additional conditions applying to stretch limousines

- 1 Unless specifically stated otherwise below, conditions applying to Private Hire vehicles also apply to Limousines. The conditions below are additional conditions specifically applying to stretch limousines licensed as private hire vehicles.
- 2 The vehicle may be left or right hand drive. Operators of all stretched limousines making applications for vehicle licences will be required to produce a valid Individual Vehicle Certificate (IVA) issued by the Vehicle and Operator Services Agency (VOSA).
- 3 Tyres must be fitted which are appropriate for the size and weight of the vehicle.
- 4 Vehicles with sideways facing seating may be considered for licensing.
- 5 The council shall approve the seating arrangement, within the vehicle, which may vary in accordance with the design of the vehicle.
- 6 All limousines shall have sufficient seat belts for the maximum licensed number of persons carried and comply with the current legislation in relation to seat belts.
- 7 The number of passengers any stretch limousine is licensed to carry will be a maximum of eight. All limousines licensed as private hire vehicles must reduce their seating capacity to a maximum of eight passengers.
- 8 Proprietors must not permit the number of passengers carried in the vehicle to exceed the number for which it is licensed. A child of any age will be counted as a passenger.
- 9 No passengers to be in the driver's compartment.
- 10 In any advertisement publicising a limousine service, the advertisement must state that the vehicle is only licensed to carry eight passengers
- 11 Vehicles licensed as private hire vehicles must have appropriate insurance to cover the provision of a service to the public for hire and reward, taking into account the specification of the vehicle.
- 12 Any sales of alcohol must be in accordance with Licensing Act 2003.
- 13 Any glassware used in the vehicles shall be made either of shatterproof glass or polycarbonate.
- 14 The vehicle will not be hired to persons under the age of 18 years unless an adult (other than the driver of the vehicle) supervises them.

- 15 The driver shall not play or permit the performance of any media that, given its age classification or content, is unsuitable for the age of the youngest passenger in the vehicle
- 16 Luggage shall not be carried in the passenger compartment of the vehicle.
- 17 Limousines must have a valid compliance certificate in place. If due to the size or nature of the vehicle, then the licensing authority may, on request, give written approval for an MOT to be carried out (at the same 6 monthly intervals) at a VOSA testing station. Following that test the vehicle will also be required to be presented for a further visual check by an authorised licensing officer.

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Appendix I - DRIVERS DRESS CODE

1. The Council considers that drivers should conform to a minimum standard of dress, as set out below in order to :

- Promote and maintain the professional image of the trade
- Promote public confidence and ensure passengers feel comfortable when travelling in licensed vehicles.
- Ensure safe operation of vehicles

2. **Acceptable standards of dress:**

- Shirts, blouses, T-shirts or sweat tops should cover the shoulders and be capable of being worn inside trousers or shorts.
- Trousers, smart jeans or tailored shorts which reach the knee when standing upright.
- Skirts / dresses at least knee length
- Footwear for all drivers that fits around the heel of the foot.

3. **Unacceptable standard of dress**

- Unclean or damaged clothing
- Words, logos or graphics on any clothing that is of a suggestive nature or which might offend.
- Sportswear (e.g. football kits, tracksuits or beach wear/ swim wear etc.)
- Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel or any other footwear that prevents safe operation of the vehicle.
- Drivers not having either the top or bottom half of their bodies suitably clothed

APPENDIX J - HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING ENFORCEMENT POLICY

1. Purpose Of This Policy

- 1.1 Well directed enforcement activity benefits not only the public but responsible members of the Hackney Carriage and Private Hire Trade
- 1.2 The Council has a responsibility to ensure that all licensed drivers, owners and operators of vehicles adhere to basic minimum standards. These standards are set out in legislation, byelaws and the Council's Hackney Carriage and Private Hire licensing Policy
- 1.3 The purpose of this policy is to help ensure that enforcement action is fair, proportionate, consistent, and in accordance with the principles of the Regulator's Code.
- 1.4 Authorised officers will follow this policy when making enforcement decisions. Departures from this policy will be exceptions and must be justified.

2 General Approach to Enforcement

- 2.1 Enforcement decisions will primarily be based on the seriousness of the breach and the possible consequences arising from that breach. Enforcement therefore will not constitute a punitive response to a minor technical contraventions of legislation.
- 2.2 When taking enforcement decisions, the following factors will be considered
 - The seriousness of the breach
 - Driver or operator's past history
 - The effectiveness of the enforcement action
 - Danger to the public

3 Enforcement Options

- 3.1 Having considered all relevant information and evidence, the choices for action available to a licensing authority are:-
 - take no action;
 - take informal action;
 - issue penalty points (see **Appendix K**)
 - use statutory notices;
 - suspend a licence;
 - revoke a licence;

- use simple cautions;
- prosecute
- other action as deemed necessary, e.g. completion of a driving assessment.
- a combination of any of the above

4 Appearance before a Planning and Licensing Subcommittee

- 4.1 Authorised Officers have delegation to make decisions concerning grant and renewal of licences and enforcement decisions concerning convictions, allegations or breaches of relevant legislation and policy concerning existing licence holders,
- 4.2 A Licence Holder may be asked to appear before a Planning and Licensing Subcommittee following report of a conviction, breaches of relevant legislation or conditions attached to licences or a contravention of this policy or accumulation of penalty points.
- 4.3 The Panel may decide to take one or more of the following actions:-
- no action;
 - a written warning;
 - require the production of driving licences or other specified documentation at the Council's Office;
 - suspend a licence (with immediate effect or after 21 days notice);
 - revoke a licence (with immediate effect of after 21 days notice);
 - Refuse to renew a licence
 - recommend prosecution action
 - other appropriate action as deemed necessary
 - a combination of the above

5 Take No Action

- 5.1 No action would be taken if there is no evidence of breach of policy or legislation.

6. Informal Action

- 6.1 Informal action to secure compliance with legislation includes offering advice, verbal and written warnings and requests for action and the use of letters.
- 6.2 Such informal enforcement action may be appropriate in any of the following circumstances:
- The nature of the breach is not serious enough to warrant more formal action
 - From the individual driver or operator's past history it can be reasonably expected that informal action will achieve compliance

- Confidence in the operator's management is high
- The consequences of non-compliance will not pose a significant risk to the safety of the public

7. Penalty Points

- 7.1 This Authority has a penalty point scheme which is set out in **Appendix K**
- 7.2 Licence Holders found to be in breach of licence conditions, this policy or legislation are likely to be issued with penalty points for the transgression. Licence Holders accumulating 12 points during a rolling 24 month period can expect to have their licence reviewed by a licensing sub-committee (without prejudice to other enforcement options)

8. Statutory Notices (S68 Local Government Miscellaneous Provisions Act 1974)

- 8.1 An authorised officer may serve written notice for a hackney carriage or private hire vehicle or the taximeter affixed to such vehicle to be presented for inspection and/or testing at the Council's appointed garage or by an authorised officer at a time specified in the notice. This notice may be used where there are concerns regarding the fitness of the vehicle or reasonable grounds to suspect the accuracy of the taximeter. Case Law confirms that fitness of the vehicle may include non-compliance with policy requirements, not just mechanical condition/ roadworthiness. This may include for example, where evidence has not been provided that the vehicle has suitable insurance cover.
- 8.2 Under this section, an authorised officer may, in addition to requiring the vehicle to be tested, immediately suspend the vehicle licence until such time as he is satisfied with the condition of the hackney carriage or private hire vehicle. This action will only be taken when he has reasonable grounds to suspect that the condition of the vehicle is an immediate danger to passenger and/or other road users.
- 8.3 If the Authorised Officer who issued notice is not satisfied that the appropriate action has been taken to withdraw the notice within a period of two months from the date of issue, the vehicle licence shall be deemed to be revoked.

9 Suspension / revocation of Licences

- 9.1 Where a licence is suspended or revoked. The licence holder will be notified in writing, with the reasons for doing so, within 14 days of the decision to suspend/revoke being made.
- 9.2 Vehicle Licences
- 9.2.1 In addition to section above, S60 of the Local Government (Miscellaneous Provisions) Act 1976 enables the council to suspend or revoke a vehicle licence on the following grounds:

- the hackney carriage or private hire vehicle is unfit for use as a hackney carriage or private hire vehicle;
- any offence under, or non-compliance with, the provisions of the Act of 1847 or of this Part II of the Act by the operator or driver
- any other reasonable cause.

9.2.2 Suspensions and revocations under this section come into effect 21 days from the date of the notice or until any appeal has been determined.

9.3 Operator Licences

9.3.1 S62 of the Local Government (Miscellaneous Provisions) Act 1976 enables the council to suspend or revoke an operator's licence on the following grounds

- any offence under, or non-compliance with, the provisions of this Part of this Act;
- any conduct on the part of the operator which appears to the district council to render him unfit to hold an operator's licence;
- any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted;
- the operator has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty
- any other reasonable cause.

9.4 Drivers' licences.

9.4.1 S61 of the Local Government (Miscellaneous Provisions) Act 1976 enables the council to suspend or revoke a driver's licence if:

he has since the grant of the licence—

- been convicted of an offence involving dishonesty, indecency or violence
- been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;
- been convicted of an immigration offence or required to pay an immigration penalty

or any other reasonable cause.

9.4.3 Suspensions and revocations under this section will normally take effect after 21 days from the date of the notice or after any appeal has been determined.

9.5 Immediate / Interim Suspension of Driver Licenses

- 9.5.1 Where an allegation or information is received about a licensed driver, and is of such a nature that a real and reasonable concern is raised in terms of public safety or crime and disorder about the suitability of a licensed driver to continue to hold a driver licence for the time being, then consideration should be given to the suspension of that licence.
- 9.5.2 A council may suspend or revoke a driver's licence with immediate effect, where this is in the interest of public safety. Immediate suspensions continue to remain in force whilst any appeal against the suspension is heard.
- 9.5.3 Immediate suspensions therefore give additional protection to the public but may have an impact on the livelihood of the licence holder. Decisions to impose immediate suspensions or revocations must therefore not be taken lightly. However, a licence should be immediately suspended or revoked where this is appropriate. There should be a connection between the incident and the safety of the travelling public.
- 9.5.4 **Immediate** suspension of a driver may be considered where they
- have committed a serious offence
 - are alleged to have committed a serious offence
 - are in breach of the requirements placed upon that type of licence within primary legislation
 - are in conflict with a significant part of the council's policy or
 - where there is intelligence provided which raises a significant concern and it is necessary to immediately remove that potential risk
- 9.5.5 The council has a policy on its approach to convictions and cautions when assessing applications for drivers licences (**Appendix C**). Regard should be had to this policy when assessing whether an allegation, offence or complaint warrants immediate suspension
- 9.5.6 Each case will be judged on its merits taking into account the circumstances and facts of the case, any admissions or denials made and any other relevant information.

10. Refusal to Renew a Licence

- 10.1 As an alternative to revocation/Suspension, a decision may be taken not to renew a licence, particularly where the licence is due to expire shortly.

11. Prosecution

11.1 The decision to prosecute is a very significant one. Prosecution will, in general, be restricted to those circumstances where the law is blatantly disregarded, legitimate instructions of the Authority are not followed and/or the public is put at serious risk.

11.2 The following Factors taken into account when deciding whether to prosecute:

- Whether there is sufficient evidence such that there is a realistic prospect of conviction
- The seriousness of the alleged offence;
- The risk to the public
- Whether there were victims and the effect on them
- Failure to respond to previous warnings.
- The previous record of the licence holder / party concerned
- Disregard of safety or the licensing regime for financial benefit
- Whether there was failure to comply with a statutory notice
- The ability of any important witness and their willingness to co-operate;
- The probable public benefit of a prosecution and the importance of the case in establishing a precedent;
- Whether other action, such as issuing a simple caution or notice would be more appropriate or effective.

12 Simple Cautions

12.1 There may be circumstances where evidence exists for a successful prosecution, but where mitigating circumstances are such that nothing is likely to be gained from such action. In such circumstances we will consider the offer of a simple caution as an alternative to prosecution. Circumstances where a caution may be considered are:

- the contravention is low level or a first offence;
- the contravention, although serious, has been speedily dealt with and steps taken to prevent a recurrence;
- The offender has not been cautioned or convicted for a similar offence within the last 2 years.

12.2 The following criteria must be met:

- There is sufficient evidence of the offence such that there is realistic prospect of conviction if the case went to court;
- The offender admits the offence;
- The offender agrees to accept a caution; and
- the offender is able to give informed consent to the caution and understands its significance.

12.3 The decision to offer a caution will be taken by the Licensing Team Manager or their Manager in conjunction with Legal Services Team after consideration of a report from the investigating officer.

12.4 If the offer of a formal caution is declined, further enforcement action will be considered. This will usually be prosecution

13. Appeals

13.1 Where the licensing authority decide to refuse to grant or renew a licence, suspend or revoke a licence or add conditions to a licence, there is a right of appeal to Magistrates Court

13.2 Where applicable, any notification of enforcement action will include written information on how to lodge an appeal, including relevant time limits.

13.3 It will also explain whether the suspension / revocation will remain in effect pending the outcome of an appeal.

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APPENDIX K– Penalty Points Scheme

- 1 Points will be issued by authorised officers of the Authority to licence holders who are found to be in breach of legislation, byelaws or licence conditions.
- 2 The imposition of penalty points against a driver who is an employee will not necessarily result in additional imposition of points to his/her employer or operator. However the Council retains the discretion to issue penalty points to drivers, driver/proprietors and operators for a single contravention if the circumstances warrant it i.e. the breach is one against all these licences and it is considered joint responsibility is held.
- 3 The number of penalty points issued will be in accordance with the tables below.
- 4 It is possible that an incident gives rise to more than one breach and therefore result in more than one set of points being issued. However A maximum of 12 penalty points will be issued on any one occasion.
- 5 The issue of penalty points will be confirmed in writing to the licence holder.
- 6 If a licence holder disagrees with a decision to issue penalty points , then they make appeal to the Licensing Team Leader within 21 days of the date of the notice that points have been issued. The appeal must, state the reasons why the points should not be awarded. If the matter is not resolved, it will be brought to a hearing by a Planning and licensing sub-committee who will consider whether the points should be imposed. Where the subcommittee agree that points should be issued, they have discretion to increase the number of points imposed where they consider appropriate.
- 7 When issued, the penalty points will remain “live” for a period of two years from the date they are imposed so that only points accumulated in a rolling twenty four months period will be taken into account.
- 8 If a licence holder accumulates 12 penalty points in any 24 month period, then they may be asked to attend a hearing of the Planning and Licensing Sub-Committee to consider appropriate action in respect of their licence. Such action could include suspension or revocation of a licence or a written warning as regards future conduct.
- 9 When considering appropriate action the Sub Committee may take into account whether the licence holder has previously been brought to committee for exceeding the 12 point limit in the last 3 years.
- 9 If an accumulation of points result in suspension or revocation of a licence, then the points will be removed. If a written warning is given, the points remain live.
- 10 The penalty points system will operate without prejudice to the Council’s ability to take other action under appropriate legislation or as provided for by this Policy

11. Penalty Points Tables

Town Police Clauses Act 1847		
Section	Offence	Points
40	Giving false information on a hackney carriage licence application	12
44	Failure to notify change of address of a hackney carriage licence	2
45	Plying for hire without a hackney carriage licence	12
47	Driving a hackney carriage without a hackney carriage driver's licence	12
47	Lending or parting with a hackney carriage driver's licence	12
47	Proprietor employing an unlicensed hackney carriage driver	12
48	Failure of a vehicle proprietor to keep licence of hackney carriage driver permitted or employed to use vehicle	6
52	Failure to display a hackney carriage plate	4
53	Refusal to take a fare without a reasonable excuse	8
54	Charging more than the agreed fare	12
55	Obtaining more than the legal fare (including failure to refund)	12
56	Travelling less than the lawful distance for an agreed fare	12
57	Failure to wait after a deposit to wait has been paid	12
58	Charging more than the legal fare	12
59	Carrying persons other than the hirer without the hirer's consent	8
60	Driving a hackney carriage without the proprietor's consent	6
60	Allowing a person to drive a hackney carriage without the proprietor's consent	4
62	Driver leaving a hackney carriage unattended	2
64	Hackney carriage driver obstructing other hackney carriages	3

Local government (Miscellaneous Provisions) Act 1976		
Section	Offence	Points
46(1)a	Using an unlicensed private hire vehicle	12
46(1)b	Driving a private hire vehicle without a private hire drivers' licence	12
46(1)c	Proprietor of a private hire vehicle using an unlicensed driver	12
46(1)d	Operating a private hire vehicle without a private hire operator's licence	12
46(1) e	Operating a vehicle as a private hire vehicle when the vehicle is not licensed as a private hire vehicle	12
46(1)e	Operating a private hire vehicle when the driver is not licensed as a private hire operator	12
48(6)	Failure to display a private hire vehicle plate	4
49	Failure to notify the transfer of a vehicle within 14 days	3

50(1)	Failure to present a hackney carriage or private hire vehicle for inspection upon request	8
50(2)	Failure to inform the Council where a hackney carriage or private hire vehicle is stored, if requested	3
50(3)	Failure to report to the council within seventy two (72) hours an accident causing damage.	6
50(4)	Failure to produce the vehicle licence and/or insurance on request	4
53(3)	Failure to produce a driver's licence upon request	4
54(2)	Failure to wear a private hire driver's badge	4
56(2)	Failure of a private hire operator to keep proper records of all bookings, or failure to produce them on request of an Authorised Officer of the Council or a Police Officer (also breach of conditions attached to licence – see below)	6
56(3)	Failure of a private hire operator to keep records of all private hire vehicles, or failure to produce them on request of an Authorised Officer of the Council or a Police Officer (also breach of conditions attached to licence – see below)	6
56(4)	Failure of a private hire operator to produce his licence on request	4
57	Making a false statement or withholding information to obtain a hackney carriage or private hire driver's licence	12
58(2)	Failure to return a plate after notice has been given following expiry, revocation, or suspension of a hackney carriage or private hire vehicle licence	6
61(2)	Failure to surrender a driver's licence after suspension, revocation, or refusal to renew	6
64	Permitting any vehicle other than a hackney carriage to wait on a hackney carriage rank	6
66	Charging more than the meter fare for a journey ending outside the District, without prior agreement	12
67	Charging more than the meter fare when hackney carriage is used as a private hire vehicle	12
69	Unnecessarily prolonging a journey	12
71	Interfering with a taximeter with intent to mislead	12
73(1)a	Obstruction of an Authorised Officer of the Council or a Police Officer	12
73(1)b	Failure to comply with a requirement of an Authorised Officer or Police Officer	12
73(1)c	Failure to give information or assistance to an Authorised Officer or Police Officer	12

Section	Equality Act 2010	Points
165	Driver of a Designated Wheelchair Accessible Vehicle failing to comply with duty to assist passengers in wheelchairs	12
168	Driver refusing to accept passenger with assistance dog and/or making extra charge for carrying passenger with assistance dog	12
170	Operator refusing to take booking on grounds that passenger will be accompanied by assistance dogs or making extra charge for carrying passenger with assistance dog	12
170	Private Hire Driver refusing to accept booking made through operator on grounds that passenger will be accompanied by assistance dog	12

	Breach of Policy Requirement	Points
	Failure to adhere to dress code	3
	Failure to wear a driver's badge	4
	Failure to behave in a civil and orderly manner	6
	Failure to ensure the safety of passengers	6
	Concealing or defacing a vehicle licence plate	4
	Failure to attend on time for a pre-arranged booking without reasonable cause	3
	Conveying a greater number of passengers than permitted	6
	Failure to give reasonable assistance with passenger's luggage	3
	Private hire vehicle soliciting for hire or accepting a fare that is not pre-booked	12
	Operating a vehicle that is not clean and tidy	2
	Carrying an animal other than belonging to a bona fide passenger.	2
	Driving without consent of the proprietor	5
	Smoking in a licensed vehicle at any time	6
	Operating the horn as a means of signalling that a vehicle has arrived	3
	Using a non-hands free mobile telephone whilst driving	4
	Failure to advise of a relevant medical condition	8
	Failure to provide a receipt for a fare when requested	2
	Failure to operate the meter from the commencement of the journey and/or charging more than the fixed charge for hire of hackney carriages	12
	Failure to notify the Council of any amendment to the details of a licence within fourteen days	3

	Failure to notify within 14 days of starting or terminating employment, the name and address of the proprietor and term of employment	3
	Failure to show a private hire driver's licence to the private hire operator at the commencement of employment	2
	Failure to surrender a driver's licence, badge or plate upon request	6
	Failure of a licence holder to disclose convictions within seven days of conviction	8
	Failure to check vehicle for lost property or to report lost property in accordance with policy	3
	Failure to report an accident within seventy two hours	6

	Failure to comply with the requirements for the safe carrying of a wheelchair	6
	Operating a vehicle that does not comply with the Council's licensing policy where such a breach of policy requirements is not otherwise specified herein	6
	Failure to carry an approved fire extinguisher	3
	Operating a vehicle which is not maintained in a clean and/or safe condition internally or externally	3
	Modifying a vehicle without the consent of the Council	3
	Failure to display in the prescribed manner or maintain external licence plate or door stickers	4
	Hackney carriage vehicle signage not in accordance with the Council's requirements	4
	Affixing or displaying a roof sign on a private hire vehicle	4
	Displaying a sign or advertisement on a licensed vehicle contrary to the Policy requirements or which has not been approved by the Council	4
	Taximeter does not conform to the Council's requirements	6
	Operating or driving a vehicle which does not comply with the Council's Policy requirements	6
	Driving with no insurance or inadequate insurance for the vehicle	12
	Allowing a vehicle to be used for hire by a person who does not hold a current driver's licence	8
	Operating a vehicle which does not comply with the Council's requirements in relation to tinted windows	4
	Permitting the vehicle to be used for any illegal or immoral purposes	12

	Failure of a private hire operator to provide a prompt, efficient and reliable service	3
	Failure to ensure that premises provided for the purpose of booking or waiting are kept clean and are adequately lit, heated and ventilated	3

	Failure of a private hire operator to ensure that vehicles attend bookings punctually	4
	Failure to act properly upon the receipt of a complaint or to notify immediately the Licensing Officer	4
	Failure to notify the Council of any changes, including change of address from where the business operates within 14 days	3
	Failure of a private hire operator to ensure that all vehicles operated by him are adequately insured	6
	Failure to disclose in writing within seven days details of any conviction or police Caution imposed on him to the licensing section	12
	Failure to notify the Council of any vehicle used by the Operator which is involved in an accident within 72 hours	6
	Failure to maintain or produce records of private hire bookings, vehicles, drivers or other documents required to be kept or produced in accordance with s.56(2) &(3) of the Local Government (Miscellaneous Provisions) Act 1976, See above	6
	Failure of a private hire operator to have valid public liability insurance for the operating premises if the public are allowed access	8
	Failure of a private hire operator to ensure that every driver employed by him has a private hire licence and badge	4
	Failure to make the Operator's licence available for inspection, in accordance with s.56 of the Local Government (Miscellaneous Provisions) Act 1976	4
	Any other contravention of the Policy not covered above	2-12



This Report will be made public on 10 March 2020.



Report Number **C/19/75**

To: Cabinet
Date: March 18th 2020
Status: Key Decision
Responsible Officer: Andy Blaszkowicz – Director, Housing & Operations
Cabinet Member: Cllr John Collier, Cabinet Member for Property Management & Grounds Maintenance

SUBJECT: PLAY AREA STRATEGY 2020-2030 – CONSULTATION RESPONSES & OUTCOME

SUMMARY: Report No. **C/19/48** considered the draft Play Area Strategy 2020-2030 as presented to Cabinet on 11/12/2019. The report detailed how high quality play areas will be provided and maintained throughout the District over the next ten years. Cabinet resolved:

1. That report C/19/48 be received and noted
2. That the suggestion of sites to be sold in respect of non-strategic play areas be removed
3. That the principles of the draft Play Area Strategy 2020-2030 and associated action plan be approved
4. To proceed to formal consultation
5. That a report be brought back to Cabinet following formal consultation with a view to approving the Strategy from 1st April 2020

These resolutions have been actioned with the formal consultation beginning 20/12/2019 and concluding on 31/01/2020. This report summarises the consultation responses and minor amendments to the strategy.

REASONS FOR RECOMMENDATIONS:

Current play area provision across the district is unsustainable. The Play Area Strategy 2020-2030 outlines how the Council will work with partners to provide a sustainable network of Priority and Strategic Play Areas across the District. Cabinet are asked to consider the responses to the formal consultation, the minor amendments to the draft strategy and approve the draft strategy which sets out clear direction of how these important community facilities will be managed, maintained and enhanced over the next ten years.

RECOMMENDATIONS:

- 1. To receive and note report C/19/75.**
- 2. To note the consultation responses to the draft Play Area Strategy 2020-2030 and associated action plan.**
- 3. To note the minor amendments to the draft Play Area Strategy 2020-2030 and associated action plan.**
- 4. To approve the draft Play Area Strategy 2020-2030 and associated action plan and provide delegated authority to the Director, Housing & Operations to implement the draft Play Area Strategy 2020-2030 from 1st April 2020.**
- 5. To note and approve the proposed amount of up to £250k for Dowry payments to Town and Parish Councils for the transfer of SIPA and NSPA designated play areas to be met from the General Fund Vehicles, Equipment and Technology Reserve.**

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1. INTRODUCTION

- 1.1 The Play Area Strategy 2020-2030 follows on from the report Planning for Play in Shepway 2007-2012 which was developed by Folkestone & Hythe District Council (F&HDC) and the Shepway Play Partnership (a range of organisations and agencies involved in the Play sector) in response to a commitment from central Government to raise the national profile of Play. Since the 2007 Strategy was adopted by F&HDC there have been many improvements to play provision in the district as well as changes to the available resources to manage and maintain features. It is therefore now timely to review and update the Strategy which will guide the management and maintenance of play spaces in Folkestone & Hythe District over the next 10 years.

2. BACKGROUND

- 2.1 There are 85 play areas in the Folkestone & Hythe District. Of these 48 are owned by FHDC corporately or through the HRA. The other play areas are in the ownership of a multitude of other organisations including Town and Parish Council's and Housing Associations. FHDC have further agreements in place to manage and maintain some of these play areas on behalf of the other organisations.
- 2.2 With the exception of the play areas at the Coastal Park and the Royal Military Canal (Seabrook) the Council has a maintenance budget of £20k. With aging play areas this is clearly not a sustainable position.

3. THE PLAY AREA STRATEGY 2020-2030

- 3.1 The Strategy is set out in three parts; the vision which sets out FHDC's aim for the future of play provision within the District; the objectives of the Strategy which set out how we will implement the vision and an action plan which sets out how we will achieve the objectives. The full draft strategy is included as **Appendix 2** of this report.

3.2 Vision:

Play experiences are fundamental to the health and development of children and young people. Folkestone & Hythe District Council will therefore seek to ensure all residents are able to access a high quality and high value play area. We will work with town and parish councils, together with other providers, to create play spaces which offer challenging and exciting environments for children and young people of all ages and abilities.

- 3.3 The Shepway Play Area Review (2017) provides an assessment of play areas in the district in terms of quantity, accessibility, location, value and quality.
- 3.4 National guidance suggests that play strategies should be based on locally derived standards. These standards are determined through analysis of

existing provision of play spaces, consideration of local and national standards for play and an understanding of local need. The proposed standards for Folkestone & Hythe District are set out in the Shepway Play Area Review (2017) and Section 4 of the Strategy.

- 3.5 FHDC acknowledges that, due to ongoing financial constraints facing local authorities, achieving these standards in the Folkestone & Hythe District will be a challenge. It is therefore proposed that any investment will be prioritised on the management and enhancement of play areas where there is considered greatest need i.e. play spaces located in areas with the largest concentration of children and young people. Based on this assessment 9 play areas have been identified as being priorities for FHDC known as Priority Play Areas (PPAs). The Strategy identifies another 5 PPA's within the district in other ownership. FHDC will work with town and parish councils to identify priority play spaces in their areas.
- 3.6 In addition FHDC will work in partnership with Town and Parish Councils, together with housing trusts and other community groups, to deliver a network of Strategically Important Play Areas (SIPAs). The network of SIPAs has been identified with the aim of ensuring the majority of the district's residents live within a 15 minute walk of a high quality and high value play area. FHDC will look to transfer these sites to the Town and Parish Councils who are best placed to provide these facilities for their local residents.
- 3.7 Those play areas not considered to be part of this network will be known as Non-Strategic Play Areas (NSPA) and will be offered to FHDC's partners **and stakeholders** as part of an asset transfer. If after one year no interested parties come forward, play equipment will be removed from these play areas and the ground returned to open space.

3.8 Objectives

The Shepway Play Area Review (2017) identified a need to take a strategic approach to future play area provision in the district. The following objectives and supporting action plan (see Section 7 of the Strategy) have been informed by the findings of the Play Area Review, which involved desk based analysis, stakeholder consultation and an audit of play areas

- 3.9 The Strategy includes 6 objectives that are set out to deliver the vision; how each objective is achieved is set out in detail in the Strategy and subsequent action plan.
- **Objective 1:** Improve the location, quality, value and accessibility of play provision for all children and young people
 - **Objective 2:** Effectively utilise planning policy to benefit play provision
 - **Objective 3:** Raise awareness of play opportunities and the importance of play
 - **Objective 4:** Maximise funding opportunities for the maintenance and enhancement of play areas

- **Objective 5:** Communicate and engage with key partners and stakeholders
- **Objective 6:** Ensure appropriate and regular communication and review

3.10 **Action Plan;** this sets out the programme of actions which will be carried out to meet the vision for play in Folkestone & Hythe District. It lists each management objective, how each will be achieved and who is responsible for achieving them. Where appropriate a priority level is indicated and further considerations highlighted. The programme will be reviewed annually and targets monitored to ensure actions have been achieved.

4. CONSULTATION

- 4.1 The consultation commenced 20/12/2019 and concluded 31/01/2020.
- 4.2 The consultation documents were published on the FHDC website with all affected organisations, stakeholders and partners notified by email.
- 4.3 Consultees included; KCC, all Town and Parish Councils, RDH Charitable Trust, all known community groups with an interest in play provision, NHS and other stakeholders.
- 4.4 A summary of the consultation responses and recommended actions is set out below with the full consultation results detailed in Appendix 1 of this report.
- 4.5 In total **83 responses** were received by the Council which are summarised below.
- 4.6 1 to purchase land.
Responses from 4 Town or Parish (Burmarsch/Hythe/Hawkinge/St Mary's in the Marsh)
1 from the Labour Party
1 from KCC Member
2 Charitable Sector
- 4.7 **Responses stating individual parks;**
- Pine Way – 5 responses
 - Densole Way – 1
 - Oakham Drive - 11
 - Brabner Park - 1
 - Campbell Road - 1
 - Atkinson Road - 8
 - Country's field - 1
 - Wraightsfield - 1
 - George Gurr - 5
 - Oakland's - 6
 - Heron Forstal - 1

Mackenzie Drive - 3
Peregrine Close - 1
Reachfields - 1
Southern Way - 1
Jefferstone Lane -1
Meads Way – 1
Oak Drive – 1

In addition to this there were many responses for Hawkinge on the whole, with the vast majority received after factually incorrect signs were posted by an unknown person or persons.

4.8 Themes and recommended actions

- Ownership corrections (2 of these which will be amended within the strategy)
- Play provision – The type and amount of equipment found within parks was commented on, responses pointed towards different parks offering different ages of equipment, which was seen both as a positive and negative item. No action is needed with regards to the strategy.
- Closure – The vast majority of responses (49) came after signs which contained false information were put up at all parks by an unknown person or persons. FHDC does not want to close any parks, and is working with Towns and Parishes to avoid this. No action is needed with regards to the strategy. It should be noted that none of these responses referred directly to the Play Area Strategy.
- Designation – Comments came in regarding re-designating parks as some felt the importance of their local park was not recognised. However the parks have all been put through the same process to be designated appropriately. See strategy for methodology and reasoning.
- Funding - A number of consultees were seeking information regarding how funding could be sought in the long term. Parish and Town Councils are able to work with the charitable sector to secure funding and will also receive their share of CIL funding. It should be noted that both Towns and Parish councils can apply for further CIL funding when available. No action is needed with regards to the strategy.
- Accessibility – a comment was received highlighting a lack of accessible equipment, and this is noted within the strategy and action plan. Before any major updates all parks will receive a fully accessibility audit as per the action plan. No action is needed with regards to the strategy.
- Budget – A number of comments referred to the budget the Town and Parish Councils would need to manage the parks should they transfer. FHDC will provide Dowry's based on a 5 year maintenance contribution payable upon transfer. Detail has been added to the strategy page 29, Objective 4, No.7. No budget provision exists in the General Fund for the Dowry payments and

it is estimated the total cost could be up to £250k. It is proposed to meet the cost from the Council's Vehicles, Equipment and Technology Reserve.

- Developer Management of play areas – A comment was received regarding previous parks where management companies and developers had dissolved and therefore leaving parks unmanaged and neglected. This will be picked up with strict planning policy. No action is needed with regards to the strategy.
- Consultation Duration – a number of comments were made with reference to the consultation period including the Christmas and New Year period. All written with the same wording. The consultation timeframe was carefully considered and appropriate. No action is needed with regards to the strategy.

5. ENGAGEMENT

- 5.1 Throughout the consultation period discussions have continued to take place with Town and Parish Councils regarding the transfer of Play Areas. Officers feel that the conversations have been really positive.
- 5.2 The transfer of 8 play areas has been agreed with Folkestone Town Council.
- 5.3 The transfer of 1 play area has been agreed with Sandgate Parish Council.
- 5.4 The transfer of 1 play area has been agreed in principal with New Romney Town Council.
- 5.5 The transfer of 5 play areas is ongoing with Lydd Town Council.
- 5.6 Discussions are taking place with other Town and Parish Council's over the transfer of other play areas across the district.

6. RISK MANAGEMENT ISSUES

Perceived risk	Seriousness	Likelihood	Preventative action
Play Area Strategy not adopted	High	Low	Detailed and thorough ongoing consultation with all stakeholders to ensure strategy is adopted
Town and Parish Councils not willing to adopt play areas	High	Low	Detailed and thorough ongoing consultation with all stakeholders to ensure strategy is adopted and dowry's sufficient to cover maintenance costs

Insufficient funding to maintain Priority and SIPA networks	High	Low	Work internally with planning to ensure S106 and CIL payments are directed to the right projects. Work with external partners and community groups to explore all funding opportunities
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6. CONCLUSION

- 6.1 Officers have concluded that the consultation responses and the discussions that have been taking place during the consultation period have generally been positive and supportive of the strategy. No responses have been received that would require any material changes being made to the strategy.
- 6.2 The majority of responses that were received were in response to signs which contained false information that were put up at all parks by an unknown person or persons or relating to single play areas and the fear of them closing. Officers have been working hard with Town and Parish Councils over the potential transfer of the SIPA and NSPA sites which will alleviate these fears.
- 6.3 Following the consultation period, the responses received and the ongoing discussions with Town and Parish Councils, Officers recommend that the Play Area Strategy 2020-2030 is approved and should be implemented on 1st April 2020.

7. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

7.1 Legal Officer's Comments (NE)

There are no legal implications arising directly from this report. However, legal will be involved in relation to any transfers or leases of the play parks to third parties.

7.2 Finance Officer's Comments (LW)

The financial implication of providing the proposed Dowry payments is outlined in the report. Adequate provision is available within the General Fund Vehicles, Equipment and Technology Reserve to meet the cost of up to £250k. There are no other financial implications arising directly from this report.

7.3 Diversities and Equalities Implications (AB)

The Strategy sets out a clear vision to develop a network of Priority and Strategically Important Play Areas so all residents have access to high quality, high value play areas. All new and refurbished play areas will

undergo an equalities impact assessment during the design process to ensure that they meet the needs of all of our residents.

7.4 Communications Implications (KA)

This will need to be handled with care and a communications plan has been developed to mitigate the communications implications arising from this strategy.

8. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Andy Blaszkowicz, Director – Housing & Operations

Telephone: 01303 853684

Email: andy.blaszkowicz@folkestone-hythe.gov.uk

Appendices:

Appendix 1: Play Area Strategy 2020-2030 full consultation results

Appendix 2: Draft Play Area Strategy 2020-2030

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Whom	Owner	Park	Town / Parish	Comment	Themes	FHDC Comment
Individual	Places for Homes LTD	Pine Way LEAP NSPA Transfer to FTC or close	Folkestone Town Council	The park next to Harcourt primary school would very much appreciate some funding. Currently it is used so much by the local community but there is hardly anything for the kids to play on. As long as it is dry then children leaving Harcourt school use this every day. I previously asked for a bench and this was granted. Sadly this was vandalised overnight. It's a small park but if you were to come to see it on a dry day the local community are using it so much. Any new equipment or facilities given would be so gratefully received.	Play Provision	This park is close to Harcourt Primary school and is in a convenient location for children before and after school. It is also close to Firs Lane Play Area and contains a larger array of equipment. This area is within the catchment area of Cheriton Recreation Ground, which is the designated PPA. Folkestone Town Council have agreed to adopt this park.
Burmarsh Parish Council	Burmarsh Children Fund	Burmarsh Recreation Ground NEAP SIPA	Burmarsh	Thank you for the opportunity to see this Play Area Strategy document. I am writing to correct the reference to the Burmarsh Recreation Ground Play Area in Appendix 2. The ownership and management of the play area is the responsibility of the Burmarsh Children's Fund, which is an independent charity separate from the parish council. I hope this is helpful and that the information can be corrected in the final document.	Ownership	FHDC will update the strategy as necessary.

Roger De Haan Charitable Trust	N/A	N/A	Charity	<p>I represent The Roger De Haan Charitable Trust and wish to respond to the consultation on the play area strategy. By way of context this charity has donated £1,757,294 to playparks in this district since 2008. With this in mind it is felt that the strategy does not place sufficient emphasis on the role of the charitable sector in assisting the council in this task. There are a couple of mentions but more could be made of this.</p> <p>We remain open to further bids providing a maintenance body and strategy is in place. We are pleased to note that the ones we have funded remain in the plans for district, town or parish maintenance. One major point to note is that this charity along with the Shepway Sports Trust will be opening the £16m Urban Sports Park in Tontine Street this coming summer – to be known as F51. Accommodating skate boarding, scooting, cycling, climbing, bouldering and boxing this will be a centre of national significance. The core facilities will be available to local school children at only £1 per month.</p> <p>This will address managed risk, healthy pursuits and facilities for teenagers and young adults like no other district in the land. This impact has clearly not yet been understood. We were also the major donors to Payers Park which is the best example in the district of teenage and young adult play. Unfortunately the aspirations for embracing the risk benefit approach are not embraced by other parts of the council with a role in this. Both of</p>	Charitable Sector contributions	FHDC understands the importance of the charitable sector in funding and maintaining parks. The Roger De Haan Trust has provided great and considerable support to play within the District and will continue to be a strategic partner in the future. However FHDC is unable to include F51 as part of this strategy as it is not a free to use park.
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				these facilities are in the heart of the district's most deprived ward. Subject to these comments the strategy adequately explains the council's approach to managing resources and expectations going forward.		
Individual	FHDC Housing	Densole Way LEAP SIPA	Folkestone Town Council	Please could you consider updating the park in Densole Way as it's dilapidated & boring! I heard that it was going to be done in 2018 but was halted due to residence objecting as they were concerned Teenagers might hang out there? Ridiculous! Any how we have more under 13 year olds on the estate now so they need it.	Play Provision	Densole Way is a SIPA and is the only play area identified within Densole. Folkestone Town Council have agreed to adopt this park.
Hythe Town Council	N/A	N/A	Hythe Town Council	<ol style="list-style-type: none"> 1. P&W expresses concern over the possible outcomes for "non-strategic play areas" that are not adopted within 12 months and seeks reassurance that processes will be put in place to ensure that there is no sudden abandonment of such areas. 2. P&W expresses approval that St George's Place is designated as a strategic play area but queries why Oakland's Park playground is not similarly designated. 3. Otherwise, P&W expresses no objection to the Play Area Strategy. 	Closure Designation	<ol style="list-style-type: none"> 1. NSPA play areas that are not adopted will be shut as per that strategy, however FHDC seeks to avoid this. 2. St Georges place is identified as a SIPA because it is the largest and most equipped park in that area. Oakland's park is found within the catchment areas of both The Green which is a PPA and Hythe Skate park which is a SIPA

<p>Hawkinge Town Council</p>	<p>HTC</p>	<p>N/A</p>	<p>Hawkinge Town Council</p>	<p>1. Are we as a Town Council eligible to secure external funding? 2. How was the community funding for Radnor Park Play Area achieved? 3. Is it possible to request Blenheim Drive and Kettle Drive to become Priority Play Areas, with a special interest in creating a skate park?</p>	<p>Funding Designation</p>	<p>1. Parish and Town Councils are free and eligible to secure external funding to support play area improvement. 2. Radnor park funding was achieved through collaboration with the community group who sought external funding, the Roger De Haan charitable trust, FTC and a s106 contribution. 3. There is currently no PPA within Hawkinge, because of the abundance of other play areas locally. It may be that future funding is designated to certain parks and the need for a PPA is identified. FHDC will continue to work with HTC with regards to play area improvements, transfers and designation.</p>
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Labour Party	N/A	N/A	N/A	<p>Folkestone and Hythe Labour party would much rather have seen a strategy which seeks to improve and extend play provision as well as working towards making the existing provision consistent in quantity, quality, repair and appearance; at the same time working towards the District's Corporate Plan to improve and maintain the health of residents, including children and young adults.</p> <p>Instead the strategy reads as a cost cutting exercise, by transferring responsibility onto Town and Parish Councils without meaningful funds from the District, reducing any opportunities to improve health through physical exertion /exercise.</p> <p>If some play areas are cleared and possibly sold then it will be even harder to achieve the Field in Trust benchmark of 0.25 hectares per 1000 head of population for equipped/ designated play areas which is something the Council should be seeking to achieve. The District seem to be retaining the best and well maintained play areas going forward, this is unfair. The previous report (2017) undertaken by LUC, highlighted ALL the play areas needing remediation work (because every play area was visited and reported on) and this proposed strategy is a poor response.</p> <p>Unless the consultation period is extended beyond 31st January 2020 it is unlikely the Council will receive many responses to it, as much of the consultation window has been during the holiday</p>	Funding / Designation of Parks	<p>The play strategy has been designed to ensure there is suitable play provision considering the demography of the district. Such is the demand on the budget, play parks must be aligned with the demand and the funding requirements to make all parks the same quality as the PPA's would be unviable. By focusing on the PPA sites FHDC can ensure quality and standards of play. It can then work with the Parish and Town Councils to deliver the SIPA and NSPA sites that are suitably provisioned considering the catchment areas. FHDC is proposing a dowry to be provided with each park to support the Parishes and Towns with the adoption.</p>
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				period, therefore reducing time for people to thoroughly read and respond at all.		
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Individual				<p>The strategy outlines the Council's explanation as to why it is taking this approach, to save money by devolving responsibility to local TCs and PCs in a very short time frame i.e. to start this year April 2020.</p> <p>The approach set out seems to be rushed leaving little time for PCs and TCs to fully understand the implications at a local level, let alone the residents impacted. This consultation may have started December 19th 2019 but realistically 2 weeks of that was a holiday period, so not a lot of time for people to respond. I must have missed the challenging circumstances identified at a national level.</p> <p>The idea to transfer responsibility for play areas to the local town council or parish council could be seen as a double edged sword, they can and will do a good job but they'll need the funds from the DC budget. There is no mention of any monies attached to any transfer. The DISTRICT Council has neglected many play areas, which seem to be located in the most deprived area of the district, over many years. This is only highlighted in the report as a problem resulting from extremely low overall SUCCESS. Will there be a central maintenance issue/s reporting facility as TCs and PCs TCS are not as available as District. It seems the 106 funding stream will be controlled by District with no say by the TCs I do not understand why capital has not been set aside for play areas as the District has spent millions on other projects.....so the play area strategy is where exactly on the list of priorities? Will the TCs and PCs own the grounds</p>	Funding	<p>Discussion with Town and Parish Councils have been on going and remain positive. Dowries will be included in any transfer. Land will be leased.</p>
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				<p>once transferred? In conclusion on the surface the strategy seems clear but on further reading there are many unanswered questions so I would hope the strategy is rejected at this stage. It cannot be morally right to potentially remove/lose 50 play areas.</p>		
Individual				<p>What would be good accessibility for all within the final park, the wheelchair swing in Radnor park is great but to the side of everyone else playing and not anything else really. New Romney's swing is alongside the other swings and is a seat with harness also can just about get a small wheelchair on the roundabout but that's about it.</p>	<p>Accessibility</p>	<p>As per the strategy - before any large refurbishment or investment takes place a full equalities assessment will take place.</p>

<p>Southern Housing Group</p>	<p>Southern Housing Group</p>	<p>Daglish Close NSPA</p>	<p>New Romney</p>	<p>The play area in Daglish Close, New Romney Kent is actually owned by Southern Housing Group.</p> <p>The play area was built before I took over management for the area and the land was purchased by us from yourselves I believe in order for us to create affordable housing. It would appear that at some stage during us purchasing the land from yourselves that an agreement was made for you to maintain the park, the park does have signs on stating that you are responsible however a land registry search has shown the land to be ours. We have not been able to find a management agreement and nor have yourselves as to why or how it was agreed the LA would manage this park.</p> <p>Obviously this has been deemed a NSPA. However as the land belongs to us we would look to take this back to our management.</p>	<p>Ownership</p>	<p>The strategy will be updated to reflect this. We are working with Southern Housing Group to ensure future maintenance.</p>
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<p>St Mary's in the Marsh Parish Council</p>				<ol style="list-style-type: none"> 1. The draft strategy is vague on finance. 2. Two play areas in the parish, both the responsibility of the district council, have been taken out of use over the last 3 years as they have both been neglected and allowed to fall into disrepair. Consequently the district council's vision for play provision 'Play experiences are fundamental to the health and development of children and young people. District Council will therefore seek to ensure all residents are able to access a high quality and high value play area' would appear to be contradictory to its actions. 3. For this reason this parish council would like to be guaranteed its fair share of the budget to ensure the play parks are repaired and put back into use. 4. The district council must acknowledge its responsibilities and provide adequate budget provision for maintaining its responsibilities and any form of devolvement to the parish council will be resisted as this will be considered double taxation. 5. With regard to new development, put in place a long-term solution for the upkeep of any play park provision that forms part of a planning development. As time moves on, these companies who are responsible for maintenance are no longer operational and consequently the play areas are left to deteriorate. 	<p>Budget Developers long term management</p>	<p>A budget has been designated for dowry payment, which includes 5 years' worth of maintenance payments. Two play areas have been have been closed due to a lack of funding to support the parks, the strategy aims to stop this happening in the future. The strategy will put in place funding mechanisms to ensure it is directed to the appropriate areas. It is aimed that there are secure mechanisms in place to ensure the longevity of any parks.</p>
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MOD	MOD	Mackenzie Drive	N/A	It has been brought to my attention that the council have attached a notice to our MOD owned play park on Mackenzie Drive stating that the play park is to be asset-stripped, closed and sold. This play park is owned by the MOD and as such you have no right to close it. I have read through your play park strategy 2020-2030 and it clearly states that this play park is owned by the MOD. I would appreciate a call back asap and in the mean time I will endeavour to contact you by phone.	Ownership	The sign mentioned in this response was not attached by FHDC and stated incorrect facts. A response has been sent to the MOD.
Individual	FHDC Housing	Oakham Drive NSPA	Lydd	My children have just found out that their local park may be closing. They are so disappointed and question why anyone would take a park away from children - it's hard to explain to a child that it's because money is more important than them - so they wanted to try and help save their park!	Closure	Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA.
Individual	N/A	N/A	Hawkinge	Why is this happening its wrong once again Hawkinge gets the dirty end of the stick don't tell me it's not just Hawkinge I'm not worried about them just where I live so a response please.	Closure	FHDC is working closely with Hawkinge Town Council to ensure the asset transfers are efficiently and effectively achieved.

Individual	FHDC Housing	Brabner Park	Folkestone Town Council	I have just seen a sign for the closure of this park to be sold I personally feel this would be a terrible mistake this park is a good size for plenty of children to play safely at once and also encourage children who don't know each other play together many times I have popped to this park and the children don't want to leave because they enjoy the children who got to this park it has the fence all the way round Radnor Park don't. I can't let my young children run at Radnor is why we choose this park if u take away the parks you have more n more children getting into trouble with nowhere to go more n more children are being told they are overweight yet u take away places that can help maintain a healthy weight I don't have the money to go to fancy days out I will not take my children to the coastal park because it's a perfect place for ppl to use drugs easy to disappear to beach I can't watch all the children at once time at this park again y we use the park at bottom of Capel hill I feel a toilet block and cafe or something all in one would be better use of this park better maintained park makes it more attractive to all please reconsider closing this park.	Closure	The sign mentioned in this response was not attached by FHDC and stated incorrect facts. There is no plan to close or sell Brabner Park. It is a designated Public Open Space a SIPA and a PPA
Individual	Hawkinge Town Council	Campbell Road Park, LEAP NSPA	Hawkinge	I see a sign today stating that the park will be removed but it's a massive asset to this part of Hawkinge. I don't agree with the fact it should close What else will local kids do except vandalise? Massive way to crush the community.	Closure	The sign mentioned in this response was not attached by FHDC and stated incorrect facts. The play area is within the catchment area of the SIPA Kettle Drive. Both are managed by Hawkinge Town Council and therefore FHDC

						has no plans to shut them as part of this strategy.
Individual	Hawkinge Town Council	Atkinson Road, LAP	Hawkinge	I have just seen on Hawkinge Residents page on Facebook that plans are afoot to close the play area located in Page Road. A lot of residents are understandably upset at this as there are not enough play areas in a vastly populated place such as Hawkinge as it is, especially for under 5's. Whilst my grandchildren, that visit regularly, are not able to use that facility as they are under 5 and the equipment is not suitable, there will come a time shortly that we would have visited it to let them play there. We are now most concerned that removing an existing, albeit very small play area is a total contravention to your stated policy that we have looked at online. Please reassure me that the facilities in Hawkinge will improve rather than disappear.	Closure	The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park.

Individual	N/A	N/A	Hawkinge	<p>I live with my family in Hawkinge. We have two small children one is one the other is three. Both love outdoor play. What made Hawkinge an appealing area to live in was the variety of parks it has to offer. My daughter loves to choose where to play and explore. It means we have activities on our doorstep which are free, promote exercise and do not require a car to travel to. We often see her nursery friends at the parks which promotes social inclusion, boosts emotional wellbeing and adds to the wonderful community spirit. Hawkinge is a more expensive area to live in but we did not mind as Hawkinge is family friendly with parks for children to play and a children's centre for structured activities. We, along with our friends in Hawkinge cannot see any positive outcome to closing our parks. My daughter would be so upset if I had to tell her much loved parks had gone. I sincerely hope this will not happen. Where else can we walk to exploring wildlife on the way? This decision has a big impact on all family members. Please advise on what we can do to keep our parks which add so much to our children's happiness.</p>	Play Provision	<p>Hawkinge has an array of parks, many of which are already managed by Hawkinge Town Council. Discussions have been ongoing with Hawkinge Town Council and remain positive.</p>
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Individual	N/A	N/A	Hawkinge	<p>As a resident of Hawkinge with small children, I want to voice my concern about the plans to transfer the Hawkinge play parks over to HTC and have the prospect of these being asset striped and closed if no committee/group takes over the running of these. Play parks are an essential part of the community. In Hawkinge we are lucky enough to have a few small local parks - there are very few which are suitable for under 6s. My 2 daughters love going to the park, and being able to walk to the park means it more accessible and easy for us to go when we want for 20-30 mins. It's easy to meet other local kids there and they are a vital part of our community.</p> <p>Going to the larger parks in Folkestone means driving there, finding parking. These parks are often busy which makes supervising smaller kids more difficult and they tend to get pushed and knocked out of the way by the bigger kids - not a great experience. It is not possible for kids to play safely outside most houses on Hawkinge -. Cars are parked on pavements, it is unsafe - as a parent I am happier knowing that there are safe play spaces available - why close them?</p> <p>In an age where we are trying to get kids out, playing and away from screens, the parks should be excluded from any cuts. If you want to cut costs, try removing the outside gym from the corner of Page Road - on 5 years living here I've never seen anyone use it.</p>	Play Provision	<p>Asset stripping formed part of the blanket signs attached to play areas by an unknown individual or group that stated incorrect facts. Hawkinge has a large quantity of parks and discussions with Hawkinge Town Council regarding transfer have been positive. The play strategy also highlights the importance of local play areas, and we are working with Towns and Parishes to deliver these.</p>
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Individual	Hawkinge Town Council	Atkinson Road, LAP	Hawkinge	<p>I have been made aware of the below sign on the children’s playground off page road in Hawkinge. I am absolutely appalled that this park is being considered for removal. We take our two young children to this park regularly, despite living near the Pannell Drive park. The page road park is ideal for smaller children and is well equipped with number of apparatus (the Pannell Drive park just has a net and slide and is not great fir a 5 year old).</p> <p>Being at the end of a long path cycle path it’s also perfect for children to cycle to....a great incentive for children just starting to cycle independently. The cycle path connects the park and the primary school, so a number of school children use this. Considering the amount of houses and children there are in Hawkinge, it is shocking that children’s playgrounds are being considered for removal. If anything I would have thought there was need for more parks / better equipped parks suitable for all ages and not just for older children. I sincerely hope you reconsider.</p>	Closure	<p>The sign mentioned in this response was not attached by FHDC and stated incorrect facts. The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park.</p>
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Individual	FHDC	Pine Way LEAP NSPA	Folkestone Town Council	<p>My name is xxx and I am a resident on Pine Way. I am disclosing this immediately as I appreciate I do have a specific area of local knowledge. I am concerned that looking at the plans it appears that the Pine Way park is not included. I appreciate that everyone would like a park very close by and that actually a 15 minute walk to reach one is reasonable. However, this 15 minute walk is straight line and does not look at the demographic/ safe walk etc. from house to park. I think that the Pine Way park should be kept. It is immediately next door to Harcourt Primary school and it is used before school and after school EVERY dry school day, and actually a number of wet school day too. With the increase in childhood obesity this is one of those parks that directly impacts on a large number of local children. This park is also designated as dog free which on a personal level has been excellent for my child who is quite timid around dogs. As a busy working parent having somewhere so close to school means that the 30 or so minutes running around after school is practical and convenient, as someone is picking up the child and is able to immediately access the space- so it only adds 30 minutes for a 30 minute run around. In a housing area with very small or limited gardens this may be the only time on a weekday the children have.</p> <p>On a practical “parent “level we also used this park for the children to learn to ride their bikes and scooters. It has the long path through it which is perfect. Cheriton park does not have such a good</p>	Play Provision	<p>This park is close to Harcourt Primary school and is in a convenient location for children before and after school. It is also close to Firs Lane Play Area and contains a larger array of equipment. This area is within the catchment area of Cheriton Recreation Ground, which is the designated PPA. Folkestone Town Council have agreed to adopt this park.</p>
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				<p>area for this as the concrete area is mostly used by older ball players, and the paths are less straight. A number of people also use Cheriton park as a cut through / walk through to the dog exercise area which is again off putting when teaching a child to ride. We use the Pine Way park several times a week for bike riding. Sadly I am not an expert in policy making nor statistics. However, I do believe that this parks location would make it a sad loss to the local residential community and also the school user community. I would also be concerned as to what would happen to the land in the event of losing the park facilities. Thank you for taking the time to read this. It is the first time I've ever taken the time to respond to this type of consultation or to email my local councillor. So hopefully it all makes sense.</p>		
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Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	<p>I would like to express my disappointment that you have chosen to close down the play park in Lydd in the Oakham Drive, Romney Marsh, Kent. I have friends in this area who I spend a lot of time in the area, the freedom this gives to their children and in a world where we are no unsafe to let our children play this is a huge disappointment and means now her children with have nowhere to go.</p> <p>With the population of children being branded as obese and unhealthy the council is no longer supporting parents as you are taking away activities that get the kids out playing with their friends rather than sitting in on the computer. I appreciate the funding however with council tax keep going up! And what for. Areas like this need to be for our kids of the future, the wildlife as well in this area will be disturbed all for it to become nothing. Come on surely this can be changed!!</p>	Closure	<p>Oakham Drive is a NSPA site and is found within the catchment area of the Rype which is a PPA.</p> <p>Discussions are ongoing with Lydd Town Council over the potential transfer of this and the other play areas in Lydd.</p>
Individual	(Country's field) Orbit Housing Association / (Wraights wright play area) FHDC	Country's Field. LAP SIPA / Wraightswright Play Area. LEAP SIPA	Dymchurch Parish Council	<p>Having just been made aware of a consultation on your Play Area Strategy 2020-2030 I am very concerned that the window of consultation included Christmas and New Year leaving little time for me to properly consider the strategy and respond in full. I hope you will extend this period. However, with my brief understanding I am concerned that many play areas for children will be closed reducing opportunity for the benefits of outside play and exercise. In Dymchurch the playgrounds which may be under threat are the ones in Countries Field by Dymchurch School and Salbris Close near Wraightsfield. This goes against one of your strategic objectives in your corporate</p>	Consultation duration Closure Budget	<p>The consultation period was of a suitable timeframe. As part of the strategy FHDC will work with Parishes and Towns to provide suitable and quality play. Dowries will be discussed with the appropriate bodies. Both Country's field and Wraightsfield are SIPA parks and FHDC will be working closely with Dymchurch Parish Council to support the adoption of these.</p>

				plan for “health matters”. Secondly as a council you have declared a climate crisis and yet the closure of local play facilities will surely mean that families will have to drive to ‘destination’ play areas. Finally, there is no mention of funding being transferred with the parks to the Town and Parish Councils so how will they be maintained?		
Individual	FHDC	George Gurr LEAP NSPA	Folkestone Town Council	We as a family of 6 regularly use this park as do so many other children/families from this area. It would be a great shame to remove this where else are the children to play? On the streets?	Closure	George Gurr is a NSPA because it is within the catchment area of the PPA Brabner Park. Folkestone Town Council have agreed to adopt this park.
Individual	FHDC	George Gurr LEAP NSPA	Folkestone Town Council	Please see attached letter opposing the closure of George Gurr park. One from my 9yr old daughter Eden and another from her 8yr old friend and neighbour Sky. They regularly use this park and were so upset to read the notice on the gate. It would be amazing if you could reply to them personally as they are very passionate about the matter and have said to myself that they’ll even clean the apparatus and keep the park tidy if it was to stay! Thank you for your time	Closure	George Gurr is a NSPA because it is within the catchment area of the PPA Brabner Park. Folkestone Town Council have agreed to adopt this park.

Individual	FHDC	George Gurr LEAP NSPA	Folkestone Town Council	<p>I am writing to oppose the pending closure of George Gurr Park. This is a well-used park by not only myself and my family but many residents of George Gurr Crescent. It would have a serious detrimental effect if it were to close. Many residents of George Gurr are not in the wealthy financial bracket and this park offers the children of this neighbourhood the opportunity to physically and mentally stimulate their children through play without a cost. It's a great social area for all and I know is well respected and looked after.</p> <p>Those without children use this park regularly to exercise their dogs and for some of the elderly their only way to see someone friendly all day.</p> <p>My children have hugely benefited from the park being such a close distance from their home and have formed firm friendships from this. They love the surrounding area and have learnt so much about the amazing wildlife we experience there also. This park is used all year round and in the summer we come together as a community for neighbourhood picnics whilst the children are safe playing on the apparatus. If anything we would like to see the swings reinstated and definitely not the park stripped. My 9yr old is so passionate about keeping this park that she has organised with her friend to write a letter herself which I will be forwarding on to yourselves. We as a community are deeply saddened at this proposal to close our park and hope that now you see how important it is to us that you will withdraw to proceed.</p>	Closure	George Gurr is a NSPA because it is within the catchment area of the PPA Brabner Park. Folkestone Town Council have agreed to adopt this park.
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				Thank you for your time in reading my letter.		
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Individual	FHDC	George Gurr LEAP NSPA	Folkestone Town Council	<p>I am writing to express my concern of the closure of George Gurr Park. At the top of George Gurr Crescent is a park which is well used (everyday twice a day for myself and my family). It needs to stay. Anyone who knows George Gurr Crescent and the surrounding roads will know it is very hilly and a lot of the gardens in George Gurr are not usable as a play area for the families they serve. Play is important for children as is physical activity. You state in your own strategy about the importance of play. It is beneficial to children to have an accessible outside space for their mental as well as their physical health. In a world where children are leading more sedentary lifestyles it is important that we do not deprive them of the outside space they need to grow and learn. Children develop gross motor skills if they have the space to run skip (or roll down a hill). This in turn allows children to burn calories and develop better sleep patterns as well as developing a better attitude towards a healthy lifestyle as they grow into adults.</p> <p>There are sights, such as the horse who likes to walk along the footpath at the top, smells, as well as the sound of birdsong. The area is also rich in wildlife. There are squirrels, foxes, mice as well as numerous species of birds a hawk and tits included. There are daisies which cover the grass in spring and summer as well as blackberry bushes and a footpath for walks up in the hills. My daughter is a lot more aware of wildlife since moving here and enjoys putting the bird feeder out to watch them.</p>	Closure	George Gurr is a NSPA because it is within the catchment area of the PPA Brabner Park. Folkestone Town Council have agreed to adopt this park.
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				<p>Neighbours meet each other in the park and children play together. I trust my daughter to go out with a friend to George Gurr park because it is yards from my house. I would not allow her to go to the next nearest park (Brabner) a 4 minute walk because it feels too far.</p> <p>Another worry is what will happen to the land? Who will buy it? And what will they do with it? More houses is definitely not a way forward because we already have too many cars parked on the road for the amount of room there is to park as well as the disruption it would cause to those that already reside here.</p> <p>George Gurr park needs to stay.</p>		
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Individual	Places for Homes LTD	Pine Way LEAP NSPA Transfer to FTC or close	Folkestone Town Council	<p>I am really concerned about the proposal to consider Harcourt park on Bigginswood road one of the parks that may potentially have its play equipment removed. I do understand what it who an interested party is or means...however your term of an asset transfer sound dubious. My family and my 3 children use this park every day. We are already really upset that play equipment has been removed and downgraded over the years. 2 of my 3 children have autism, we rely heavily on parks with play equipment that are able to meet their needs. Although an adapted the new play area in Radnor Park is noisy and populated for them.</p> <p>Removing Harcourt park would remove the possibility of my children walking to the park, due to their disability. I would have to drive them to even our closest park in Stanley road. I find this very upsetting. This park is so important to my community and our primary school, I see no value or gain to our community to have this vital play area removed. I use the park most days for sensory de-escalation when my youngest finishes school, just as many of the other parents do to. When will I be informed of the outcome of your decision? If anything Harcourt park requires more investment not less</p>	Closure	This park is close to Harcourt Primary school and is in a convenient location for children before and after school. It is also close to Firs Lane Play Area. This play area has more equipment than FIR's lane. This area is within the catchment area of Cheriton Recreation Ground, which is the designated PPA. Folkestone Town Council have agreed to adopt this park.
Individual	N/A	Hawkinge	Hawkinge Town Council	I want to save Hawkinge parks! My children are young and I want to be able to take them to their local parks!	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.

Individual	N/A	Hawkinge	Hawkinge Town Council	It's come to my attention that you plan to close the majority of parks in Hawkinge. I just cannot understand your reasoning for doing so. In a day and age where children are morbidly obese from a young age, where children sit indoors on devices you are encouraging these very things. It's incredibly sad that the vast amount of children in this area will now not be able to access any sort of outdoor play activity within walking distance. The population of Hawkinge has increased so much with a huge percentage being families and yet you plan to take away one of the most simple free pleasures in life which is the moment as a parent you say to your child 'shall we walk to the park today' and the joy on their faces when they get so excited to do so. What a shame for the children who live around here. You are going to devastate so many of them.	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.
Individual	N/A	Hawkinge	Hawkinge Town Council	Can you please advise me on how to object to the parks in Hawkinge being taken down? I and my family strongly object to this as my two small children use them all the time, I can't understand what benefit there possibly is to removing them!!	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.
Individual	N/A	Hawkinge	Hawkinge Town Council	Just an email regarding the closures of the parks in Hawkinge. This simply can't happen. The majority of Hawkinge is family based being ideal for young and growing families. The parks are so important to Hawkinge and the community even if it doesn't look like they are taken care of. A clean and upgrade only needs to take place once every 5-10 years. These parks must remain in Hawkinge. They must. Absolutely ridiculous to close them.	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.

Individual	N/A	Hawkinge	Hawkinge Town Council	We have lived in Hawkinge for 18 years and have seen the development of Hawkinge and have welcomed each of the play areas. We now have grandchildren so we often walk to the play areas for the children to play, get fresh air, socialise with other children and get some exercise. We have seen more and more houses being built and more families moving in so we need these facilities to remain and indeed ideally be updated and renewed for our community. Please review and think about how important these areas are for the amount of people, families and children that live in Hawkinge. We all pay enough council tax to ensure these facilities remain for us to use.	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.
Individual	N/A	Hawkinge	Hawkinge Town Council	I have learnt today that you plan to close most of the play parks in Hawkinge. I am both disappointed and find it difficult to understand how such drastic decisions have been made with little consultation with local residents. From reading your play area strategy I understand that no priority play areas are planned for Hawkinge. One of the only parks to be saved in Pannell Drive is unsuitable for young children meaning that that the only alternative is Kettle Drive which for young children is a long walk from West Hawkinge. Do you intend to develop Pannell Drive so that it is suitable for toddlers and young children? Corbett Road and Atkinson Road parks are a valuable place for toddlers and young children to play, they do however require maintenance and upgrading with a toddler swing. I would strongly encourage you to reconsider closing so many parks in Hawkinge and ensure there is ample social space for families to enjoy.	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive. There are no PPA sites within Hawkinge as there is a large quantity of alternative sites available, covering use by various age groups.

Individual	N/A	Hawkinge	Hawkinge Town Council	<p>I am very disappointed to read your play area strategy and am sending this email to formally notify you of my strong objection. The plans state that the number of play areas in the Hawkinge area will potentially be reduced to 2 which is completely unacceptable for an area with so much housing and so many families. I live opposite the Heron Forstal Avenue Park and see how much the park is used, especially in the summer. This is despite the poor condition of it and lack of repairs and maintenance. It is so important nowadays more than ever that children are given ample areas to play outside and to encourage activity.</p>	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.
Individual	N/A	Hawkinge	Hawkinge Town Council	<p>I have today heard the news that you are planning to close most of the parks in Hawkinge and I'm struggling to understand how this decision was made with little consultation from local residents. I have read your Play Area Strategy and quite frankly appalled that Hawkinge has no Priority Play Areas planned. In fact, one of the only parks to be 'saved' is in Pannell Drive and it is totally unsuitable for those under 7. Your document suggests that there should be a park in walkable distance for ages 0-25 and this will not be the case if Pannell is kept the same.</p> <p>Generally speaking, the parks in Hawkinge have not been maintained well and there needs to be serious investment into a large communal space that is suitable from ages 0+ (similar to the Radnor Park development), however I would argue that a few small parks are beneficial for those with younger children who are intimidated by large</p>	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive. There are no PPA sites within Hawkinge as there is a large quantity of alternative sites available, covering use by various age groups.

				<p>crowds and older children. The park at Corbett Road is the perfect place for this, although the equipment does need updating with a baby swing and a smaller climbing frame for toddlers. In a world where many children spend hours on tablet computers and in front of the TV, please do not take away such a valuable resource that is within walking distance, encouraging people to get outside with their children. I would implore you to reconsider closing so many parks in Hawkinge and include one large play area in Hawkinge as a Priority Park Area, making a social space for all ages to enjoy together.</p>		
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Individual	N/A	Hawkinge	Hawkinge Town Council	<p>It is completely unacceptable or acceptable that you are proposing to decommission the playgrounds in Hawkinge. These are used by children of all ages throughout the year and provide them with exercise and stimulation. Not only that but for many of the mums and dads these provide a reason to take the kids outside and get valuable fresh air and exercise. If they are to be taken away it will have a negative impact on the local commas a whole. Not only that but these are social meeting places for parents, some of who one have mental health problems and find these areas provide friendships, support and escape from the rigors of daily life.</p> <p>There is no justified argument for the selling and dismantling of these play grounds as their cost to maintain and up keep is minimal. The main cost is their construction in the first place but as this is not a factor why are they to be torn down? The cost to dismantle would pay for their upkeep for several years anyway. We all pay our taxes and as a tax pay I do not consent my contributions not going towards their upkeep anymore! I object on behalf of all the local residents with children in the town of Hawkinge unconditionally!</p>	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.
Individual	Hythe Town Council	Oakland's LEAP NSPA	Hythe Town Council	I'm writing to you reference Oakland's Play Park, to ensure I express how important this area is for the young children and parents of Hythe, the park is always busy and an essential area needed for this area which is local to the people of Hythe other parks would otherwise be in Folkestone that are suitable for toddlers.	Closure	Oakland's Play area is maintained by Hythe Town Council, therefore FHDC has no plans to close this park.

				I have been unaware of these plans until today, the day before the consultation ends and I'm sure lots of others will be too, but this park really is so important to the town.		
Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	<p>Please do not close & sell off this playground which is used by the locals. There are few playgrounds and greenery left. Plus, The Rype in Lydd can get very busy and means Oakham drive residents have to walkover a busy road to get to it.</p> <p>Why does every bit of green land have to be sold off? There will be nothing left soon bar roads & houses.</p>	Closure	<p>Oakham Drive is a NSPA site and is found within the catchment area of the Rype which is a PPA.</p> <p>Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.</p>
Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	<p>Hi my name is xx and lived in Lydd nearly my whole life. this park was built when I was a small child and was the only park I was allowed to go to on my own with my friends, as the other parks were As my mum would say "too far away" and this park was literally 1 minute walk from my house... why would you want to close a park!!! there's not a lot of places for kids to go as it is this is just going to encourage children/teenagers to walk the streets and possibly get into trouble...so unless you're going to close it to build a centre where all kids of all ages can go to meet other children and stay off the streets then please don't close the park! The park is a good place for people to let their children burn off some energy (encouraging exercise!)</p>	Closure	<p>Oakham Drive is a NSPA site and is found within the catchment area of the Rype which is a PPA.</p> <p>Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.</p>

Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	<p>We need to have this play area on this small estate as there are two major roads to cross to get to any other play area in Lydd. The children and parents from Harden Road and the roads off of this use this play area also, so we have a reasonably large catchment area. If the drainage of the area was sorted out has been promised and arranged with F&H this is due to be started within two months from now, there would be more children able to visit this area and actually use it during the wet winter months.</p> <p>Unless you can guarantee two sets of pedestrian pelican crossings to allow a safe crossing point it would put children in dangerous situations trying to cross the mentioned roads. These roads are used by very large lorries coming from Brett's Quarries / Dungeness Power Stations and the Robin Hood Road area industries. I have spoken to Councillors Tony Hills / Clive Godden and David Wimble who seemed to know nothing of this strategy. We do not see on your strategy many parks under threat in the Folkestone and Hythe areas, I wonder why this is!! So please leave things alone, Us Marsh Peasants know our place and make do with what we have, and what we will fight very hard to keep. We know we are long way from Folkestone and are a forgotten part of your district, but what we have we would like to keep in place thank you. We will wait and see what decisions are made before we contact the HSE for their advice and proposed action.</p>	Closure	<p>Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA. There has been no promise to relieve the drainage due to the lack of possible methods to do this.</p> <p>Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.</p>
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Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	<p>Please accept this email as a rejection to the proposed selling of the park at Oakham Drive, Lydd. We are outraged that this notice has only just appeared on a late Friday evening when no one is in the office to answer concerned residents questions. Leaving only 5 working days' notice to raise an objection to something so vital to many Lydd residents is beyond me. We would like to raise our disgust in this proposal. Our children, aged 5 and 7 use this park and playing field on a regular basis. We live not too far away and find this park and location a must safer area to play than The Rype in Lydd that is near numerous busy roads and is not sectioned off for child safety. Although our children at present do not go to this park without an adult, in years to come my son will definitely have the freedom to go and meet his friends there for a game of football. There is no way he will be able to go further afield for a park and a game of football unattended. Removing parks in residential scheme is removing a lot of freedom our children desperately need to grow and thrive.</p> <p>It is essential that we encourage our children to get out in fresh air and enjoy the playgrounds close to their homes, not ripping them down for the sake of a few pounds in someone else's pockets. For some in Lydd, these parks are essentially the only outside safe space they have outside of school.</p> <p>We are in an extremely deprived area, with many children and families below the poverty line. Our</p>	Closure Play Provision	<p>Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA.</p> <p>Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.</p>
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				<p>school has a significantly high number of underprivileged children, many having to resort to food banks as a means to eat, never mind having the funds to take their children on days out. Many families do not own cars, meaning they are restricted to the boundaries of Lydd. We are very limited to what you can do with your children in Lydd. These parks are vital for them to access a free outside safe space to enjoy being children away from the worries of home. I really hope and pray that this decision is reconsidered and the children of Lydd are deemed more important than another development opportunity to increase someone's revenue.</p>		
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Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	Could you please send me the minutes of the consultation meeting regard the closure of are park. Also can you please help me in finding the deeds of Oakham drive as I would like to see if the park area is covered in them? I can truthfully say that every child in the close use this park on a daily bases. If you remove this park we you fit better vehicle management I.e. pedestrian traffic lights, speed humps to slow vehicles down on Harden road so the children can cross the road safely to enter the park on The Type. Also why was these signs only put up on the 24th January when it all started on the 20th December that has only left 1week to stress their feelings. Looking forward to your quick response.	Closure	Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA. Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.
Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	With regards to the impending closure of Oakham Drive Park in Lydd I'd like to contest this. I live in lydd approx. 5 -10min walk away from this park I choose to walk to this one with my children mainly because there is just enough there to keep my children amused and most importantly it is fenced in for safety, I feel secure with my children in this park whereas the other most local park to me on lydd Rype, is open without a gated fence so often puts me on edge with cars driving past. I feel.it would be such a shame if this little community park were to close for our young children.	Closure Play Provision	Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA. Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.

Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	I am utterly disgusted with the plans to close down our park. I have an autistic child who plays here as we live on the estate. He is capable of getting to this park but can't imagine letting him off the estate to get to another park. You will be limiting his outside time. We have at least 15 children on the estate that use this park, a lot of them are not old enough to take themselves to the ripe. In essence you're ruining the community we have. It's so nice to see kids outside when we are all so obsessed with technology. I urge you to reconsider.	Closure	Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA. Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.
Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	L think it is absolutely disgusting that you are even considering asset striping this play park to sell the land. This is Public land, where do you think the children of today are going to play. The park is used by so many youngsters & babies. L suppose this is another ploy for the council to accuse cutbacks & enjoy money. L believe you will get a fight on this the people of Lydd need some recreational ground. I am disgusted & I only visit the area.	Closure	Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA. Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.
Individual	Hythe Town Council	Oakland's LEAP NSPA	Hythe Town Council	I find it very disheartening to find out today that you wish to close the park at Oakland's. I regularly take my son here (he's 2) as it's the perfect equipment for his age in comparison to other parks. Every time we go there are always other parents and children there, it's a great spot for the community as its right by Age UK so the elderly also get to benefit from engaging with the children. This will help all round with different aspects of development! This park is at the heart of a community and it	Closure	Oakland's Play area is maintained by Hythe Town Council, therefore FHDC has no plans to close this park.

				would be very sad to see it close, I hope you will reconsider		
Individual	Hythe Town Council	Oakland's LEAP NSPA	Hythe Town Council	<p>I am opposed to the proposed, possible closure of Oakland's Park, Hythe, and feel that it should be protected. Having not long moved to Hythe with a young toddler, I found Oakland's to be the perfect park. Although Hythe is listed as having 4 parks, the others are not suitable for young children. Oakland's is the perfect size for toddlers and would be a great loss for mums of young children who are looking for a safe, enclosed area to play with their children. Also I feel that it's worth noting that the location encourages families to access the library, which can only be a good thing, and also being in such close proximity to the canal opens up great opportunities for nature and exploration in the early years. I cannot count the times I've taken my son for walks to the park, and ended up feeding the ducks and looking at the different leaves and plants along the canal path.</p>	Closure Play provision	Oakland's Play area is maintained by Hythe Town Council, therefore FHDC has no plans to close this park.
Individual	Hythe Town Council	Oakland's LEAP NSPA	Hythe Town Council	<p>What can do to assist in keeping Oakland's park kids play area open? I use the park frequently with my 2 children. I also think the parks link to the age UK centre is good for the community.</p>	Closure	Oakland's Play area is maintained by Hythe Town Council, therefore FHDC has no plans to close this park.

<p>Individual</p>	<p>Hawkinge Town Council</p>	<p>Atkinson Road, LAP</p>	<p>Hawkinge</p>	<p>I understand that there is a plan to close the large Page Road park and I must be honest this concerns me considering this is one of only 2 parks close to our home. There are many families with small children in this area and this park is a firm favourite of my 8 and 3-year-old alone. I am confused as to why you choose to close a park that caters for this large area of housing, are there plans to enhance the park along Pannell Drive? If so I would fully support closing this park on the basis a larger more varied park for many age groups was in your plans.</p> <p>Children need a place to go where they are safe and can be 'young', please do not take away one of the only places they can do this without being a 'nuisance' to the residence around them. I hear both sides of the story and I'm told there are older children/teens that maybe being unruly for not having use of a better word. Maybe CCTV would assist or at least signs to say they were in place to deter them?</p> <p>Houses there would spoil one of the only places the children can enjoy the outdoors, I beg you to rethink and help us raise children who are able to play outside rather than be cooped up in their bedrooms playing computer games and detaching from society because there is nowhere safe they can go. I vote no to the closure....unless you expand</p>	<p>Closure</p>	<p>The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park.</p>
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Individual	Hawkinge Town Council	Atkinson Road, LAP	Hawkinge	<p>I've just discovered that it's your intention to remove at least one of the two children's playgrounds in Hawkinge West. I've skimmed through the play area strategy 2020-2030 which infers that your strategy is "F&HDC acknowledges the importance of play to the health and well-being of its residents. F&HDC is therefore committed to ensuring all residents are able to access high quality and high value play provision. Subsequently F&HDC's vision for play provision is as follows:</p> <p>Play experiences are fundamental to the health and development of children and young people. Folkestone & Hythe District Council will therefore seek to ensure all residents are able to access a high quality and high value play area. We will work with town and parish councils, together with other providers, to create play spaces which offer challenging and exciting environments for children and young people of all ages and abilities."</p> <p>Removing either of the existing, albeit very small, play areas is a total contravention to your stated strategy. You may have conducted a limited public consultation but I have so far not found a single resident likely to be impacted by this decision who was aware of any such consultation. Surely part of a consultation process is to ask the tax payers in the immediate areas that could be affected by your decisions.</p> <p>Many of the families in the area are those with young children, or like my wife & I, grandparents with young children to care for. Unless you are</p>	Closure	<p>The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park.</p>
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				<p>planning on immediately replacing the existing play area(s) with something better then all you will be doing is removing the ability for local residents to have the facilities that were available at the time of purchasing a property in the area. The facilities for children under the age of five is almost non-existent, removing play structures as opposed to adding or improving them is contrary to the supposed aims of the council. The existing areas receive minimal maintenance and therefore a minimal financial burden for their upkeep. Please do not remove the existing play area(s), thereby, in your own words, “ensuring all residents are able to access high quality and high value play provision”.</p>		
Individual	Hawkinge Town Council	Atkinson Road, LAP	Hawkinge	<p>To it may concern I just seen the notification that the playground is at risk of closer. I am a local resident with three children one of which is autistic and Regularly use the playground. I would strongly object to this play ground being sold off there needs to be areas for kids to play. If a site needs to</p>	Closure	<p>The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is</p>

				go why not look at the small play ground near Atkinson road.		Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park.
Individual	Hawkinge Town Council	Atkinson Road, LAP	Hawkinge	I am deeply concerned by the apparent closure of the park on Page Road in Hawkinge and very much hope it will be a temporary measure. There are not enough decent areas for children in Hawkinge to play; certainly not in ratio to the number of houses built. There need to be more improved play parks and facilities, certainly not fewer. Judging by the comments on the Hawkinge Facebook page this is a very shared by many people up here. I hope you will consider my view as part of the consultation.	Play provision Closure	The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park.

Individual	FHDC	Oakham Drive. LEAP NSPA	Lydd Town Council	<p>I am emailing you regarding the possible closure of the play park that is situated at Oakham Drive, Lydd. I would like to express my deepest concerns about this subject as I believe a play park is imperative for children's health and development. Having access to a gated play park is a necessity, it provides children with a safe place to play, gives them access to develop physically, provides them with opportunities to take risks that are crucial to becoming a more resilient adult and could possibly provide them with a safe environment when home life could be challenging. Taking away the play park could potentially have catastrophic effects on children's health and wellbeing, especially in today's society where technology seems to be an overpowering issue which leads to children become disengaged from a variety of daily activities.</p> <p>If the play park at Oakham Drive is to be taken away it will mean that the children who live there will no longer be able to socialise as easy as they do when the park is open, parents who arrange group activities for their little children will no longer be able to access a gated park and coordinate play dates and the children will have less reason to venture outside causing a variety of development and social issues. I hope this park can remain open, it is in the children's best interest. I am emailing you regarding the possible closure of the play park that is situated at Oakham Drive, Lydd. I would like to express my deepest concerns about this subject as I believe a play park is imperative for children's health and development.</p>	Closure Play provision	<p>Oakham Drive is a NSPA site and is found within the catchment area of The Rype which is a PPA.</p> <p>Discussions are taking place with Lydd Town Council over the transfer of this and the other play areas in Lydd.</p>
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				<p>Having access to a gated play park is a necessity, it provides children with a safe place to play, gives them access to develop physically, provides them with opportunities to take risks that are crucial to becoming a more resilient adult and could possibly provide them with a safe environment when home life could be challenging.</p> <p>Taking away the play park could potentially have catastrophic effects on children's health and wellbeing, especially in today's society where technology seems to be an overpowering issue which leads to children become disengaged from a variety of daily activities.</p> <p>If the play park at Oakham Drive is to be taken away it will mean that the children who live there will no longer be able to socialise as easy as they do when the park is open, parents who arrange group activities for their little children will no longer be able to access a gated park and coordinate play dates and the children will have less reason to venture outside causing a variety of development and social issues.</p> <p>I hope this park can remain open, it is in the children's best interest.</p>		
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Individual	FHDC	Heron Forstal LEAP NSPA	Hawkinge Town Council	<p>I have just been made aware that my local park is on the list to be closed. (Heron Forstal Avenue, Hawkinge)</p> <p>The planned closure of all but 2 Hawkinge parks is unacceptable. This would leave 1 park on the east of Hawkinge and 1 on the West for thousands of children! Living opposite the Heron Forstal park I see the volume of people using this throughout the weeks in all weathers and use this every weekend with my children. During the lighter evenings we use the park after school several times a week too. How can you justify keeping just 2 parks in the town open? They will be seriously overcrowded not to mention quite a trek to get to for many. There has been no communication on the intention of Hawkinge Town council so I do not know if they intend to take over any of the parks but I strongly object to these planned closures. Please register this email as a formal objection to the plans.</p>	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.
Individual	N/A	Lyminge	Lyminge Parish Council	<p>I saw this email address to voice an opinion on the closure of the local parks. I live in Lyminge and frequently use at least 2 of the 3 parks on your list, as well as many other families. For what it is worth I think closure of any (let alone all) of the parks in Lyminge would be very sad indeed! Having said that I am in no doubt that the park in mount pleasant close is long overdue an upgrade and would probably be used more if invested in!</p>	Closure	FHDC will undertake talks with Lyminge Parish Council about potential asset transfer.

Individual	Hawkinge Town Council	Atkinson Road, LAP	Hawkinge	I have been advised that you are due to close a park in Hawkinge on Corbett Road/Page road. Please don't close this park. My 2 children play in here on a regular basis and it seems so unfair to take it away from the nice families who use it properly.	Closure	The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park.
Individual	N/A	N/A	N/A	<p>Having just been made aware of a consultation on your Play Area Strategy 2020-2030, I am very concerned that the window of consultation including Christmas and New Year has left little time for me to properly consider the strategy and respond in full. I hope you will extend this period.</p> <p>My understanding of your strategy so far makes me concerned that many play areas for children will be closed, reducing opportunity for the benefits of outside play and exercise. This goes against one of your strategic objectives in your corporate plan for "health matters". In addition, as a council you have declared a climate crisis and yet the closure of local play facilities will surely mean that families will have to drive to 'destination' play areas. Finally, there is no mention of funding for the parks being transferred to the Town and Parish Councils so how will they be maintained?</p>	Closure	FHDC will work closely with Parish and Town Councils to transfer assets.

Individual	N/A	N/A	N/A	Think it's disgusting that you are closing a lot of parks in the area not everyone can take their kids to busy parks in the holidays especially those with Autism or other disabilities also not everyone drives or can afford the fuel. Plus it's good to get the kids out walking if the park is in walking distance. Now people will have nowhere to go.	Closure	FHDC will work closely with Parish and Town Councils to transfer assets.
Individual	MOD	Mackenzie Drive LEAP NSPA		<p>I am highly disappointed to see the list of parks to be possibly demolished for open spaces within the coming years. I do not often comment on plans but with 2 young children and many friends who have children too, the parks we have locally are so important for the community and a free and fun place for children and families to visit. I used to work in the NHS and now in KCC and have seen many examples of children who do not get the outdoor space and fun they should be experiencing, therefore leading to mental health and weight problems. Shutting down 24 parks is only going to increase this for the future. I thought we were trying to cut obesity in children not worsen it?</p> <p>I am aware of all these parks, and the one that upsets me the most is the McKenzie drive one. We visit here 1-2 times a week (when the weather is well) and the park is used regularly by the Nepalese families who live in the surrounding houses, these families are here to support us and have very little activities they can join in, why remove one of them which they can use? For free! Please re think this, it's so important the parks stay for the children and families.</p>	Closure	FHDC will work closely with Parish and Town Councils to transfer assets. Mackenzie drive is owned and managed by the MOD, therefore FHDC has no plans to close this park.

Individual	N/A	Hawkinge	N/A	Please do not close any of our children's parks in Hawkinge or Folkestone. They are much loved resources and one of the reasons why we love living here!	Closure	FHDC is in talks with Hawkinge Town Council regarding adopting the parks and talks have been positive.
Individual	Places for Homes LTD	Pine Way LEAP NSPA Transfer to FTC or close	Folkestone Town Council	<p>I've seen that the play park on Bigginswood road, next to Harcourt school, is on the list of closures. This really surprises me and is quite concerning that you want to close this park, considering it is right next to a primary school. This park is used every day by a lot of the children from the school, even in bad weather.</p> <p>As I'm sure you are aware Harcourt has a high number of disadvantaged family's that belong to the school, and this park is a place for children to play, who might not have gardens or have parents/guardians that take them to another park further away. As this park is literally on the way out of school.</p> <p>It also serves as a great way for the school community to grow as it gives a chance for parents to chat whilst the children play. If anything this park needs updating with more facilities as in the summer you can have over 100 children using it! If you sent your counsellors out to the park on any school day from 3.30 pm you will see for yourselves how much this is used. I look forward to your response</p>	Closure	This park is close to Harcourt Primary school and is in a convenient location for children before and after school. It is also close to Firs Lane Play Area. This play area has more equipment than FIR's lane. This area is within the catchment area of Cheriton Recreation Ground, which is the designated PPA.

Individual	N/A	N/A	N/A	<p>As made clear on p20 in the document the key issue to address through the pay strategy is</p> <ul style="list-style-type: none"> • Insufficient budget to support the ongoing management and maintenance of play areas which has resulted in a backlog of repairs. The impact of continued reduction in play space will exacerbate the decline in play value and quality in Folkestone & Hythe District. <p>These proposals address the insufficient budget by reducing expenditure on play space. It is a cut in provision because there is less money available from central government due to the cut in local government budgets. This should be challenged by the council especially through their MP as the country recently elected a government that promised increased expenditure on public services. As part of the consultation the reason for this cut in services should be explained to the communities who use the play areas through a programme of engagement and ask them if they would prefer the council to increase the budget spent on play areas and how that would best be paid for. There appears to be no attempt to have surveyed use of play areas, run community fun days to engage people in the management of the spaces. More worryingly this consultation does not seem to be valid in that there has been no attempt to ask the users of the play areas what they think about the proposals. This would be a perfect opportunity for the council to show community leadership and work with parish councils and local nurseries/school and community groups to respond to the challenges of the budget.</p>	Closure	FHDC will work closely with Parish and Town Councils to transfer assets.
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				<p>I also think the lack of response to this consultation – sorry an assumption but it would be surprising due to the window available, the lack of awareness in communities and the time of year (eg over Christmas New Year) if there were many responses to this – should reinforce the need to properly involve communities in these decisions. People do not know that these proposals are being made about their local play parks so this consultation can in no way be seen as representative of the views of local residents. A programme of community consultation should be carried out before a decision is made</p>		
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Individual	N/A	Hawkinge	N/A	<p>I have only just learnt about the notices put up on most of the children's play areas around Hawkinge. Are we all understanding correctly that these areas could be shut down and removed? Hawkinge residents are mainly families with children. It seems absolutely absurd to remove play areas when there is little else for children to do and when we are all aware the children should be encouraged to get outdoors and play more. We originally bought off plan and as we had children it was important that the building plans included play areas. We now have grandchildren that we take to most of the play parks in Hawkinge.</p> <p>Where else can we take small children that is safe and fun to play that is also walking distance from home so we do not have to use the car?</p> <p>Hawkinge is still growing, there is still more housing being built so we need more facilities for children NOT LESS!! This is shameful!!! I can only say that myself, my family and the majority of Hawkinge residents OBJECT STRONGLY to any play area being closed and shut down. If money needs to be saved then perhaps removing our Town Mayor and the costs involved with that position should be considered instead!!</p>	Closure	<p>The sign mentioned in this response was not attached by FHDC and stated incorrect facts. FHDC will work closely with Parish and Town Councils to transfer assets. As areas continue to grow funding will be directed accordingly.</p>
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Individual	N/A	N/A	N/A	Having just been made aware of a consultation on the your Play Area Strategy 2020-2030 I am very concerned that the window of consultation included Christmas and New Year leaving little time for me to properly consider the strategy and respond in full. I hope you will extend this period. However with my brief understanding I am concerned that many play areas for children will be closed reducing opportunity for the benefits of outside play and exercise. This goes against one of your strategic objectives in your corporate plan for "health matters". Secondly as a council you have declared a climate crisis and yet the closure of local play facilities will surely mean that families will have to drive to 'destination' play areas. Finally there is no mention of funding being transferred with the parks to the Town and Parish Councils so how will they be maintained? "	Closure Play provision Budget	The consultation period was of a suitable timeframe. As part of the strategy FHDC will work with Parishes and Towns to provide suitable and quality play, both through PPA but locally through the SIPA and NSPA network. Funding dowries will be discussed with the appropriate bodies.
Individual	N/A	N/A	N/A	Having been made aware of a consultation on your Play Area Strategy 2020-2030, I am very concerned that the window of consultation included Christmas and New Year leaving little time for me to properly consider the strategy and respond in full. I sincerely hope that you will extend this period. However, with my brief understanding, I am concerned that many play areas for children will be closed, therefore reducing their opportunities to reap the numerous benefits of outside play and exercise. This goes against one of your strategic objectives in your corporate plan for "health matters". Secondly, as a council you have declared a climate crisis, yet the closure of local	Closure Play provision Budget	The consultation period was of a suitable timeframe. As part of the strategy FHDC will work with Parishes and Towns to provide suitable and quality play, both through PPA but locally through the SIPA and NSPA network. Funding dowries will be discussed with the appropriate bodies.

				play facilities will mean that families will have to drive to 'destination' play areas. Finally there is no mention of funding being transferred with the parks to the Town and Parish Councils so could you please explain how they will be maintained?		
Individual	N/A	N/A	N/A	Having looked in detail at your proposals I believe they are flawed. Where existing play areas are well maintained/financed by those with respective responsibility there is not a problem. Likewise where Town and parish councils are clearly able to accept a managed, properly financed take over there should be little difficulty. The problems will arise where the handover is unwanted and/or poorly financed. This is most likely to occur in the least advantaged areas of the district. Think twice about handing a valuable asset over to developers using the review as the vehicle.	Closure Play provision Budget	The consultation period was of a suitable timeframe. As part of the strategy FHDC will work with Parishes and Towns to provide suitable and quality play, both through PPA but locally through the SIPA and NSPA network. Funding dowries will be discussed with the appropriate bodies.

Individual	N/A	N/A	N/A	<p>having just been made aware of a consultation on the your Play Area Strategy 2020-2030 I am very concerned that the window of consultation included Christmas and New Year leaving little time for me to properly consider the strategy and respond in full. I hope you will extend this period. However with my brief understanding I am concerned that many play areas for children will be closed reducing opportunity for the benefits of outside play and exercise. This goes against one of your strategic objectives in your corporate plan for "health matters". Secondly as a council you have declared a climate crisis and yet the closure of local play facilities will surely mean that families will have to drive to 'destination' play areas. Finally there is no mention of funding being transferred with the parks to the Town and Parish Councils so how will they be maintained? Any dowry being offered clearly does not meet the cost of maintenance, replacement of play equipment, cutting of grass, painting and repairing fences etc. yet alone the inspection fees.</p>	Closure Play provision Budget	<p>The consultation period was of a suitable timeframe. As part of the strategy FHDC will work with Parishes and Towns to provide suitable and quality play, both through PPA but locally through the SIPA and NSPA network. Funding dowries will be discussed with the appropriate bodies.</p>
Individual	N/A	Hawkinge	Hawkinge Town Council	<p>It would appear from your very confusing policy documents regarding the future of play areas in the District that many/most of the play areas in Hawkinge will have their play equipment removed and no maintenance will be carried out. This presumably will include mowing, rubbish removal, perimeter fencing as well as H&S responsibilities. I find this ridiculous if this is the intention - there are innumerable children of all ages in Hawkinge and none of the houses have sufficient garden space</p>	Closure	<p>Sites that are not transferred will be maintained as open spaces, this will mean all other activities will continue.</p>

				for young children to play. Please could you let me know whether my understanding is correct?		
Individual	N/A	N/A	N/A	<p>Having just been made aware of a consultation of your Play area Strategy 2020-2030, I am very concerned that the window of consultation included a Christmas and New Year, leaving little time to properly consider the strategy and respond accordingly in full. I am hopeful that you will extend this period, however with my brief understanding I am concerned that many play areas for children will be closed reducing opportunity for the benefits of outside play and exercise. This goes against one of your strategic objectives in your corporate plan for 'health matters'. Secondly, as a council, you have declared a climate crisis and yet the closure of local play facilities will surely mean that families will have to drive to a 'designated play area'.</p> <p>Finally there is no mention of funding being transferred with the parks and the Town and Parish Councils, so how will they be maintained</p>	Closure Play provision Budget	The consultation period was of a suitable timeframe. As part of the strategy FHDC will work with Parishes and Towns to provide suitable and quality play, both through PPA but locally through the SIPA and NSPA network. Funding dowries will be discussed with the appropriate bodies.

Lyminge Youth Action	N/A	Lyminge	Lyminge Parish Council	<p>Having read through your strategic document we can see that three of the four play parks we have in Lyminge are in line for closure if no transfer to a local partner can be found. This is obviously disappointing, especially with Lyminge having a thriving pre-school and primary school, meaning that the village has over 300 under 11s visiting it each week day (most of whom live in or within walking distance of the village, and also use the current parks on the weekend & in school holidays). Whilst it is understandable (given how outdated & unsafe against modern standards the other three are) why the one has been selected to remain under F&H Council management, this park only has equipment for very small children (under 5) & a skate park for more older children (mostly used by children 10+). This leaves a significant gap in provision for the 200+ primary school aged children we have in the village each weekday. We, therefore, wonder what provision will be made available in the village for these children if no one takes up management of the other three parks in the village that do cater for this age group? We also wondered, where Parish councils or partners are willing to take on the future management of these parks (which will mean a significant long-term financial commitment for insurance & on-going upkeep), whether F&H Council will provide some one-off funding or make a pot of money available for application should the park equipment be damaged or require some one-off improvements to remain safe & useable?</p>	Closure	Discussions with the Parish council will be undertaken to asset transfer the parks this will include a dowry payment.
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				<p>With this in mind, as you may be aware, Lyminge Youth Action (in partnership with Lyminge Parish Council) have applied to rebuild one of the play parks in Tayne Field. Making it a play park for all children regardless of age, as well as a community space. Given F&H Council's desire to transfer management of this; Lyminge Parish Council's agreement to do so on conclusion of the rebuild (as they then have the security of the installers lengthy warranty); & our desire to ensure at least one park for children aged 5+ remains in the village, would F&H Council be willing to support our rebuild with some one-off funding? We certainly feel such support will go a significant way to compensate for the potential loss of the other two parks - something we know a large proportion of the village are unhappy about. It may be, as part of our rebuild, we can look at removing the equipment of the other two parks & making them in to open spaces, as per the strategy you have. Making the situation a win for all parties concerned. We would be more than happy to discuss this matter further. We look forward to your response.</p>		
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Individual	Places for Homes LTD (Pine Way) / FHDC (George Gurr)	Pine Way LEAP NSPA / George Gurr LEAP NSPA	Folkestone Town Council	<p>I write with comments and questions on the play strategy proposed.</p> <p>Whilst it is a fantastic strategy in principle, myself and my children directly benefiting from the development of jocks pitch. I do find some of the parks 'going' will impact others negatively far greater than myself positively.</p> <p>The play park on pine way/Biggins wood road. This park is used daily, before and after school by children that attend Harcourt primary school. This school has a higher than average percentage of disadvantaged children. These children need the outside space to play! Parents are unlikely to travel the extra distance to Cheriton Park, many driving to school from work, as the convenience of before and after school is what works for them. The preschool children who attend Playbox nursery also visit this park daily, and siblings of all these children spend much time in the park.</p> <p>The benefits of outside play and learning are crucial for the development into healthy independent adults. This park also falls in the middle of an under privileged area. Many of these children need that park in the school holidays, as their only form of outside entertainment.</p> <p>This park forms an integral part of the school community, with children given the opportunity to play together outside of the school environment. For the same reasons above the park in George Gurr should also stay. There is nowhere safe to walk in 15 minutes from there for the children, without having to cross the busy bypass, at least 30 minutes to Canterbury road/Radnor park, and back</p>	Closure	Pine Way is close to Harcourt Primary school and is in a convenient location for children before and after school. It is also close to Firs Lane Play Area. This play area has more equipment than FIR's lane. This area is within the catchment area of Cheriton Recreation Ground, which is the designated PPA.
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				<p>up the hill even longer! Unfortunately, money will not come from out of thin air, and the parks being sold onto developers in return for investment into the strategic play parks should be better 'advertised' People naively believe they will just remain, unmaintained.</p> <p>What parks do developers have interest in, all the non-strategic areas of play? What can we expect to be built? Housing?</p>		
Individual	MOD	Mackenzie Drive LEAP NSPA		<p>I'm emailing regarding the children's play park at McKenzie Drive, Shorncliffe, and Folkestone. I don't understand why it's down for closure. It's very popular with locals, especially the Gurkha community. It's had a fantastic revamp in the last year too. Please save it!</p>	Closure	<p>FHDC will work closely with Parish and Town Councils to transfer assets. Mackenzie drive is owned and managed by the MOD, therefore FHDC</p>

						has no plans to close this park.
Individual	Hythe Town Council	Oakland's LEAP NSPA	Hythe Town Council	<p>Am writing to add my voice to those asking your team to find an alternative funding solution so that you can avoid closing playgrounds in and around Folkestone and Hythe. The health and development benefits of outdoor play for young children are undisputed, as well as the benefits to community cohesion that shared spaces can bring: the playground by Age UK in Hythe is a particularly lovely example of this, as it sees young children playing next to the cafe and meeting hub for elderly care, helping to remove barriers between the generations.</p> <p>I appreciate that budgets are becoming more and more restricted, and that many of the grants focusing on recreational spaces that would have previously been available for the council to apply for will no longer be an option when we leave the EU, but letting such vital community asset disappear due to an administrative paper-shuffle about 'asset transfer' is nothing short of negligence. I apologise that I have not been able to include links to research supporting my points- I only learned of the plans today, and I am writing this while clearing up breakfast for my 3 year olds! I'm also sorry if this email is just the latest in the line of 'disgruntled of Hythe' responses you are fielding, but frankly it seemed the only recourse available at 8am the morning the consultation</p>	Closure	Oakland's Play area is maintained by Hythe Town Council, therefore FHDC has no plans to close this park.

				closed. Please could you let me know how I might stay up to date on the progress of this issue?		
Individual	N/A	N/A	N/A	I live at xxxxx, this piece of land is at the back of my property and have I been trying to get in contact the owner since I bought the property as we are very interested in purchasing the land. We have recently had a baby and would love to have the land to extend our garden. It would mean we could live in this house and extend our family before moving anytime soon. Please could someone call me as I am very interested?	N/A	N/A

Individual	N/A	N/A	Hawkinge	I live at xx Heron Forstal Avenue, Hawkinge and write in the strongest opposition to the removal of any of the play equipment in Hawkinge. I regularly take my granddaughter to all play areas in Hawkinge and have been disgusted at the lack of suitable play equipment for babies and young children! Hawkinge needs more equipment not less for the many families in the area and all my family feel upset that this is possibly to be removed. Why are families and children not catered for? Totally wrong and mean decision.	Closure / play provision	The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area.
Individual	Hawkinge Town Council	Atkinson Road, LAP	Hawkinge	I am emailing to express my concern over the decision to potentially close a number of the children's recreation areas in Hawkinge. In particular as a resident of Trunley Way I am very sad to learn that the Atkinson Road site is one of those due to be removed .Since we moved to the area 5 years ago we have used this park often but in particularly over the last 3 years, since our youngest son was born, we have used this area almost daily. There are no other parks suitable for this age group on this side of Hawkinge. I feel it is a real shame to be removing amenities from such young children. My front door directly faces the park and my son asks every day without fail to "slide" when he sees the park. I find the decision to close both Atkinson and Corbett road sites strange as the most troublesome park would almost certainly be the one on Pannell Drive. This park attracts hordes of teenagers (well out of the suitable age range) who sit there using foul language, vandalising and leaving broken glass etc. everywhere. This has meant for myself and others	Closure	The sign mentioned in this response was not attached by FHDC and stated incorrect facts. The strategy has been put in place considering the fact that the towns and Parishes can deliver the local requirements of the area. The play park referred to is Atkinson road which is managed by Hawkinge Town Council, therefore FHDC has no plans to close this park. With regards to the other parks we are working closely with Hawkinge Town Council regarding asset transfer and the collaboration remains positive.

				<p>this park is unusable as it is both intimidating and at times dangerous! Can I please ask how the decision has been reached to keep this park yet remove others on the area? I note the other nearby suitable park (located at the end of Uphill) is also war marked for closure. Where are you proposing we take our toddlers when you are leaving absolutely no facilities for them in this area? I really hope you receive enough objections to these proposals to rethink your plans. These areas are one of the reasons we chose to move to Hawkinge and it will be a great shame for the community to lose them. Thank you for your time. I welcome any comments you may have.</p>		
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Individual	Hythe Town Council	Oakland's LEAP NSPA	Hythe Town Council	<p>I wish to comment on the reasons why I do not agree with the committee's "non-strategic" evaluation of No. 55, Oakland's play park. This toddler park is extensively used throughout the winter and summer. If the evaluation has been undertaken through questionnaires from few streets surrounding the park then this is not a true representation of the many users of this park. The houses directly adjacent the park are mainly retirement. However, we and many other parents live walking distance from the park and frequently walk to the park after a visit to the library. Then in the summer we and so many other families have picnicked in Oakland's and the play park has been so full you had to wait to use the equipment; on many occasions.</p> <p>The only other play park in walking distance to us is number 27 The Green, but this is for mixed ages and the toddler area is in the middle of the gated area and therefore not as comfortable for the younger children who constantly use Oakland's. Has the "non-strategic" evaluation taken into consideration that this play park has been sited adjacent age concern, presumably for intergenerational reasons?</p> <p>Surely, a measure of the requirement for a play park would be to assess its use over a period of set time? This play park is used too frequently to be judged "non-strategic". It is unclear in the councils strategy how this play park has been determined "non-strategic" and I strongly disagree with this determination</p>	Designation	Oakland's Play area is maintained by Hythe Town Council, therefore FHDC has no plans to close this park. It is also found within the catchment area of the Green PPA and Hythe Skate Park SIPA.
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KCC	FHDC (Peregrine Close) / FHDC Housing (Reachfields)	Peregrine Close LAP NSPA / Reachfields LEAP NSPA	Hythe Town Council	<p>I am writing as the KCC member for Hythe West in response to the FHDC Play Area Strategy 2020-2030.</p> <p>I am concerned about the designation of both the Peregrine Close and Reachfields play areas in Hythe as Non-Strategic. Both are heavily used and important facilities for their local communities. While the Reachfields play area is relatively close to the play facilities on the Green in Hythe, it is located within an estate with relatively high levels of deprivation and many of the facilities, particularly the enclosed pitch, are much more suitable to older age group children than is the case with the Green play facilities.</p> <p>As such, I would request that the NSPA designation of both is revised to Strategically Important, thereby removing the threat of potential loss of equipment if the town council declines to take over the assets.</p> <p>Overall, I am concerned about the potential loss of facilities across the district. The physical and mental health benefits of outside play are well understood and there is a dearth of activities and facilities for young people.</p>	Designation	Designations are reached considering locations, other facilities, and requirements.
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Individual	FHDC	Heron Forstal LEAP NSPA	Hawkinge Town Council	<p>I want to express my disappointment in the council wishing to close down and sell all the assets in Uphill Park Hawkinge!! I strongly disagree with this and cannot understand the stupidity of doing such a thing!</p> <p>When childhood obesity is high and continuing to rise why you would take away outdoor spaces for children to play in! As a resident of a house that overlooks the park I am very concerned about antisocial behaviour of an empty park that will attract teenagers and travellers again! Yet again you don't care about residents!!!</p> <p>It's the reason we moved to Hawkinge for the beautiful spaces and parks you have for our children!!! I will protest this and save our park!!!!!! I want an available reason as to why you are closing our parks</p>	Closure	<p>Discussions have been going on with Hawkinge Town Council over the asset transfer of this park and they remain positive.</p>
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Individual	FHDC	Southern Way LEAP NSPA	Folkestone Town Council	<p>I have read the Council's proposals for play areas in the FHDS District and would make the following comments.</p> <ul style="list-style-type: none"> • The response time of 20 December to 31 January, which includes Christmas and New Year, and of which I have not heard until now - near the end of that time - is too short, and typical of other public consultations the Council has organised. I hope this will be extended and the public properly informed. • Most of the section on the value of play is commendable, though it is interesting that the value of "natural play" sites coincides with the financial advantage to the Council. Which of those advantages have particularly driven this strategy? • There is no mention of the status of funding where PAs are to be transferred to town and rural councils. • The "non-strategically important" play areas are to be transferred as assets or revert of open spaces. In other words closed. These more local areas have the advantage of being more likely to attract walking to them. Closing them would make use of cars more likely to reach the nearest play area remaining open. This goes against the Council's environmental and health policies. Specifically, the Southern Way play area was, as you acknowledge, an initiative of local schoolchildren. The map suggests this is classified as NSPA. Shouldn't the Council be maintaining its positive response to such public initiatives? Incidentally, I don't see this site in the final list of ownership, management responsibilities and classifications. 	Closure Play provision Budget	<p>The consultation period was of a suitable timeframe. As part of the strategy FHDC will work with Parishes and Towns to provide suitable and quality play, both through PPA but locally through the SIPA and NSPA network. Funding dowries will be discussed with the appropriate bodies. The review completed by LUC has discussed the importance of natural play, and the huge benefits this has. Southern Way park is also known as the Danni James Community Park and it written as this in the strategy.</p>
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<p>Individual</p>	<p>Jefferstone Lane (St Mary's in the Marsh Parish Council) Meads Way & Oak Drive (FHDC)</p>	<p>Jefferstone Lane LEAP SIPA / Meads Way LAP SIPA / Oak Drive LEAP SIPA</p>		<p>I write further to you publication regarding your plans on redeveloping play parks and would like to draw your attention to 3 areas within Romney marsh, St Mary's bay that has been neglected for years. My children regularly play there as there is literally nowhere else for them to play as of late they have been abandoned had fencing around them and are completely cut off from use. I have emailed this address several times.</p> <p>Area 1 mead way, TN29 0hb. A small play park on our estate that is always full of children.</p> <p>Area 2 St Mary's bay village hall. A busy little play park been out of proper use for over a year</p> <p>Area 3 Jefferstone lane recreational ground again neglected now fenced off. A place where children can play enclosed with very bad maintenance. Always used by locals and the tourists in the summer.</p> <p>Can you advise what is going to happen to these areas? As I noted on your report it says</p> <p>Dymchurch parish council are responsible for 1 New Romney responsible for 1 (there is 2 one inside the medical Centre opposite the marsh academy) St Mary's in the marsh 1 area.</p> <p>None of the above appear to be included.</p>	<p>Closure</p>	<p>Jefferstone Lane is managed by St Mary's in the Marsh Parish Council, Meads Way and Oak Drive are both SIPA and FHDC understands the importance of these. It will work collaboratively with St Marys in the Marsh Parish Council to ensure a smooth transition.</p>
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Folkestone & Hythe Play Area Strategy

2020-2030



Project Title: Folkestone & Hythe Play Area Strategy

Client: Folkestone & Hythe District Council

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Folkestone & Hythe District Play Area Strategy

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1 Introduction

- 1.1 This document follows on from the report *Planning for Play in Shepway 2007-2012* which was developed by Folkestone & Hythe District Council (F&HDC) and the Shepway Play Partnership (a range of organisations and agencies involved in the Play sector) in response to a commitment from central Government to raise the national profile of Play. Since the 2007 Strategy was adopted by F&HDC, there have been many improvements to play provision in the district as well as changes to the available resources to manage and maintain features. It is therefore now timely to review and update the Strategy which will guide the management and maintenance of play spaces in Folkestone & Hythe District.
- 1.2 The Shepway Play Area Review (2017) assesses the current provision of play spaces across the district. The findings of the review have provided a foundation for this Play Area Strategy. This report therefore outlines the aspirations for play provision in Folkestone & Hythe District, in the context of what is achievable and realistic.
- 1.3 Following the completion of the Play Area Review the following key aspects should be considered within the Strategy:
 - Ensure play provision meets the recreation needs of the community for the period 2020 – 2030 linked to the Council’s priorities, in particular improving health and wellbeing for not just children and young people, but adults and older people.
 - Develop a prioritised network of strategic and non-strategic sites to ensure all residents are able to access a good quality and good value play space.
 - Develop a robust mechanism for consulting towns, parishes and communities about the provision of play in their local areas.
 - Establish a framework to guide the future ownership and sustainable management of play provision in Folkestone & Hythe District.
 - Utilise the assessment of the volume of play provision for all age groups across the district within the Play Area Review to identify those areas of under and over provision.
 - Consider the financial position of providing play areas with currently available resources and into the future.
 - Consider and utilise the standards of provision to take forward alongside setting key objectives.
 - Raise the overall quality and value of a network of identified strategic and priority play area facilities within the district.
 - Develop a mechanism for securing developer contributions towards the provision and maintenance of a strategic play network e.g. Section 106 planning obligations and Community Infrastructure Levy (CIL) charges.
- 1.4 Relevant guidance has been referred to whilst compiling this Strategy including *Planning for Play - Guidance on the development and implementation of a local play strategy (2006)*.¹

¹ National Children’s Bureau / Big Lottery Fund, 2006. *Planning for Play - Guidance on the development and implementation of a local play strategy Guide* [pdf] Available at: <http://www.playengland.net/wp-content/uploads/2015/09/planning_for_play.pdf> [Accessed 12/01/2017].

2 Benefits of play

- 2.1 This section sets out the latest research and evidence on the importance of providing play opportunities for children and young people. It sets out the definition of play and how play supports the development of children and young people. Details of the type of play that can be provided, together with the respective benefits, are also set out. The section concludes with an examination of the importance of ensuring play opportunities are inclusive, accessible to all, and include elements of risk-taking.

The definition of play

- 2.2 The Playwork Principles were drawn up by the Playwork Principles Scrutiny Group in 2004; the Principles establish the professional and ethical framework for playwork. Playwork is the work of creating and maintaining spaces for children to play. Notably Play Principle 2 states:

*"Play is a process that is freely chosen, personally directed and intrinsically motivated. That is, children and young people determine and control the content and intent of their play, by following their own instincts, ideas and interests, in their own way for their own reasons."*²

- 2.3 Play behaviours include things like running, chasing, climbing, play fighting, shouting, role playing, fantasy and imagination, creating and destroying, using all sorts of 'objects' in new ways, games where children are in control and make their own rules, dressing up and playing with identity, taking risks. Play is different from organised sports, groups, clubs and classes, which have external rules and definitions, and are usually controlled by adults.

Play and child development

- 2.4 It is important to recognise the significance of play in children's **physical and emotional health development**. The development of key skills obtained from play can improve a child's self-esteem and encourage exploration of their environment whilst improving social interactions, fitness, stamina and agility.
- 2.5 Play can be divided into the following three main types:
- **Imaginative play:** A child takes objects or an environment and imagines it is something else. Imaginative play is a key factor in healthy brain development.
 - **Physical play:** Graded challenges allow the child to understand risk, conquer fear and develop physical skills. Physical play is vital to help develop coordination and confidence in the body.
 - **Social play:** A child learns turn taking, looking after others, delayed gratification and many other skills essential to forming successful adults.
- 2.6 Good play design allows aspects of all three types of play to develop and furthermore allows multiple modes of use to allow problem solving and creativity on the part of the child. Play provision can take many forms and does not simply happen in designated playgrounds or play areas.

² Play by nature: policy and planning for play website, 2016. Available at: <<http://playbynature.org/what-are-the-playwork-principles-2/>> [Accessed 11/01/2017]

Natural Play

- 2.7 Benefits of natural play are widely recognised. By its very nature play equipment has associated maintenance requirements, which in turn have an associated cost. Natural play is about children and young people experiencing play in natural environments.
- 2.8 Play England highlights the following values and benefits of natural play:

"Natural environments support a wide range of children's play. The diverse, dynamic and flexible features that can be found in natural spaces afford opportunities for extensive intentional play behaviours.

Whilst children do not necessarily differentiate between natural and artificial elements in their play, predominantly natural outdoor settings are more likely to be perceived by children as free from adult agendas and thus more open to the possibilities of play.

Playing in natural spaces offers possibilities for: control and mastery, construction of special spaces, manipulating loose parts, different ways of moving, risk-taking etc. Childhood experiences of playing with nature also instil a sense of wonder, stimulating creativity, imagination and symbolic play.

Children's opportunities to playfully access their immediate natural environments support the development of a sense of place and attachment. Playing in natural spaces also supports child's sense of self, allowing children to recognise their independence alongside an interdependence and connectedness with their ecological worlds.

The powerful combination of a diversity of play experiences and direct contact with nature has direct benefits for children's physical, mental and emotional health. Free play opportunities in natural settings offer possibilities for restoration, and hence, well-being. Collectively, the benefits fully support the outcomes established in Every Child Matters.

Playful, experiential and interactive contact with nature in childhood is directly correlated with positive environmental sensibility and behaviour in later life."³

- 2.9 Adding natural play to the portfolio of play provision across the district will introduce a variation of play experiences that is currently lacking. Resulting in an increased quality and value of play areas for the benefit of the community. In addition, the Play England review quotes The Dissolution of Children's Outdoor Play: Causes and consequences' presentation to 'The Value Of Play', Frost (2006) which "contrasts the high cost and maintenance associated with 'mammoth, multi-tiered structures that have little play value' and the reduced expenditure associated with play spaces that use natural materials, plentiful loose parts and 'wisely selected built or purchased equipment' (Frost, 2006:14)."⁴ A natural play approach with robust features could potentially result in more creative, stimulating and challenging play provision and reduce the Council's expenditure on maintenance.

³ Play England, 2007. *Play Naturally* [pdf]. Available at: <http://www.playengland.org.uk/wp-content/uploads/2007/11/play_naturally_a_review_of_childrens_natural_play.pdf> [Accessed 02 February 2017].

⁴ Frost, J., 2006 'The Dissolution of Children's Outdoor Play: Causes and consequences', presentation to 'The Value of Play'; a forum on risk, recreation and children's health, 31 May 2006 [pdf]. Available at: <<http://www.fairplayforchildren.org/pdf/1291334551.pdf>> [Accessed 02 February 2017].



"Natural play" sand play features at the Lower Leas Coastal Park (Picture: LUC)

The importance of risk in play

- 2.10 Risk taking enables children and young people to extend skills, develop physical and emotional capacities, challenge themselves in new ways, and gain direct experience of the consequences of their actions. Being brave and conquering fears helps children to grow.
- 2.11 In 2002, the Play Safety Forum endorsed by the Health and Safety Executive agreed that:

"Children would never learn to walk, climb stairs or ride a bicycle unless they were strongly motivated to respond to challenges involving risk or injury. All children need and want to take risks in order to explore limits, venture into new experiences and develop their capacities, from a very young age and from their earliest play experiences. Disabled children have an equal if not greater need for opportunities to take risks, since they may be denied the freedom of their non-disabled peers.

Children need and want to take risks when they play and good play provision should enable this by offering stimulating and challenging opportunities and environments. The level of risk should be managed to ensure that children are not exposed to unacceptable risks or dangers such as death or serious injury."⁵

- 2.12 The Health and Safety Executive stated in 2005:

"Sensible health and safety is about managing risks, not eliminating them all. HSE is not in the business of stamping out simple pleasures wherever they appear and at whatever cost. We recognise the benefits to children's development of play, which necessarily involves some risk, and this shouldn't be sacrificed in the pursuit of the unachievable goal of absolute safety."⁶

- 2.13 It is therefore recommended that all of Folkestone & Hythe District's play sites should balance risk with the developmental benefit and wellbeing of children.

⁵ Ball D, Gill T, Spiegel B (Play Safety Forum), 2012. *Managing Risk in Play Provision – Implementation Guide* [pdf] Available at: <<http://www.playengland.org.uk/media/172644/managing-risk-in-play-provision.pdf>> [Accessed 11/01/2017].

⁶ Play Wales: Play and change website, 2016. Available at: <<http://www.playwales.org.uk/eng/playandchallenge>> [Accessed 11/01/2017]

Play deprivation

2.14 As highlighted in 2003 by Bob Hughes, a writer and researcher on children's play:

*"play deprivation is the name given to the notion that not playing may deprive children of experiences that are regarded as developmentally essential and result in those affected being both biologically and socially disabled."*⁷

2.15 Studies have shown that the effects of play deprivation are devastating to children. If normal play experiences are absent throughout a child's life, that child is more likely to become highly violent and anti-social. This may also manifest itself in symptoms ranging from aggression, repressed emotions and social skills, to an increased risk of obesity. As adults, they are more likely to suffer from depression and anxiety.⁸

2.16 It is therefore vital that all children and young people have a wide range of places and opportunities to play. Play is an essential part of children's and young people's healthy development.

Inclusive play

2.17 Inclusive play means children having access and the opportunity to play together regardless of disability, race or gender. However there can be barriers to the provision of inclusive play opportunities, such as accessibility, funding and staffing. There have been no significant issues of lack of inclusivity identified within Folkestone & Hythe District. However it will be necessary to investigate ways to address any identified shortfalls in disabled access and for children getting to play areas so that F&HDC works towards all play being inclusive. An example of good practice of inclusive play in the district would include Lower Leas Coastal Park.

2.18 In line with the Equality Act (2010) play provision should be as fully inclusive as possible with all ages catered for, particularly up to the age of 25.

2.19 Groups that are considered "hard to reach" and therefore not able to access play provision as easily include:

- Children and young people that have been excluded from school - these people are unable to access any school-based services and therefore are less likely to be accessing play opportunities.
- Teenagers and young adults - frequently these groups are excluded due to lack of provision of appropriate facilities such as skate parks, youth shelters and multi-use games areas.
- Children and young people from traveller communities.
- Children of different ethnicities with cultural barriers preventing access to play, particularly for girls.
- Young carers – with many responsibilities at home, young carers often miss out on opportunities that other children and young people have to play and learn.

⁷ Play Wales: Play deprivation website, 2016. Available at: <<http://www.playwales.org.uk/eng/playdeprivation>> [Accessed 11/01/2017],

⁸ Manwaring B, Taylor C (The Community and Youth Workers Union & Skills Active). *The Benefits of Play and Playwork – Recent evidence-based research 2001-2006 demonstrating the impact and benefits of play and playwork* [pdf] Available at: <<http://www.playscotland.org/wp-content/uploads/assets/Documents/CYWURResearchComplete.pdf>> [Accessed 11/01/2017].

3 Local and national context

- 3.1 This section sets out the local and national context relating to provision of play opportunities in Folkestone & Hythe District. Consideration is firstly given to the national context including Article 31 of the United Nations Convention on the Rights of the Child. Details of how play is promoted are also set out together with the latest best practice guidance on play. Further detailed information is contained within the Shepway Play Area Review (2017).

International and national context

- 3.2 The importance of providing children and young people with opportunities for play is endorsed by national and international policies including the following:

United Nations Convention on the Rights of the Child

- 3.3 Article 31 of The United Nations Convention on the Rights of the Child (ratified by the UK Government in December 1991) states:

"Parties recognise the right of the child to rest and leisure, engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts."

National Planning Policy Framework, Department for Communities and Local Government, March 2012

- 3.4 The National Planning Policy Framework includes a specific requirement for planning policy 'to be based on a robust and up to date assessment of the needs for open space, sports and recreation facilities and opportunities for new provision' (para. 73). This Strategy, combined with the *Play Area Review (2017)*, provides that evidence base.

The Play Strategy, Department for Children's Schools & Families and Department for Culture, Media and Sport, 2008

- 3.5 The Strategy sets out the Government's vision and commitments for better play opportunities for children and young people in England. A robust strategy for future provision of play in Folkestone & Hythe District needs to consider this together with factors such as ensuring:

"Play spaces are attractive, welcoming, engaging and accessible for all local children and young people."

Every Child Matters, Department for Education & Skills, 2004

- 3.6 The UK government initiative acknowledges that play is fundamental to a healthy happy childhood and the Government recognises its importance to outcomes for children and young people.

Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard, Fields in Trust, 2015

- 3.7 The document sets out a benchmark for the provision of outdoor sport and play and, in so doing, seeks to secure the opportunities for future provision to help build healthy neighbourhoods. Benchmarks, standards and classifications are detailed further within the *Shepway Play Area Review (2017)*.

Managing Risk in Play Provision, Play Safety Forum, 2012

- 3.8 The guide suggests “how play providers can develop an approach to risk management that takes into account the benefits to children and young people of challenging play experiences, as well as the risks.”

Chief Medical Officer of England

- 3.9 In the Chief Medical Officer of England’s report of 2012 ‘*Our Children Deserve Better: Prevention Pays*’, published in August 2013, there are key messages for organisations forming strategies and policy that focus on providing facilities and services to young people that help to prevent physical, mental, educational and social health problems in later life.
- 3.10 In summary the report recommends approaches toward promoting and providing opportunities to access formal and informal physical activity in the local community. Children and young people should be enabled to build resilience and positive capacities through play and exercise. By specifically equipping children and young people with these opportunities they can fully explore their own personal and social behaviours. Furthermore the benefits of a healthy diet will be fully realised when complimented with physical activity and go a long way towards tackling long term obesity.
- 3.11 Providing the environment for children and young people to build self-esteem, self-confidence, skills, physical and social experience and knowledge, gives them the tools for coping with demands at home and school, and later on at work, whilst making the transition into adulthood.

Play England

- 3.12 Play England is a registered charity which aims to ensure everybody is able to fully enjoy their right to play throughout their childhood and teenage years. The organisation achieves this through awareness raising and campaigns as well as supporting research and sharing best practice.

Design for Play: A Guide to Creating Successful Play Spaces, Play England, 2008

- 3.13 The guidance sets out a framework and principles for the design of play spaces, based around the “golden rule” that “a successful play space is a place in its own right, specially designed for its location, in such a way as to provide as much play value as possible.”
- 3.14 The achievement of this vision is supported by 10 core principles:

1. Imagine a play space designed to enhance its setting.
2. Imagine a play space in the best possible place.
3. Imagine a play space close to nature.
4. Imagine a play space where children can play in different ways.
5. Imagine a play space where disabled and non-disabled children play together.
6. Imagine a play space loved by the community.
7. Imagine a play space where children of all ages play together.
8. Imagine a play space where children can stretch and challenge themselves in every way.
9. Imagine a play space maintained for play value and environmental sustainability.
10. Imagine a play space that evolves as children grow.

- 3.15 These values and principles have been used as a foundation for evaluating and understanding the quality and value of play area provision across Folkestone & Hythe District.

Sowing the seeds: reconnecting London's children with nature, GLA, 2011

- 3.16 Within this report, Tim Gill, one of the UK's leading thinkers on childhood, provides an analysis of children's engagement with nature. The Report does this in three ways:
- Summarising the wealth of previous research into the benefits of children's engagement in nature.
 - Analysing the numerous activities to engage in nature currently taking place in London.
 - Recommending a clear vision that every London child has the chance to experience nature as part of their everyday lives, and a range of policy and practical recommendations in order to achieve this vision.
- 3.17 The report suggests that giving children access to nature promotes their mental and emotional well-being and may have a positive effect on the behaviour of some children.
- 3.18 Information is provided on measuring progress by setting out useful existing spatial standards and possible metrics and performance indicators.

Local context

- 3.19 The Places and Policies Local Plan, Submission Draft (2018) (PPLP) has two policies that directly relate to the provision of play opportunities in the district. Firstly Policy C3, provision of open space, which was informed by the Shepway Open Space Review and Strategy (2017 and is set out below.)
- 3.20 "To meet the additional need in open space generated by new residential developments the Council will require proposals of 20 or more dwellings to provide for open space in accordance with the standards set out in Table 12.1 of the PPLP.
- 3.21 Where full provision on-site would not be appropriate or desirable, or the proposed development is less than 20 dwellings, the space needed may be met by commuted sum payment towards the provision or improvement of open space nearby on a scale related to the size and scale of the development.
- 3.22 This gross open space calculation may include provision of publicly available:
- Sustainable Drainage Systems (SuDS), provided they do not compromise the safety of open space users;
 - Informal sports pitches; and
 - Formal play spaces.
- 3.23 Any new open space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, the District Council or appropriate community group or charity, subject to payment of a commuted sum.
- 3.24 Existing open spaces, as defined on the Policies Map, will be safeguarded. Development proposals that would result in the loss of open spaces will be granted provided that:
1. An assessment has been undertaken which clearly identifies the open space is surplus to requirements; or
 2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of the standards set out in Table 12.1 of the PPLP; or
 3. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."
- 3.25 The second Places and Policies Local Plan Policy is Policy C4 children's play space, which has been informed by The Shepway Play Area Review (2017) and is set out below:
- 3.26 To meet the additional need for children's play space generated by new residential developments, the Council will require proposals of 10 or more family dwellings (2 or more bedrooms) to provide for child play space in accordance with the standards set out in Table 4.1 of this document.
- 3.27 Areas should be set out and located so as to minimise loss of amenity for nearby occupiers, maximise children's safety and be visible from neighbouring properties.

Where full provision on-site would not be appropriate or desirable, the space needed may be met by commuted sum payment towards the provision or improvement of play space nearby on a scale related to the size and scale of the development.

- 3.28 Any new play space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local Town or Parish Council, the District Council or appropriate community group or charity, subject to payment of a commuted sum.
- 3.29 In addition Shepway Core Strategy Local Plan (2013), Policy SS5 District Infrastructure Planning, is relevant. It sets out the approach to overseeing the delivery of new or upgraded infrastructure (including play space) alongside development.

Kent Children and Young People's Plan

- 3.20 The draft Kent Children and Young People's Plan – Working Together to Improve Outcomes 2016-2019 sets out the shared ambition of public and voluntary sector partners to improve the lives of children and young people growing up in Kent. The following themes with supporting indicators are outlined:
- Children and young people grow up in safe families and communities
 - Children and young people have good physical, mental and emotional health
 - Children and young people learn & have opportunities to achieve throughout their lives
 - Children and young people make safe and positive decisions⁹

Local Children's Partnership Groups

- 3.21 Local Children's Partnership Groups' primary purpose is to drive improvement in specific outcomes for local children and young people. The work of Local Children's Partnership Groups support both the development and delivery of Kent's Children and Young People's Plan - which will be aligned to aims and ambitions of the Kent 0-25 Health and Wellbeing Board (Kent 0-25 HWB). LCPGs play a key role in relation to safeguarding and promoting the welfare of children and young people, and as such provide an important link between the Kent Safeguarding Children Board (KSCB) and local services and organisations working with children and young people.

Kent Community Safety Agreement

- 3.22 The Kent Community Safety Agreement 2014-17¹⁰ highlights priorities (updated in 2016) and cross-cutting themes including safeguarding children and young people and early intervention, prevention and education. The agreement also aims to deliver against the three countywide ambitions set out in the Vision for Kent 2012-22: to grow the economy; to tackle disadvantage; and to put citizens in control. These themes and ambitions link directly to play provision in the area.

South Kent Coast Health and Wellbeing Strategy

- 3.23 The Health and Wellbeing Strategy highlights several priorities which have been produced by the South Kent Coast Health and Wellbeing Board. The Board consists of members from Folkestone & Hythe District Council, Dover District Council, Kent Public Health, South Kent Coast Clinical Commissioning Group (CCG) and the voluntary sector. It will be important to align the relevant priorities within play provision.
- 3.24 The South Kent Coast Health and Wellbeing Strategy has identified the following six priorities (from the localised Kent Joint Strategic Needs Assessment):

⁹0-25 Health and Wellbeing Board & Local Children's Partnership Groups, 2016. Draft - *Kent Children and Young People's Plan – Working Together to Improve Outcomes 2016-2019* [pdf]. Available at: <<http://committeedmz.dartford.gov.uk/documents/s53736/Kent%20CYPP%20DRAFT%20Young%20Peoples%20Plan.pdf>> [Accessed 11/01/2017].

¹⁰ Kent County Council Community Safety Unit, 2014 (updated 2016). *Kent Community Safety Agreement 2014-17* [pdf]. Available at: <https://www.kent.gov.uk/__data/assets/pdf_file/0019/6184/Kent-Community-Safety-Agreement.pdf> [Accessed 12/01/2017].

Priority 1: Tackling Health Inequalities
Priority 2: Urgent Care - Avoiding unnecessary hospital admissions
Priority 3: Supporting Children and Families
Priority 4: Healthy Living and Quality of Life (Prevention of Illness)
Priority 5: Improving Long-Term Conditions
Priority 6: Improving Mental Health and Wellbeing¹¹

3.25 It will be important to align the relevant priorities within play provision.

Corporate Plan

- 3.26 F&HDC's Corporate Plan outlines the vision and priorities for the Council through its Strategic Objectives. The Corporate Plan 2017-2020 – Investing for the next generation – delivering more of what matters, outlines priorities based around supporting local economic growth, developing housing provision, fostering localism, maintaining an attractive district and providing local people with value for money. The six strategic objectives include: more homes; more jobs; appearance matters; health matters; achieving stability and delivering excellence¹².
- 3.27 The objectives contribute in some way to securing the shared commitment to providing good quality play provision particularly in reference to appearance, health matters and delivering excellence.
- 3.28 Work is currently underway to develop a new Corporate Plan for the period 2020-2030. Early indications are that there will be support for accessible, quality open spaces and play provision as well as collaborative working with Town & Parish Councils.

Shepway Play Area Review

- 3.29 The Shepway Play Area Review compiled in 2017 outlined the approach taken during the assessment of provision and sets out the current situation and proposed standards for play provision across the district. The results of the review provided a foundation for this Play Area Strategy.

Additional relevant local strategies

- 3.30 The following documents have also informed the preparation of this report:
- Shepway Open Space Strategy 2017
 - A Needs Assessment relating to the Provision of Natural Greenspace in areas with Low Levels of Physical Activity – Shepway District Council 2016
 - Shepway Core Strategy Local Plan 2013
 - Planning for Play in Shepway 2007 – 2012
 - Shepway Open Spaces: Sports and Recreation Report 2011
 - Shepway LDF 'Open Space Audit' 2011
 - Green Infrastructure Report 2011
 - A Playing Pitch Strategy Update 2011
 - Shepway District Local Plan Review (2006) 'Saved' Policies

¹¹ Shepway District Council: Health and wellbeing website, 2016. Available at: <<http://www.shepway.gov.uk/community/health-and-wellbeing>> [Accessed 12/01/2017].

¹² Shepway District Council, 2017. *The Corporate Plan 2017-2020 – Investing for the next generation – delivering more of what matters* [pdf]. Available at: <https://www.shepway.gov.uk/media/4222/corporateplan2017/pdf/Corporate_Plan_2017-2020.pdf> [Accessed 31/05/2017].

Population and socio-economic deprivation

- 3.31 According to the census, the population of Folkestone & Hythe District in 2011 was 107,969. Of which 49.2% are males and 50.8% are females¹³. The more recent 2015 Mid Year Estimates from The Office for National Statistics (ONS) indicates that Folkestone & Hythe District's population was 110,03414.
- 3.32 The Indices of Deprivation (IMD) 2015 data reveals that Folkestone & Hythe District is the third most deprived area in Kent, ranking 113 out of 326 local authority districts nationally. 21.6% of the population of children in Folkestone & Hythe District are being brought up in poverty; this is the third highest rank in Kent and higher than the overall average in Kent of 18.4%¹⁵. In addition 20.6% (206) of children who are in school year 6 are classified as obese.¹⁶ Further population and socio-economic context is set out within the Folkestone & Hythe District Council document *Shepway in Context: A Socio-Economic and Property Analysis (2015)* and the *Shepway Play Area Review (2017)*.

¹³ Shepway District Council, 2015. *Shepway in Context: A Socio-Economic and Property Analysis* [pdf]. Available at: <<https://www.shepway.gov.uk/moderngov/documents/s16097/rcabt20150225%20app%202%20Draft%20Final%20Shepway%20in%20Context%20Report.pdf>> [Accessed 31 October 2016].

¹⁴ Office for National Statistics Website, 2016. *Ward Level Mid-Year Population Estimates*. Available at: <<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/wardlevelmidyearpopulationestimatesexperimental>> [Accessed 27 October 2016].

¹⁵ Kent County Council, 2016. *Business Intelligence Statistical Bulletin – Children living in low income families in Kent* [pdf]. Available at: <http://www.kent.gov.uk/__data/assets/pdf_file/0009/7956/Children-in-poverty.pdf> [Accessed 23 February 2017].

¹⁶ Shepway District Council: Places and Policies Local Plan Preferred Options – 15 Health and Wellbeing website, 2017. Available at: <http://consult.shepway.gov.uk/portal/pplp/preferred_options?pointId=ID-3549432-POLICY-HW3> [Accessed 21/07/2017]

4 Summary of Play Area Review

- 4.1 The Strategy has been informed through the Shepway Play Area Review (2017) which involved consultation with residents and key stakeholders to understand local need. This consultation exercise was supplemented through an audit of each play area in Folkestone & Hythe District. The results of this assessment and analysis will help to determine standards of future provision and inform decision making. This section summarises the key findings from this work with further information on the methodology and analysis of results contained within the Shepway Play Area Review (2017).

Consultation results

Household survey

- 4.2 Public consultation was undertaken through an online survey. The scope of this questionnaire covered the frequency of use, perceived value and satisfaction with the quality and quantity of open spaces and play areas within the district. The survey elicited responses from 380 people.
- 4.3 Of those who stated that they do not use parks and open spaces regularly:
- 19% of respondents cited lack of play facilities.
 - 19% of respondents felt litter, anti-social behaviour and the appearance deterred visits.
 - 43% of respondents highlighted other reasons for not visiting including poor weather, time at work and general lack of time.
- 4.4 Just over 60% of respondents confirmed that they use equipped play facilities in Folkestone & Hythe District. Results indicate:
- 24% of respondents use equipped play areas once a week.
 - 23% of respondents use equipped play areas 2-3 times a week.
 - 20% of respondents use equipped play areas once a fortnight.
- 4.5 The majority of respondents access local play facilities on foot and for 80% of respondents it takes less than 15 minutes to travel to the play facility they visit most often.
- 4.6 The play facilities that respondents visited most often include:
- Lower Leas Coastal Park
 - Radnor Park
 - Cheriton Park
- 4.7 Responses to the household survey indicate that overall there are high levels of satisfaction with the amount and quality of play in Folkestone & Hythe District. However responses to questions relating to play opportunities for 11+ years indicate there is a need for improvement.
- 4.8 Respondents were provided with the opportunity to provide further comments on play facilities in Folkestone & Hythe District. Many of the comments cited site specific issues however general comments included:
- A recommendation to increase play facilities for 11+ age groups and under 5's.
 - Increase toilet facilities at destination sites.
 - Improve the speed in which maintenance issues are addressed.
 - Lower Leas Coastal Park and Brockhill Country Park are recognised as being good sites for play.

Telephone/email consultation

- 4.9 Consultation with stakeholders revealed that respondents are generally positive about the district's flagship play areas such as Lower Leas Coastal Park and Brockhill Country Park although issues such as litter and vandalism were a common theme with one respondent noting "Parents seem to prefer play areas which are safe, not strewn with litter (especially dog waste and needles) and where the play equipment is not broken or otherwise rendered unsafe".
- 4.10 Some further interesting opportunities for improving play provision in Folkestone & Hythe District identified by stakeholders are summarised below:
- Use local ward member grants and trust funds, such as those offered by The Roger De Haan Charitable Trust, to improve play provision.
 - Improve CCTV coverage or increase supervision of play areas to reduce incidents of anti-social behaviour.
 - Improve street lighting along the coastline.
 - Encourage community groups to take responsibility for supervising and maintaining play areas alongside community fundraising.

Workshop with local authority officers and stakeholders

- 4.11 The majority of play areas within Folkestone & Hythe District are managed by F&HDC. However the workshop revealed that there is a desire to increase community involvement in the delivery of play provision in Folkestone & Hythe District with town and parish councils expressing interest in managing play areas.
- 4.12 The workshop highlighted issues with the condition of play areas across Folkestone & Hythe District including ageing equipment and vandalism. Budget restrictions were noted as reasons for some of these issues. Attendees identified a need to share knowledge on the management play areas as well as external funding streams which could support enhancement projects.

Audits and results

- 4.13 In consideration of the latest FiT guidance¹⁷ and Play England guidance¹⁸ the following classifications of play area were assessed as part of the *Shepway Play Area Review (2017)*:
- Type A: **Local Areas for Play (LAPs)**.
 - Small, low-key games area (may include "demonstrative" play features);
 - Minimum activity zone of 100sqm.
 - Type B: **Local Equipped Areas for Play (LEAPs)**.
 - Approximately five types of equipment;
 - Minimum activity zone of 400sqm.
 - Type C: **Neighbourhood Equipped Areas for Play (NEAPs)**.
 - Approximately eight types of equipment;
 - Kickabout and/or wheeled activities;
 - Minimum activity zone of 1,000sqm comprising an area for play equipment and structures;
 - Hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football).
 - Type D: **Destination Play Space**.

¹⁷ Fields in Trust, 2015. *Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard* [pdf]. Available at: <<http://www.fieldsintrust.org/Upload/file/PAD/FINAL%20ONLINE%20Planning%20Guidance%20for%20Outdoor%20Sport%20and%20Play%20Provision%20Oct%202015.pdf>> [Accessed 8 September 2016].

¹⁸ Play England, 2009. *Tools for evaluating local play provision: A technical guide to Play England local play indicators* [pdf]. Available at <http://www.playengland.org.uk/media/202750/tools-for-evaluating-play-provision.pdf> [Accessed 8 September 2016].

- Play spaces which can attract visitors for a wider catchment, usually within larger parks they often have supporting facilities such as car parking, catering and toilets.

4.14 The Play Area Review identified and assessed 85 equipped play areas in Folkestone & Hythe District in accordance with the latest guidance. The scoring system developed from the FiT and Play England guidance enabled the assessments of play area quantity, accessibility, quality, value and location.

Overview of audit findings

4.15 All play areas included in the Review are publicly accessible, 43 of the play areas were a standalone space with the primary typology of 'Provision for children and young people'. The remainder of the equipped play provision were located within larger open spaces and primarily within parks and gardens.

4.16 Not all of the district's residents are within easy walking distance of a suitable facility. This was also highlighted as an issue through stakeholder consultation and confirmed by the mapping of accessibility catchments. The Play Area Review identified particular deficiencies in play areas within the centre of New Romney, intermittent areas along coastal residential areas in Romney Marsh, to the south-east of Folkestone Harbour and within Broadmead. It also discovered that a variety of play areas were considered to have better location and play values when compared to quality which was generally of a lower standard.

Play area provision for age groups

4.17 The Play Area Review revealed that the distribution of play provision in Folkestone & Hythe District is generally good. However the Review identified a shortage of play areas catering for the 11+ age group. While 86.8% of play areas have provision suitable for 5-11 age groups, only 41.2% have equipment that would appeal to older children/young people (11+). However, it should be noted that older children/young people are likely to be more able to travel further to access suitable play provision such as multi use games areas (MUGAs) and skate parks. There is generally good provision for 0-11+ age groups throughout most wards however Broadmead and Folkestone Harbour have no provision for 11+ age groups with potential for greater quantities of 11+ provision in Cheriton and North Downs West. There is a lack of provision for the youngest age category (LAPs) in the southern half of the district. Adding to this, the condition of the existing sites are mainly average, poor or very poor throughout the district.

Proposed local standards for play area provision

4.18 Following the site audit process as part of the *Shepway Play Area Review (2017)*, proposed standards for play provision were formulated and these are set out in **Table 4.1**. The standards were calculated based on current provision and using the population figures of 110,034 as set out in the 2015 Mid-Year Estimates from The Office for National Statistics (ONS)¹⁹.

¹⁹ Office for National Statistics Website, 2016. *Ward Level Mid-Year Population Estimates*. Available at: <<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/wardlevelmidyearpopulationestimatesexperimental>> [Accessed 27 October 2016]

Table 4.1: Proposed standards for play provision in Folkestone & Hythe District

Type of standard	Proposed standard	Justification
Quantity	Destination: 0.003 hectares per 1,000 population NEAP: 0.080 hectares per 1,000 population LEAP: 0.077 hectares per 1,000 population LAP: 0.005 hectares per 1,000 population	This is based on the current provision of play spaces in Folkestone & Hythe District. Setting the standard at this level of provision will ensure that provision should (as a minimum) not fall below the existing quantity per 1,000 population as the population grows. Guided by the Fields in Trust guidance <i>Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard</i> ²⁰
Accessibility	Destination 1000m (15 minute walk) NEAP 600m (10 minute walk) LEAP 240m (5 minute walk) LAP 60m (1 minute walk)	Straight line distance outlined by the Fields in Trust guidance <i>Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard</i> ²¹ A new district wide standard of play provision being “that most residents across the district will live within 15 minute walk of a high quality and high value play area.” Many will live closer than a 15 minute walk. It is deemed reasonable provision within easy reach for all age groups.
Location	Destination 85.71% - Exemplar: Lower Leas Coastal Park Fun Zone NEAP 74.29% - Exemplar: Canterbury Road Recreation Ground LEAP 62.86% - Exemplar: Tayne Field (adjacent public house) LAP 62.86% - Exemplar: Megan Close Play Area	Expected score for a good well located site
Value	Destination 74% - Exemplar: Brockhill Country Park NEAP 72% - Exemplar: Canterbury Road Recreation Ground LEAP 68% - Exemplar: Elmfields LAP 55% - Exemplar: Megan Close	Expected score for a good value site
Quality	Destination 65.71% - Exemplar: Brockhill Country Park NEAP 60% - Exemplar: Cheriton Recreation Area LEAP 54.29% - Exemplar: Newington Village Hall LAP 52% - Exemplar: Atkinson Road Play Area	Expected score for a good quality site

4.19 The FIT recommended benchmark quantity standard is 0.25 hectares per 1,000 head of population for equipped/designated play areas. The Folkestone & Hythe District standards fall below this standard. However there a number of local factors which explain this, including Folkestone & Hythe District’s older population and rural character. The FIT standards are aspirational and have limitations because they are often seen as undeliverable, and can result in a proliferation of play areas that can be difficult to maintain, as well as setting unrealistic aspirations in the urban context

²⁰ Fields in Trust, 2015. *Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard* [pdf]. Available at: <<http://www.fieldsintrust.org/Upload/file/PAD/FINAL%20ONLINE%20Planning%20Guidance%20for%20Outdoor%20Sport%20and%20Play%20Provision%20Oct%202015.pdf>> [Accessed 8 September 2016].

²¹ Fields in Trust, 2015. *Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard* [pdf]. Available at: <<http://www.fieldsintrust.org/Upload/file/PAD/FINAL%20ONLINE%20Planning%20Guidance%20for%20Outdoor%20Sport%20and%20Play%20Provision%20Oct%202015.pdf>> [Accessed 8 September 2016].

where insufficient land is available. The FIT standards could be a long term aim but the priority should be to work towards ensuring the standards in Table 4.1 are met.

Contribution criteria for strategic decision making

- 4.20 Alongside guidance on location, quantity, quality, value and accessibility aspects, a range of data sources can be used to inform the decision making process.
- 4.21 **Table 4.2** below summarises a range of considerations that impact on how a play area contributes to its local community and outlines an indicative sliding scale from those aspects which lead to reduced contributions to greater contributions for the community. This should be referred to whilst reviewing the findings of the *Shepway Play Area Review (2017)* to ascertain contribution levels and therefore help to inform F&HDC’s decisions over whether certain play areas should be retained, removed, modified or enhanced.
- 4.22 For example regarding the criteria of proximity, those sites with a larger number of accessibility buffers overlapping will invariably have good levels of existing play area provision and subsequently a reduced contribution. This is in contrast to an area with a single play area and no accessibility buffer overlaps which is likely to provide a greater contribution to its local community.

Table 4.2: Contribution criteria of play areas

Criteria	Reduced contribution	Greater contribution
Accessibility	Limited or no access	Unrestricted
Proximity	Based on GIS Analysis using FIT Accessibility Standard Buffers. Increased overlaps	Based on GIS Analysis using FIT Accessibility Standard Buffers. No overlaps
Quantity	Based on level of provision at ward level assessed against FIT standard quantity benchmark. Greater Ha	Based on level of provision at ward level assessed against FIT standard quantity benchmark. Reduced Ha
Hierarchy	Based on prescribed typology derived from audit. LAP	Based on prescribed typology derived from audit. Destination NEAP LEAP
Deprivation	Percentile of deprivation with reference to percentage of children and teenagers: <i>Index of Multiple Deprivation</i> <i>Health Deprivation</i> <i>Living Environment Deprivation</i> Least deprived	Percentile of deprivation with reference to percentage of children and teenagers: <i>Index of Multiple Deprivation</i> <i>Health Deprivation</i> <i>Living Environment Deprivation</i> Most deprived

5 Local provision and management

- 5.1 The following section sets out the current supply of play areas by parish and town. It also identifies ownership and management responsibilities with an overview of some of the key issues affecting play area provision. Brief summaries are provided of recent play area enhancements within the district.

Current play provision

- 5.2 There are a total of 85 play areas in Folkestone & Hythe District which were recorded as part of the 2016 audit. The majority are owned and managed by F&HDC as shown in Table 5.1 below.

Table 5.1: Ownership and management of play areas in Folkestone & Hythe District

Ownership/management	Number of play areas
Burmarsh Parish Council	1
Dymchurch Parish Council	1
Elham Parish Council	1
Hawkinge Town Council	6
Hyde Housing	1
Hythe Town Council	4
Ivychurch Parish Council	1
Kent County Council	1
Lydd Town Council	1
Lyminge Parish Council	5
Lympne Parish Council	1
Ministry of Defence	3
New Romney Town Council	2
Newchurch Parish Council	1
Newington Parish Council	1
Orbit Housing Association	1
S106 - With Developer	1
Saltwood Parish Council	1
Sandgate Parish Council	1
F&HDC	40
F&HDC Housing	8
Sellindge Parish Council	1
St Mary in the Marsh Parish Council	1
Unknown ownership	1
Total number of play areas in Folkestone & Hythe District	85

- 5.3 **Appendix 2** details the ownership and management responsibilities by site.

Inspection, management and maintenance

Folkestone & Hythe District Council

- 5.4 The maintenance of the play areas managed by F&HDC is carried out by a maintenance team.
- 5.5 Each play area is inspected on a weekly basis by RoSPA trained personnel this is known as the visual inspection. These inspections assess the safety of the equipment and form the basis of maintenance schedules.

- 5.6 Every play area is inspected on a quarterly basis by a RoSPA trained personnel this is known as the operational inspection. These inspections are more meticulous inspecting bearings and other hidden elements, records are provided using a risk based approach.
- 5.7 An annual independent inspection takes place looking at all Folkestone & Hythe District's play areas by Zurich Insurance Inspectors, in order to satisfy our insurance requirements. From these inspections Crimson Reports are generated which then inform the work plan in terms of ongoing maintenance and renewal of equipment. Crimson Reports can be used to assess the number of defects in a play area. A scale from A-D is used to indicate the seriousness and urgency of a defect.
- 5.8 F&HDC are currently following recent inspection guidance from RoSPA which advises additional quarterly inspections which are more detailed, and encompass all moving parts.
- 5.9 In general, most repairs can be undertaken quickly and cost effectively however, where an item is irreparable or past its useful life, it will be removed without replacement.
- 5.10 Sustainability of play areas is being addressed internally by implementing the following requirements for new play provision:
- No varnished finishes, avoid painted finishes.
 - Recycled products or sustainably sourced timber.
 - Timber to only be used when pressure treated.
 - All moving parts to be accessible and not hidden.
 - Grass matting should be used where appropriate and wet pour surfaces should be seamless and not involve the use of tiles.
 - Replacement parts should be universal and available through many suppliers to remain competitive.
- 5.11 F&HDC also advise outside organisations including town and parish councils on suitable arrangements for play facilities.

Parish and town councils

- 5.12 Parish and town councils are responsible for coordinating the inspection, maintenance and insurance of play areas under their management. Many of the councils hire a private contractor to undertake these works although management arrangements vary.
- 5.13 Parish councils can access a wide variety of community funding sources towards the upkeep and development of play facilities under their management. Ongoing consultation and sharing of information is vital to help secure external funding. This could be achieved through play forums and appropriate conduits/officers to link various groups and management approaches. Further useful information is contained within Play England guidance *Parish councils and children's play – Community play briefing 7 (2011)*²².

Other

- 5.14 Other free play areas in the district are managed independently. Many of these are currently managed by developers as part of Section 106 agreements on new housing developments. Three play areas are managed by the Ministry of Defence.

Overview of current play area issues

- 5.15 The following key issues have been identified through the *Shepway Play Area Review (2017)* assessment:
- Insufficient budget to support the ongoing management and maintenance of play areas which has resulted in a backlog of repairs. The impact of continued reduction in play space will exacerbate the decline in play value and quality in Folkestone & Hythe District.

²² Play England, 2011 *Parish councils and children's play – Community play briefing 7* [pdf]. Available at: <http://www.playengland.org.uk/media/283002/parishcouncils_ver4%20-%20final.pdf> [Accessed 12 June 2017].

- Problems with anti-social behaviour and litter at a number of sites.
 - Gaps in provision due to a lack of identified on-site play areas.
 - A need to share relevant knowledge and skills between play area stakeholders.
- 5.16 While the majority of play spaces can be accessed by children and young people with disabilities, there is limited play equipment for these groups to engage with. Play England's vision is supported by an objective to "*imagine a play space where disabled and nondisabled children play together*"²³, a focus on fewer sites could enable improvements to play value and to increase play opportunities for children and young people with disabilities.

Summary of recent play area enhancements

- 5.17 Recent play area enhancement projects in Folkestone & Hythe District are described briefly below by ward. These examples help to highlight the community interest and support in play area management and also the desire for play areas to provide a good range of features and facilities. Information is largely drawn from the series of Folkestone & Hythe District Ward Profile documents prepared by Folkestone & Hythe District Council in 2015.

Cheriton

- 5.18 Cheriton has strong community involvement which influences play areas within the ward. Cheriton Young Persons Working Group looked at regeneration of parks and leisure space in Cheriton. In addition South Cheriton Action Group is a community group, set up by residents in the immediate vicinity of the proposed Shorncliffe development. The group has a Facebook page and a page on Cheriton Matters. Cheriton Recreation Ground, in recent years has had new play equipment and street lighting. Future plans, might include a skate park.
- 5.19 Firs Lane Play Area has a play unit including a slide and a climbing wall. There are also two swings, spinning stools and bench seating. Harcourt Primary School raised the funds for the equipment at this park and the children chose the design of the equipment.

East Folkestone

- 5.20 Canterbury Road Residents Group was formed in 2007 with the aim of improving the area and the lives of local families. The group secured a large amount of external funding to revamp Canterbury Road Recreation Ground including play areas. Improvements that were implemented included a multi-use games area (MUGA) and additional practice area, teen shelter, practice running track, new play equipment for older children and young people, and improvements to the toddler play area. Other improvements were made to footpath lighting and litter bins. A dog mess bag dispenser, benches, signs and seating were also installed. Since then the residents have planted daffodils all around the recreation ground. The group are currently seeking funding to run a youth scheme at the recreation ground to support young people to take ownership of the park and ensure that it is used positively. It is hoped the scheme will discourage anti-social behaviour and encourage young people to participate in positive activities.
- 5.21 Creteway Estate Residents Association similarly contributed to Brabner Park's enhancements through planting saplings during national tree week and organising estate clean up days. At present the Association is considering undertaking a project to add extra play equipment for the younger children at the George Gurr Crescent Play Area.

Folkestone Central

- 5.22 The Lower Leas Coastal Park was redeveloped between 2000 and 2006 into a unique undercliff with pine avenues, flower gardens, historic Zig Zag path (c. 1921), a labyrinth and picnic areas leading down to the sea. Also the park contains the largest free children's adventure playground in the south east complete with zip wires, slide tubes, a toddler's builder's yard and a pirate ship. The

²³ Play England, 2008. *Design for Play: A Guide to Creating Successful Play Spaces* [pdf]. Available at: <<http://www.playengland.org.uk/resource/play-naturally-a-review-of-childrens-natural-play/>> [Accessed 02 February 2017].

regeneration of the park, once a derelict and undesirable part of the town, was funded by the Heritage Lottery Fund, SEEDA, F&HDC and the European Union.

- 5.23 In 2007, the Coastal Park received four awards, including the Green Flag Award, best regional and best overall Regeneration Project from the Royal Town Planning Institute 2007. It was also winner in the Landscape category of the 2007 Kent Design Awards. More recently in 2013 the Coastal Park was awarded the Trip Advisor Certificate of Excellence and has retained the accolade each year since. The park now features in their Hall of Fame, having maintained the Certificate of Excellence for the last 7 years. It continues to receive the Green Flag Award annually and is now flying the flag for the 13th consecutive year.



Lower Leas Coastal Park (Picture: LUC)

- 5.24 A flagship project at Upper Radnor Park saw recent play equipment improvements with an official opening on July 2017. The project has been developed with support of multiple organisations and partners, and nearly £400,000 of funding. This funding included the renovation of the Lodge House which is now a tea room and the complete refurbishment of the Victorian drinking fountain and statue of St Eanswythe.
- 5.25 Significant additional funding for the play equipment has come from the efforts of the Radnor Park Community Group. The new play area includes; a railway themed zone for toddlers, with a climbing train and carriages, a tunnel, tracks, turntable roundabout and a station; a raised hill with places for scrambling, perching and climbing and a striking centre piece and; exciting and challenging climbing equipment for 8-12 year olds including a 6 metre high net pyramid and 20 metre long zip line.²⁴
- 5.26 Further funding in excess of £50,000 was raised in 2019 from Cabinet Member environmental improvement grants, local ward member grants, KCC member grants and a contribution from the Radnor Park Community Group to install an outdoor adult gym and a wheel chair swing.

²⁴ Shepway District Council website, 2017. *Contract awarded for play equipment at Radnor Park*. Available at: <<https://www.shepway.gov.uk/news/radnor-park/play-equipment>> [Accessed 08/06/2017]



Radnor Park Playground Opening (Picture: Shepway District Council)

Folkestone Harbour

- 5.27 St Mary’s Church of England Primary Academy was involved in a local community project to renovate a piece of Southern Water land into a children’s play area in 2005 known as the Southern Way Play Park. The project involved the local community and the staff and children at St Mary’s Church of England Primary Academy. The Southern Way and St Mary’s Community Association was set up to facilitate the project and was chaired by the Chief Executive of the school. Pupils from the Academy were involved in the whole process including choosing all the equipment installed in the play area. The community group no longer assists, passing a small one-off maintenance budget to FHDC. The play park has been in constant use since the renovations were completed.

Hythe Rural

- 5.28 Lymgne Village Hall Playground is designed for younger children and there is currently a group who are fundraising to add new play equipment and skate facilities.

Hythe

- 5.29 Hythe has a skatepark known as The Hythe Golden Jubilee Skatepark, located close to the Cricket Ground, near Wakefield Walk within South Road Recreation Ground. Recently Hythe Town Council installed two new pieces of equipment a grind box and rail. The Skatepark has its own Facebook page. Hythe also has numerous play areas distributed across the town.

North Downs East

- 5.30 Hawkinge has several newer play areas serving the recent housing developments and containing a range of equipment. These are located at Stombers Lane, Campbell Road, Proctor Walk, Kettle Drive, Haven Drive, Millfield, St Luke’s Walk, Megone Close, Heron Forstal Avenue, Harvest Way, and Blenheim Drive. King George V Play Area is a fenced site located in Elham, and benefits from a range of modern play equipment to suit all ages. There are flat, cradle and basket swings, two slides, climbing areas, zip slide as well as seating and picnic areas. There is also a football pitch with goals.

Romney Marsh

- 5.31 Dymchurch Recreation Ground includes a play area which contains several innovative forms of equipment together with a De Haan Charitable Trust funded multi use games area.

Walland and Denge Marsh

- 5.32 The triangular common in Lydd is known as the Rype, and was given to the men of Lydd by the Archbishop of Canterbury in 905AD for having repulsed the Danes. It is now managed by Lydd Town Council and contains a popular play area. There has been recent investment through trust funds including those from the De Hann Charitable Trust which have transformed the play facility.

6 The Strategy

- 6.1 This section sets out the vision and objectives for future play provision in Folkestone & Hythe District. These have been informed through consideration of existing levels of play in the district together with understanding the current management context. Funding and developer contributions are discussed separately.

Vision

- 6.2 F&HDC acknowledges the importance of play to the health and well-being of its residents. F&HDC is therefore committed to ensuring all residents are able to access high quality and high value play provision. Subsequently F&HDC's vision for play provision is as follows:

Play experiences are fundamental to the health and development of children and young people. Folkestone & Hythe District Council will therefore seek to ensure all residents are able to access a high quality and high value play area. We will work with town and parish councils, together with other providers, to create play spaces which offer challenging and exciting environments for children and young people of all ages and abilities.

Applying Play Area Provision Standards

The *Shepway Play Area Review (2017)* provides an assessment of play areas in the district in terms of quantity, accessibility, location, value and quality.

National guidance suggests that play strategies should be based on locally derived standards. These standards are determined through analysis of existing provision of play spaces, consideration of local and national standards for play and an understanding of local need. The proposed standards for Folkestone & Hythe District are set out in the *Shepway Play Area Review (2017)* and **Section 4** of this Strategy.

F&HDC acknowledges that, due to ongoing financial constraints facing local authorities, achieving these standards in Folkestone & Hythe District will be a challenge. It is therefore proposed that any investment will be prioritised on the management and enhancement of play areas where there is considered greatest need i.e. play spaces located in areas with the largest concentration of children and young people. Based on this assessment 9 play areas have been identified as being priorities for F&HDC known as **Priority Play Areas (PPAs)**. The Strategy identifies another 5 PPA's within the district in other ownership. F&HDC will work with town and parish councils to identify priority play spaces in their areas.

In addition F&HDC will work in partnership with parish and town organisations, together with housing trusts and other community groups, to deliver a network of **Strategically Important Play Areas (SIPAs)**. The network of SIPAs has been identified with the aim of ensuring the majority of the district's residents live within a 15 minute walk of a high quality and high value play area. FHDC will look to transfer these sites to the Town and Parish Councils who are best placed to provide these facilities for their local residents.

Those play areas not considered to be part of this network will be known as **Non-Strategic Play Areas (NSPA)** and will be offered to F&HDC's partners as part of an asset transfer. If after one year no interested parties come forward, play equipment will be removed from these play areas and the ground returned to open space.

Appendix 2 outlines those sites which form part of the PPA, SIPA and NSPA network with locations shown within **Appendix 3**.

NB In reference to national guidance, proposed local standards should strive to be met in the first instance with the accessibility requirement that residents across the district will live within 15 minute walk of a play area. Many will live closer than a 15 minute walk. It is deemed reasonable provision within easy reach for all age groups. As a visual guide the Destination Play Space accessibility threshold of 1000m represents a 15 minute walk and caters for a range of age groups including 0 to 11+.

6.3 To achieve the Vision, F&HDC will deliver the following objectives.

Objectives

6.4 The *Shepway Play Area Review (2017)* identified a need to take a strategic approach to future play area provision in the district. The following objectives and supporting action plan (see **Section 7**) have been informed by the findings of the Play Area Review, which involved desk based analysis, stakeholder consultation and an audit of play areas. Each play area in the district was assessed to record:

- Location: Safety and security, accessibility (including disabled access) and extent of use.
- Quantity: Amount of play areas by classification.
- Quality: Care and maintenance of equipment and facilities.
- Value: Provision of equipment offering a variety of challenging play and movement incorporating natural features and offering value to a range of age groups and abilities.
- Accessibility: FiT guidance²⁵ provides a benchmark for accessibility catchments.

Objective 1: Improve the location, quality, value and accessibility of play provision for all children and young people.

To be achieved by:

1. Referring to the **standards within the *Shepway Play Area Review (2017)*** and set out in **Table 4.1** of this Strategy when planning play area enhancement projects. It will be important to ensure any new residential development in the district provides or contributes towards sufficient play space to achieve the play area standards. New play provision should cater for children and young people of all ages based on the characteristics of the population within the proposed development as well as to meet any deficiencies within the wider area. F&HDC will also strive to improve the location, quality, value and accessibility of each play area. Where appropriate recommendations for play areas are set out within the action plan (see **Section 7**).
2. Continuing to **maintain and seeking to enhance the Priority Play Areas (PPAs)** as identified in this Strategy.
3. **Supporting the provision of a network of Strategically Important Play Areas (SIPAs)** to ensure the majority of the district's residents are within a 15 minute walk of a high quality and high value play space, which meets the needs of the community.
4. Ensuring the provision of new play areas considers the **design principles** outlined in Play England's *Design for Play: A Guide to Creating Successful Play Spaces (2008)*, which advocates that "a successful play space is a place in its own right, specially designed for its location, in such a way as to provide as much play value as possible."²⁶

²⁵ Fields in Trust, 2015. *Guidance for Outdoor Sport and Play – Beyond the Six Acre Standard* [pdf] available at: <<http://www.fieldsintrust.org/Upload/file/PAD/FINAL%20ONLINE%20Planning%20Guidance%20for%20Outdoor%20Sport%20and%20Play%20Provision%20Oct%202015.pdf>> [Accessed 8 September 2016].

²⁶ Play England, 2008. *Design for Play: A Guide to Creating Successful Play Spaces* [pdf]. Available at: <<http://www.playengland.org.uk/resource/play-naturally-a-review-of-childrens-natural-play/>> [Accessed 02 February 2017].

5. **Creating additional play sites** where there is an identified lack of provision in the SIPA network. These will be delivered in partnership with others and as part of new developments.
6. Offering Strategically Important Play Areas (SIPA's) as identified within this Strategy to the Town and Parish Council's, community groups and partners as part of an **asset transfer**.
7. Offering Non-Strategic Play Areas as identified within this Strategy to Town and Parish Councils, the community and partners as part of an **asset transfer**. Where an asset transfer is not possible, the play area will be removed and returned to open space. Reference should be made to the *Asset Management Strategy 2017-2022*²⁷.
8. Incorporating **play opportunities for all age groups and abilities** in the design of new or refurbished play spaces.
9. **Conducting an audit of play provision every ten years** in reference to the previous Play Area Review assessments and in accordance with the latest best practice guidance.

Objective 2: Effectively utilise planning policy to benefit play provision.

To be achieved by:

1. Using planning policy to **support a response to addressing the identified need** for play in the district and to take a strategic approach to provision, enabling targeted improvements to the quality and value of play areas across Folkestone & Hythe District.
2. **Embedding the principles of the PPA and SIPA network**, together with the play area standards (as set out in **Table 4.1**), within F&HDC's development plans. This in turn will inform the collection of contributions for on-site and off-site Section 106 contribution requests.

Objective 3: Raise awareness of play opportunities and the importance of play.

To be achieved by:

1. **Improving promotion of the distribution and features of play areas** throughout the district. Methods could include producing an online map, newsletters and leaflets to be distributed at children's centres, schools, libraries and youth facilities.
2. **Creating greater awareness of the benefits of play** to a child's development. This could be achieved through promotional material and supporting parent/carers to access play provision.
3. **Highlighting the risk benefit approach** during the play area decision making process.
4. **Promoting natural play opportunities** and highlighting their importance and value.

Objective 4: Maximise funding opportunities for the maintenance and enhancement of play areas.

To be achieved by:

1. **Reviewing appropriate developer contributions** and re-evaluating formulae for maintenance contributions to ensure that these are sufficient to meet the costs of wear and tear during the play areas life time (25 years).
2. **Utilising design guidance** to formulate a landscape approach to play which reduces annual maintenance costs and provides a challenging and exciting space for children and young people of all ages and abilities.

²⁷ Shepway District Council, 2017. *Asset Management Strategy 2017-2022* [pdf]. Available at: <<https://www.shepway.gov.uk/moderngov/documents/s24160/ros20170711%20app%20%20to%20asset%20management.pdf>> [Accessed 04 October 2017].

3. Ensuring **Section 106 planning obligations** are secured to enable the delivery of appropriate play improvements to the network of SIPAs and/or PPAs at or close to the proposed development.
4. **Securing funding through CIL.** It will be important for Engineering & Buildings to ensure that Destination play areas are included on the “123” list which will define CIL spending across the district. CIL will also be used to secure the future of key play sites across the district. CIL contributions could also be used to support parish and town councils deliver play area improvement projects.
5. Seeking **alternative funding initiatives**, such as government funding schemes and Landfill Communities Fund, to support play area enhancement projects. Other funding sources may be identified through searching online with GRANTfinder and through the Association of Play Industries.
6. Using the **Shepway Play Area Review (2017)** and the results of the play area assessments to prioritise funding to PPA sites.
7. **Dowry payments** will be made available from FHDC on completion of transferring SIPA and NSPA play areas. Dowry payments will be calculated on the basis of the next five years maintenance amount that the Council would be liable for. Calculation would include an amount to rectify any outstanding faults, 5 years maintenance, 5 years inspections and an amount per year for vandalism. The Dowry payment may be reduced if there is S106 money available on transfer.

Objective 5: Communicate and engage with key partners and stakeholders.

To be achieved by:

1. **Consulting on the findings of the Shepway Play Area Review.**
2. **Consulting with parish and town councils on Strategic Play Areas (SIPA) and Non-Strategic Play Areas (NSPA)** to identify opportunities for asset transfer of play areas.
3. **Encouraging Friends and community groups** to support the development and enhancement of play spaces across the district, by tapping into funding schemes that F&HDC is unable to access.
4. **Encouraging management companies and parish and town councils** to take ownership of local play areas.
5. Making reference to actions and recommendations within the forthcoming **Heritage Strategy for Shepway together with the draft Destination Management Plan for Shepway – Folkestone, Hythe, Romney Marsh and North Downs – Executive Summary 2016-2020 (2016)**²⁸.
6. **Engaging in a programme of consultation with users and residents** to ensure proposed play area improvement projects are responding to local need. A comprehensive programme of consultation will also encourage positive community participation in the delivery of local projects.
7. **Strengthening links with the South Kent Coast Health and Wellbeing Board.** Seek opportunities to secure funding for health and well-being priorities. The benefits offered by good quality open space should be promoted to this Board as a potential mechanism for delivering its objectives.

Objective 6: Ensure appropriate and regular communication and review.

To be achieved by:

²⁸ Shepway District Council, 2016 *Draft Destination Management Plan for Shepway – Folkestone, Hythe, Romney Marsh and North Downs – Executive Summary 2016-2020* [pdf]. Available at: <<http://folkestone.works/wp-content/uploads/2016/10/Shepway-Destination-Management-Plan-Draft-Executive-Summary-03.10.16.pdf>> [Accessed 02 May 2017].

1. **Ensuring data is maintained and kept up to date** so that it can be used to support decision making, strategy and funding applications. F&HDC Environment & Corporate Assets and Communities will put in place a system for ensuring data is updated as changes occur and reviewed on a regular basis.
 2. **Sharing information**, including the findings of the Play Area Review and Strategy, with other F&HDC departments and organisations. This will support a strategic approach to play area provision which is based on existing data and current policy and thinking.
 3. **Ensuring appropriate consultation** with the community prior to the removal or any significant alteration of play areas.
- 6.5 Further actions which will support the vision and objectives set out above are contained within **Section 7** of this Strategy.

Funding and developer contributions

- 6.6 F&HDC's Engineering & Buildings Service is under pressure from increasing budget demands. In response, the Service is considering options to support day-to-day maintenance operations and one-off improvement projects. However there is a range of external funding schemes that could be used to support the maintenance and enhancement of play areas in Folkestone & Hythe District. The following paragraphs outline possible sources of external funding.

Landfill Communities Fund

- 6.7 The Landfill Communities Fund is a tax credit scheme which enables landfill operators to support the delivery of community projects. The Fund is available to community groups, charities and other voluntary organisations. At present there are limited community groups and charities actively involved in the management of play areas in the district. An exception is the Folkestone Parks & Pleasure Grounds (FPPG) Charity, which aims to ensure the maintenance of parks and recreation grounds in Folkestone and Sandgate are managed appropriately. Open spaces that fall under the FPPG Charity include:
- Canterbury Road Recreation Ground, Folkestone
 - Morehall Recreation Ground, Cherry Garden Lane, Folkestone
 - The Lower Leas Coastal Park, Folkestone
 - Radnor Park, Folkestone
 - Jocks Pitch, East Cliff, Folkestone
- 6.8 The Landfill Communities Fund is not available to local authorities or parish and town councils.
- 6.9 Friends groups have the potential to support the management and enhancement of play provision in Folkestone & Hythe District, through raising funds for capital investment. However the council has limited capacity to support the development of new groups.

Ward Member Grants and Trust Funds

- 6.10 Each Ward Member holds a fund which may be used to support projects within their ward.
- 6.11 A number of sites have received recent investment through trust funds including those from The Roger De Hann Charitable Trust supported by local groups and town and parish councils.

Section 106 planning obligations and Community Infrastructure Levy

- 6.12 F&HDC receives funding for open space improvements through the collection of 'Section 106 planning obligations and contributions'. Section 106 planning obligations or 'commuted sums' are legal agreements negotiated by the local planning authority with the developer (or landowner) of a proposed development. In relation to the provision of play areas, commuted sums must be spent on improvements at existing sites at or close to the development that gave rise to the funding. Recommendations that are in compliance with the relevant planning policy are put to the Area Committee in which the development occurred. Commuted sums in the form of Section 106 are

critical to the enhancement and development of play areas across Folkestone & Hythe District. Contributions secured through Section 106 can be used as match funding to support the delivery of larger projects.

- 6.13 Section 106 planning obligations sit alongside the Community Infrastructure Levy (CIL), described below, but will be restricted to the infrastructure required to directly mitigate the impact of a proposal. Further information on Section 106 planning obligations is available on the Folkestone & Hythe District Council website²⁹.

Community Infrastructure Levy

- 6.14 Improvement projects for parks and play areas may also be funded through the collection of CIL. CIL charges are based on simple formulae that relate to the size and character of the associated development. The proceeds from the levy can be spent on local and sub-regional infrastructure, including parks and play areas. F&HDC's Regulation "123" list defines the type of infrastructure and projects that will be funded through CIL in the district. The funding can be directed to parish and town council's to deliver projects within their jurisdiction. Further information on CIL is available on the Folkestone & Hythe District Council website²⁹.

CASE STUDY: Hawkinge Town Council

"Hawkinge Town Council had Section 106 funds available for community projects and after consultation with the local community we were looking for sites to install some multi use games areas on.

We contacted Folkestone & Hythe District Council and arranged to take over the management and control of five open and play spaces. We have provided two multi user sports areas and other outdoor fitness equipment at some of the sites.

The advantage of having control of the sites for us is that we can maintain them to a high standard for the local community and it gives us flexibility over how they are used.

The regular maintenance is included within our grounds maintenance contract and funds were transferred to us on a sliding scale which helped incorporate the future maintenance in our budget.

We have since taken on five additional open/play spaces from the developers. These sites are also included in our grounds maintenance contract meaning that we work hard to maintain them to a good standard for local residents to enjoy. The more sites we incorporate into our maintenance contact, the better deal we can negotiate.

We have taken ownership of the amenities in our community and this helps us create a sense of buy-in from the community who help with litter picking and other volunteering."

Provision of play facilities and enhancement

- 6.15 New play area provision will be considered where there is a new development and a planned increase in population, and/or an existing deficiency in supply or access to facilities exists.
- 6.16 Sufficient supply or under supply of play areas for each agreed area or ward can be calculated based on the standards in **Table 4.1**. The amount of play facilities required for the increased population can also be calculated using the quantity standards. The use of the quantity standards should be considered alongside the access standards. For example, even though quantity standards may be met locally, there may be gaps in access and therefore new provision may still be required.
- 6.17 The *Shepway Play Area Review (2017)* and **Appendix 3** provides mapping which show where there are deficiencies and potential over supply of play facilities. This information can be used alongside

²⁹ Shepway District Council website, 2017. *Community infrastructure Levy (CIL)*. Available at: <<https://www.shepway.gov.uk/planning/planning-policy/community-infrastructure-levy>> [Accessed 08/06/2017]

the quantity standards to determine if new provision of a particular classification should be provided or improved accessibility is required. These gaps could be met by a residential development.

Delivering new provision and enhancements to existing provision

- 6.18 The future provision of play in Folkestone & Hythe District will be guided by locally derived standards as set out in Table 4.1. These standards have been developed through the Shepway Play Area Review (2017) and will apply to proposals of over 10 dwellings. The locally derived standards setting out quantity and accessibility standards propose quantities of play space by play area classification which should be delivered on-site where feasible. Where full provision on-site would not be appropriate or desirable, the space needed may be met by commuted sum payment towards the provision or improvement of play space nearby on a scale related to the size and scale of the development.
- 6.19 In assessing the requirement for play space provision, this will be based on the number of properties with two or more bedrooms in the proposed scheme. The requirement for any proposed developments will be based on the current provision identified in the Play Area Review. For example, if a scheme is located within 240m of an existing LEAP, then a commuted sum could be provided to upgrade that facility to meet the additional demand from the new development. In some cases it may be appropriate for youth or adult equipment (such as 'outdoor gyms') to be provided.
- 6.20 Areas should be set out and located so as to minimise annoyance to nearby occupiers, maximise children's safety and be visible from neighbouring properties.
- 6.21 Any new play space should be transferred to and maintained in perpetuity by a management company or, if agreed, the local town or parish council, subject to payment of a commuted sum.
- 6.22 *The Places and Policies Local Plan, Submission Draft (2018)* contains Policy C4 Children's Play Space; which highlights current requirements for developer contributions, these closely relate to the latest Fields in Trust guidance. The standards aim to ensure any deficiencies are met, as well as providing for an increase in population with development.

Protecting existing play area provision or judging surplus to requirements

- 6.23 Reference should be made to the PPA, SIPA and NSPA approach, *Shepway Play Area Review (2017)* and the contribution criteria shown in **Table 4.2**.
- 6.24 F&HDC will seek to protect existing open spaces and play areas in line with the National Planning Policy Framework (NPPF). Any assessments for the loss of open space should draw on the latest F&HDC Open Space Strategy and Play Area Review/Strategy and the provision at that time in the first instance.
- 6.25 Development proposals that that would result in the loss of open spaces and play areas will be granted provided that:
1. An assessment has been undertaken which clearly identifies the play area is surplus to requirements; or
 2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of the standards in **Table 4.1** above; or
 3. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Calculating on-site contributions:

- 6.26 The requirement for play areas and open space should be based upon the number of persons generated from the net increase in dwellings in the proposed scheme, using the average household occupancy rate in the UK of 2.32 persons per dwelling as derived from Census data. On this basis, 1,000 persons at 2.32 persons per household represent 431 dwellings.
- 6.27 To calculate the play area requirement by classification per dwelling, this is calculated by multiplying 431 (dwellings) x the appropriate provision per dwelling by classification (if appropriate).

6.28 Using NEAPs as an example, the recommended standard is 0.077 ha per 1,000 population (770 sq. metres per 1,000 population) or 431 dwellings. Therefore, by dividing 770 sq. metres by 431 dwellings a requirement for 1.79 sq. metres of LEAPs per dwelling is obtained for the district.

Calculating off-site contributions

6.29 Where it is not realistic for new provision to be provided on-site, it may be more appropriate to seek to enhance the existing quality of provision and/or improve access to sites. Standard costs for the enhancement of existing open space and provision of new open spaces should be clearly identified and revised on a regular basis by F&HDC.

6.30 Costs have been calculated using F&HDC costings information (informing policies LR9 (open space) and LR10 (equipped play areas)) and based on known industry standards. Contributions towards the provision or improvement of play areas are calculated using the capital cost of provision. Contribution per person is taken to be a reasonable measure of impact irrespective of whether there is new provision or improvement of existing facilities and features. A summary of the costs are outlined in **Table 6.3** below.

Table 6.1: Costs for providing equipped play areas

Classification of play areas	Standard m ² per person	Cost of provision per m ² (£)	Contribution per person (£)
Destination	0.03	170	5.10
Neighbourhood Equipped Areas for Play (NEAPs)	0.8	170	136.00
Local Equipped Areas for Play (LEAPs)	0.77	170	130.90
Local Areas for Play (LAPs)	0.05	170	8.50
Total contribution			280.50

6.31 F&HDC will seek to secure £280.50 per person to provide new play areas to meet the required standard. These calculations will be used to calculate developer contributions for on-site provision and where feasible any off-site projects.

Maintenance contributions

6.32 If a development is required to provide play areas on-site, the developer will normally be expected to maintain the play area for an agreed minimum period (typically one year). For larger open space sites a management plan should have been submitted and approved by F&HDC as a planning condition.

6.33 If the play area is to be adopted by the Council, a commuted sum may be accepted and arrangements made for management and maintenance of the play area through the council or third party. The amount payable for the commuted sum for all classifications of play area will be calculated using the figure of **£4.59 m² per annum** for all classifications of play area. The figure has been calculated from average unit rates for maintenance of different classifications of play areas drawn from *SPON'S External Works and Landscape Price Book (2017)*³⁰ as well as indicative maintenance costs supplied by F&HDC with appropriate inflationary uplift. Commuted sum to be reviewed as per action 2.6 in the Action Plan.

³⁰ AECOM (Editor), 2017. *SPON'S External Works and Landscape Price Book 2017: 36th edition*. Taylor and Francis: Abingdon

7 Action Plan

7.1 This section sets out the programme of actions which will be carried out to meet the vision for play in Folkestone & Hythe District. It lists each management objective, how each will be achieved and who is responsible for achieving them. Where appropriate a priority level is indicated and further considerations highlighted. The programme will be reviewed annually, and targets monitored to ensure actions have been achieved.

7.2 The essential actions have been prioritised on criteria of importance and urgency as follows:

- **Low:** Actions which have a low impact on play area provision
- **Medium:** Actions which have a moderate impact on play area provision
- **High:** Actions which have a significant impact on play area provision

Table 7.1: Action Plan

Objective 1: Improve the location, quality, value and accessibility of play provision for all children and young people					
Reference	Action	Implementation/Task if applicable	Resources	Priority	Notes & Considerations
1.1	F&HDC will continue to maintain and seek to enhance the Priority Play Areas (PPAs) as identified in this Strategy.		F&HDC	High	
1.2	Work with Town & Parish Councils to provide a network of Strategically Important Play Areas (SIPAs) based on a 15 minute walking time across the district that meets the needs of residents. FHDC will seek to transfer these assets to Town & Parish Councils with an appropriate Dowry payment. (See objective 4 of the strategy).		F&HDC	High	
1.3	The Non-Strategic Play Areas (NSPAs) identified will be offered out to Town and Parish Councils, the community and partners for asset transfer, and where this isn't possible will be removed and returned to open space. Where transfer can be agreed an appropriate Dowry payment will		F&HDC	High	

	be paid upon completion. (See objective 4 of the strategy).				
1.4	Ensure play areas meet or exceed the required location, quality and value score benchmarks.	Review findings and standards identified through the Play Area Review and Strategy.	F&HDC	Medium	
1.5	Ensure all Wards achieve the minimum standard for provision.	Ensure any new development provides sufficient play space to achieve the standard for quantity of play and should provide for all age groups where appropriate. NB Proposed standards shown in Table 4.1 .	F&HDC	Medium	
1.6	Where feasible residents should be within the catchment area of at least one play area offering features for all age groups and abilities.	Review accessibility buffers and classifications with the <i>Shepway Play Area Review (2017)</i> to inform F&HDC decision making. Where there is an identified lack of provision through gaps in the SIPA network the creation of additional play sites will be recommended, wherever possible, in partnership with others and as part of new developments.	F&HDC	Medium	There is currently generally good provision but some sections of the population are still not in reach of a play space. Broadmead and Folkestone Harbour have no provision for 11+ age groups with potential for greater quantities of 11+ provision in Cheriton and North Downs West.
1.7	Deliver current commitments to improve play areas including Radnor Park, Coastal Park as well as play areas within New Romney.		F&HDC	High	
1.8	Retain all Destination play areas as core hubs for play and offering well respected play experiences within the wider community.		F&HDC	High	Opportunities for expansion at the Royal Military Canal Area following Princes Parade Development.
1.9	Consider creating new Destination play areas.	Destination play areas should be located in or adjacent to larger open spaces. Consider options in East Folkestone, New Romney and Broadmead. Options at East Cliff and Morehall Recreation Ground which currently offer limited play interest for all age groups, and at The Greens or Greatstone Car Park. Options as	F&HDC	Medium	Destination play spaces are currently limited in terms of play value for all age groups. Reference should be made to actions and

		Dungeness Nature Reserve would cater for anticipated increase in use.			recommendations within the forthcoming Heritage Strategy for Folkestone & Hythe District and the draft <i>Destination Management Plan for Shepway – Folkestone, Hythe, Romney Marsh and North Downs – Executive Summary 2016-2020 (2016)</i> ³¹
1.11	Ensure Strategic/Destination quality play areas are provided within the Shorncliffe Garrison development.		F&HDC	High	
1.12	Seek opportunities to provide natural play features and alternatives to fixed play within informal open spaces including natural and semi-natural green space, green corridors and amenity green space.	Review those sites which are closed for maintenance or requiring enhancement in values referring to the <i>Shepway Play Area Review (2017)</i> .	F&HDC	Medium	Engage with RoSPA Playsafety to review designs ensuring they meet applicable standards, but also that they best suit the play space and budget.
1.13	Conduct an audit of play provision every 10 years.	Carry out regular audits in reference to the previous assessment and the latest best practice guidance.	F&HDC	Medium	Consider seasonal aspects and variation of use
1.14	Address the barriers to access and comply with the Equality Act (2010) through a disability and access audit.	Produce a disability and access audit for new sites or those sites due for refurbishment.	F&HDC /Land managers	Low	
1.16	Increase the level of play provision for the 11+ age group.	Refer to the <i>Shepway Play Area Review (2017)</i> and coordinate future decisions with reference to the contribution criteria shown in Table 4.2 .	F&HDC	Medium	
1.17	Greater investment required in the management, maintenance and improvement of play spaces throughout the district	Refer to the <i>Shepway Play Area Review (2017)</i> and coordinate future decisions with reference to the contribution criteria shown in Table 4.2 .	F&HDC	High	F&HDC can't afford to manage the current levels of provision.

³¹ Shepway District Council, 2016. *Draft Destination Management Plan for Shepway – Folkestone, Hythe, Romney Marsh and North Downs – Executive Summary 2016-2020* [pdf]. Available at: <<http://folkestone.works/wp-content/uploads/2016/10/Shepway-Destination-Management-Plan-Draft-Executive-Summary-03.10.16..pdf>> [Accessed 02 May 2017].

1.18	Review maintenance arrangements to ensure high standards are achieved.		F&HDC	High	
1.19	Improve supervision, policing and oversight (e.g. through appropriate vegetation clearance) of public space.		F&HDC	High	
1.20	New play areas should be sensitively designed to reflect sensitivities of landscapes as well as character of the local Kent coastal area.		F&HDC/Land managers	Medium	Future play provision should follow the latest best practice guidance to ensure play spaces are suitable for all abilities and age groups.
1.21	Encourage the community to report issues relating to play areas to F&HDC to enable a quick response to problems.	Advertise appropriate contact details within play areas.	F&HDC	Low	
Objective 2: Effectively utilise planning policy to benefit play provision					
Reference	Action	Implementation/Task	Resources	Priority	Notes & Considerations
2.1	Through housing development sites look to enhance current provision for the benefit of both the existing and new community as well as creating new play areas.		F&HDC	High	
2.2	Increase communication and closer working between the planning team and E&B team.		F&HDC	High	
2.3	Consider the appropriateness of LAPs (increased maintenance costs) at some locations where other classifications of play areas are suitably catering for younger age groups within its catchment.	Refer to the <i>Shepway Play Area Review (2017)</i> and coordinate future decisions with reference to the contribution criteria shown in Table 4.2 .	F&HDC	Medium	
2.4	Aim to create a Supplementary Planning Document (SPD) document: Recreation Open Space Provision & Commuted Space Payments.		F&HDC	Low	This process could take considerable time and will require consultation.

2.5	The E&B and planning teams should work together to re-evaluate developer contributions.		F&HDC	Medium	
2.6	Re-classify and/or review sites for new policy formation.	Refer to the <i>Shepway Play Area Review (2017)</i> .	F&HDC	Medium	
2.7	Seek opportunities to secure land for play area provision.		F&HDC	Medium	
2.8	Create and use policy to support a response to identified need and take a district wide strategic approach to play. This will enable targeted improvements to the quality and value of sustainable play provision across Folkestone & Hythe District.		F&HDC	High	Further useful information within Play England guidance <i>Better Places to Play Through Planning (2009)</i> ³²
Objective 3: Raise awareness of play opportunities and the importance of play					
Reference	Action	Implementation/Task	Resources	Priority	Notes & Considerations
3.1	Future plans should be disseminated clearly to the public.	Media options to share information on future plans: <ul style="list-style-type: none"> • existing play facilities • newsletters and leaflets • posters • children's centres, schools and youth facilities • libraries • local authority website • local media (TV, radio and newspapers) 	F&HDC	High	DCSF has produced Outdoor play: A communications toolkit for local authorities (see: http://webarchive.nationalarchives.gov.uk/20090813152455/http://www.dcsf.gov.uk/campaigns/outdoor_play/index.cfm). The toolkit is designed to help authorities to engage with local parents and communities on issues relating to outdoor play.

³² Play England, 2009. *Better Places to Play Through Planning* [pdf]. Available at: <<http://www.playengland.org.uk/media/82621/better-places-to-play-through-planning.pdf>> [Accessed 12 June 2017].

3.2	Support parent/carers to access play provision; for example through publicising existing play areas with an online map.	Produce an online map of existing provision and make available to schools, play providers and other outlets.	F&HDC	Medium	
3.3	Highlight the risk benefit approach during the play area decision making process.		F&HDC	Low	
3.4	Natural play opportunities and their importance and value should be encouraged.		F&HDC	High	
Objective 4: Maximise funding opportunities for the maintenance and enhancement of play areas					
Reference	Action	Implementation/Task	Resources	Priority	Notes & Considerations
4.1	Review capital investment and separate play budget to inform capital plan for ageing equipment.	Refer to the <i>Shepway Play Area Review (2017)</i> and coordinate future decisions with reference to the contribution criteria shown in Table 4.2 .	F&HDC	Medium	
4.2	Maximise and protect the potential of Section 106 (S106) and Community Infrastructure Levy (CIL) Funding.		F&HDC	High	Utilise scores by ward contained within the <i>Shepway Play Area Review (2017)</i> and present data to town and parish councils. Opportunity to link to CIL revenue.
4.3	Review appropriate developer contributions.		F&HDC	High	
4.4	Seek fundraising opportunities and funding through the Landfill Communities Fund. Other funding sources may be identified through searching online with GRANTfinder and through the Association of Play Industries.		F&HDC	Medium	Grantfinder: http://www.idoxgroup.com/funding-solutions/professional-funding-tools/grantfinder.html API: http://www.api-play.org/resources/funding

4.5	Seek Government funding schemes if available.		F&HDC	High	Government funding towards pathfinder and playbuilder developments through the Play Strategy is intended to enhance and improve local authority provision. Local authorities should not be using this funding to replace or otherwise scale back on local play funding and budgets.
4.6	The E&B service should work to ensure Destination play areas are included in the 123 list to shape and define CIL funding.		F&HDC	High	
4.7	Re-evaluate formulae for maintenance contributions.		F&HDC	Medium	
4.8	Utilise design guidance to formulate a landscaped approach which reduces maintenance costs and provides an interesting space for play.		F&HDC	Medium	
4.9	Potential for reduction in LAPs and subsequent maintenance liability.	Refer to the <i>Shepway Play Area Review (2017)</i> and coordinate future decisions with reference to the contribution criteria shown in Table 4.2 .	F&HDC	Low	
Objective 5: Communicate and engage with key partners and stakeholders					
Reference	Action	Implementation/Task	Resources	Priority	Notes & Considerations
5.1	Consultation of SIPAs & NSPAs for asset transfer options. Potential stakeholders invited to presentation sessions.		F&HDC	High	
5.2	Work with town and parish councils to ensure there is suitable play provision		F&HDC	High	Further useful information within Play England guidance <i>Parish</i>

	within their area of interest and encourage local ownership.				<i>councils and children's play – Community play briefing 7 (2011)</i> ³³
5.3	Engage in a programme of user and resident consultation to understand if proposals would be responded to positively and reflect community need. It will also encourage positive community participation in the delivery of local projects.		F&HDC	High	
5.4	Collaborate with providers.		F&HDC	Medium	
5.5	If decommissioning sites are proposed, consultation with stakeholders including adjacent residents will be required.		F&HDC	Medium	
5.6	Work with other play providers such as Housing Associations and the MoD to ensure their provision is secured.		F&HDC	Medium	
5.7	Encourage responsibility through Trusts and Residents Groups.		F&HDC	Medium	
5.8	Encourage community groups to take responsibility for supervising and maintaining play areas alongside community fundraising.		F&HDC	Medium	Further useful information within Play England guidance <i>Managing play provision in the community and voluntary sector - Community play briefing 6</i> ³⁴ . For information about the Engaging Communities in Play programme visit: www.playengland.org.uk/our-

³³ Play England, 2011. *Parish councils and children's play – Community play briefing 7* [pdf]. Available at: <http://www.playengland.org.uk/media/283002/parishcouncils_ver4%20-%20final.pdf> [Accessed 12 June 2017].

³⁴ Play England, 2011. *Managing play provision in the community and voluntary sector - Community play briefing 6* [pdf]. Available at: <http://www.playengland.net/wp-content/uploads/2015/09/managingplay_ver4-final.pdf> [Accessed 12 June 2017].

					work/engaging-communities-in-play
5.9	Strengthen links with the South Kent Coast Health and Wellbeing Board. They may assist in allocating funding for health and well-being priorities. The benefits offered by good quality open space should be promoted to this Board as a potential mechanism for delivering its objectives.		F&HDC	Medium	
Objective 6: Ensure appropriate and regular communication and review					
Reference	Action	Implementation/Task	Resources	Priority	Notes & Considerations
6.1	Implement the Strategy and make available to staff at all levels and by different stakeholders.		F&HDC	High	
6.2	Ensure effective monitoring of the Strategy.	A partnership between Environment and Corporate Assets and Communities should put in place a system for ensuring that data is updated as changes occur and reviewed on a regular basis.	F&HDC	Medium	
6.3	Ensure management is financially sound. F&HDC to commit to provide necessary funding to maintain to necessary standard.		F&HDC	Medium	
6.4	Provide a presentation to Planning colleagues on the new Play Area Strategy.		F&HDC	Medium	
6.5	Ensure that if sites are to be removed or altered significantly there should be appropriate consultation with the community.		F&HDC	High	

8 Evaluation plan

- 8.1 This section describes how the Strategy will be used and the arrangements for its ongoing review and monitoring.

Outcomes

- 8.2 At a national level, play is increasingly recognised as being important not only in its own right but also in helping to achieve wider objectives including the development of healthy, vibrant and sustainable communities. The benefits of children's play are closely linked to the five outcomes for children and young people that form the core of Every Child Matters, namely: being healthy, staying safe, enjoying and achieving, making a positive contribution and achieving economic well-being. The *Shepway Play Area Review (2017)* and supplementary Strategy aims to address issues and targets based upon the current evidence base.

Benchmarks

- 8.3 It will be necessary to co-ordinate ongoing data collection as required and evaluate performance against strategic indicators and benchmarks which are set as outlined further within the *Shepway Play Area Review (2017)*.

Indicators

- 8.4 To effectively review the Strategy, F&HDC will aim to monitor performance by agreed indicators as listed below. The data collection for local play indicators should seek to measure the extent to which children and young people have access to spaces and facilities for play and informal recreation that:

1. Are free of charge, allowing children the freedom to come and go, and where children are free to play as they choose (the 'three frees');
2. Are accessible, welcoming and engaging for all, including those who are disabled or have specific needs and wishes;
3. Allow for the needs of different ages of children.

- 8.5 Potential key Play England indicators and corresponding data collection methods are as follows:

- Participation – household survey
- Access to a variety of facilities and spaces – open space and play strategy audits
- Quality of facilities and spaces – quality assessment tool, GIS mapping
- Satisfaction – Questionnaire survey of children and young people

Review

- 8.6 This Strategy and action plan will be monitored through F&HDC's Performance Management Framework and reviewed at least annually. This will include an assessment of progress against targets and whether these need to be modified in the light of changing circumstances. Changes to relevant legislation, funding, linked strategies and planning will be noted and the Strategy modified as appropriate.

8.7 The cycle for the Strategy is to:

- Write and adopt the Strategy
- Operate according to the aims and objectives held within the Strategy
- Monitor the operation of the Strategy
- Review the working of the Strategy
- Revise and improve the Strategy where necessary to reflect on-going developments such as further consultation findings, changes to sites and revised financial circumstances and projections.

8.8 The Strategy covers a period of 10 years up to 2030. It will be subject to continual review as it is used and F&HDC will carry out a full review annually to enable any improvements and alterations to be made as necessary.

Appendix 1: Workshop attendees

Name	Organisation
Cllr; Berry, Ann	F&HDC
Cllr; Dearden, Malcolm	F&HDC
Cllr; Hollingsbee, Jenny	F&HDC
Cllr; Lawes, Mary	F&HDC
Karen Lewis	Dymchurch Parish Council
Neil Jones	Folkestone Town Council
Lynne Martin	Hawkinge Town Council
Nick Hilditch	Hythe Town Council
Ben Geering	F&HDC- Head of Planning
Andy Blaszkowicz	F&HDC- Head of Commercial and Technical Services
Sarah Robson	F&HDC- Head of Communities
Karen Weller	F&HDC- Environmental Protection
Jess Harman	F&HDC- Communities Officer
Laura Pinkham	F&HDC- Grounds Maintenance Manager
Piran Cooper	F&HDC- Landscape and Urban Design Officer
Rebecca Chittock	F&HDC- Planning Policy
Isabelle Hills	F&HDC- Planning Policy
Jo Clifford	Folkestone Sport Centre
Ivan Rudd	KCC- Public Health Specialist
Brigitte Orasinski	Strange Cargo
Jon Clarke	East Folkestone Together
Matthew Parkhill	LUC
Sebastian West	LUC

Appendix 2: Ownership, management responsibilities and classifications of play areas

Site ID	Site name	Classification	Ownership/Management	SIPA or NSPA	PPA
1	Atkinson Road Play Area	Type A: LAP	Hawkinge Town Council	NSPA	
2	Blenheim Drive	Type A: LAP	F&HDC	NSPA	
3	Brabner Park	Type C: NEAP	F&HDC	SIPA	PPA
4	Brockhill Country Park	Type D: Destination	Kent County Council	SIPA	PPA
5	Bufs Avenue	Type B: LEAP	Ministry of Defence	SIPA	
6	Burmarsh Recreation Ground Play Area	Type C: NEAP	Burmarsh Children's Fund	SIPA	
7	Campbell Road Play Area	Type B: LEAP	Hawkinge Town Council	NSPA	
8	Canterbury Road Recreation Ground	Type C: NEAP	F&HDC	SIPA	PPA
9	Cheriton Recreation Area	Type C: NEAP	F&HDC	SIPA	PPA
10	Coniston Road (Summer Lees)	Type A: LAP	F&HDC	SIPA	
11	Corbett Road Play Area	Type B: LEAP	Hawkinge Town Council	NSPA	
12	Country's Field	Type A: LAP	Orbit Housing Association	SIPA	
13	Daglish Close	Type B: LEAP	Southern Housing Group	NSPA	
14	Densole Way	Type B: LEAP	F&HDC Housing	SIPA	
15	Downs Road	Type A: LAP	F&HDC	SIPA	
16	Dymchurch Recreation Ground	Type C: NEAP	Dymchurch Parish Council	SIPA	PPA
17	Elmfields	Type B: LEAP	F&HDC Housing	SIPA	
18	Enbrook Valley Play Area	Type B: LEAP	F&HDC	SIPA	
19	Etchinghill Cricket Field	Type B: LEAP	Lyminge Parish Council	SIPA	
20	Fairfield Recreation Ground	Type C: NEAP	New Romney Town Council	SIPA	PPA
21	The Rype	Type C: NEAP	Lydd Town Council	SIPA	PPA
22	Firs Lane	Type A: LAP	F&HDC	NSPA	
23	George Gurr Crescent	Type B: LEAP	F&HDC	NSPA	
24	Grange Road Play Park	Type C: NEAP	Saltwood Parish Council	SIPA	
25	Greatstone Car Park	Type C: NEAP	F&HDC	SIPA	
26	Harvest Way	Type B: LEAP	F&HDC	NSPA	
27	Heron Forstall Avenue	Type B: LEAP	F&HDC	NSPA	
28	Horn Street	Type B: LEAP	Hythe Town Council	SIPA	
29	Hythe Skate Park	Type C: NEAP	Hythe Town Council	SIPA	
30	Ivychurch Play Area	Type B: LEAP	Ivychurch Parish Council	SIPA	
31	Jefferstone Lane	Type B: LEAP	St Mary in the Marsh Parish Council	SIPA	
32	Jocks Pitch	Type A: LAP	F&HDC	SIPA	PPA
33	Jubilee Field	Type C: NEAP	Lyminge Parish Council	SIPA	
34	Kettle Drive Play Area	Type C: NEAP	Hawkinge Town Council	SIPA	
35	King George V Playing Field	Type C: NEAP	Elham Parish Council	SIPA	
36	Lade Fort	Type B: LEAP	F&HDC	SIPA	
37	Lower Leas Coastal Park Fun Zone	Type D: Destination	F&HDC	SIPA	PPA
38	Lower Radnor Park Play Area	Type B: LEAP	F&HDC	SIPA	
39	Lympne Village Hall	Type B: LEAP	Lympne Parish Council	SIPA	
40	Manor Farm Close	Type B: LEAP	F&HDC	SIPA	
41	McKenzie Drive	Type B: LEAP	Ministry of Defence	NSPA	

42	Meads Way	Type A: LAP	F&HDC	SIPA	
43	Megan Close	Type A: LAP	F&HDC	SIPA	
44	Megone Close Play Area	Type A: LAP	S106 - With Developer (overgrown/disused)	NSPA	
45	Meriden Walk	Type B: LEAP	F&HDC	SIPA	
46	Millfield	Type A: LAP	F&HDC Housing	NSPA	
47	Moore Close	Type A: LAP	F&HDC Housing	SIPA	
48	Morehall Recreation Ground	Type B: LEAP	F&HDC	SIPA	
49	Mount Pleasant Close	Type A: LAP	F&HDC	NSPA	
50	Naseby Avenue	Type A: LAP	F&HDC	SIPA	
51	Newchurch Playing Field	Type B: LEAP	Newchurch Parish Council	SIPA	
52	Newington Village Hall	Type B: LEAP	Newington Parish Council	SIPA	
53	Oak Drive	Type B: LEAP	F&HDC	SIPA	
54	Oakham Drive	Type B: LEAP	F&HDC	NSPA	
55	Oaklands	Type B: LEAP	Hythe Town Council	NSPA	
56	Palmarsh (St George's Place Play Area)	Type B: LEAP	F&HDC Housing	SIPA	
57	Pannell Drive Play Area	Type C: NEAP	Hawkinge Town Council	SIPA	
58	Payers Park	Type B: LEAP	F&HDC	SIPA	PPA
59	Peregrine Close	Type A: LAP	F&HDC	NSPA	
60	Pine Way	Type B: LEAP	F&HDC	NSPA	
61	Pond Hill Road	Type A: LAP	Ministry of Defence	SIPA	
62	Queensway	Type B: LEAP	F&HDC	SIPA	
63	Reachfields	Type B: LEAP	F&HDC Housing	NSPA	
64	Rhodes Minnis Recreation Ground	Type B: LEAP	Lyminge Parish Council	SIPA	
65	Roman Way	Type B: LEAP	F&HDC	SIPA	
66	Royal Military Canal Play Area	Type D: Destination	F&HDC	SIPA	PPA
67	Salthouse Close	Type B: LEAP	F&HDC Housing	SIPA	
68	Sandgate Recreation Ground	Type C: NEAP	Sandgate Parish Council	SIPA	
69	St. Luke's Walk Play Area	Type A: LAP	Hawkinge Town Council	NSPA	
70	Station Road	Type B: LEAP	F&HDC	SIPA	
71	Stombers Lane	Type B: LEAP	F&HDC	NSPA	
72	Swan Lane	Type B: LEAP	Sellindge Parish Council	SIPA	
73	Tayne Field	Type B: LEAP	Lyminge Parish Council	NSPA	
74	Tayne Field (adjacent public house)	Type B: LEAP	Lyminge Parish Council	NSPA	
75	The Waltons	Type A: LAP	Hyde Housing	SIPA	
76	The Danni & James Community Friendship Park	Type B: LEAP	F&HDC	NSPA	
77	The Derrings	Type B: LEAP	F&HDC	SIPA	
78	The Green	Type C: NEAP	Hythe Town Council	SIPA	PPA
79	The Greens	Type C: NEAP	New Romney Town Council	SIPA	PPA
80	The Ridgeway Trim Trail	Type B: LEAP	F&HDC	SIPA	
81	Turnpike Hill	Type A: LAP	F&HDC	SIPA	
82	Underwood Play Area	Type B: LEAP	Hawkinge Town Council	NSPA	
83	Upper Radnor Park	Type A: LAP	F&HDC	SIPA	PPA
84	Widgeon Walk	Type B: LEAP	F&HDC	SIPA	
85	Wraightsfield Play Area	Type B: LEAP	F&HDC	SIPA	
N/A	Shornccliffe	Committed development with planned play area provision at Shornccliffe Garrison. Classification to	To be confirmed once installed. (should be FHDC)	SIPA	PPA

		be fully confirmed.			
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Appendix 3: Locations of SIPAs, NSPAs and PPAs