APPENDIX 1
PLANNING PERFORMANCE AGREEMENT
FOLKESTONE SEAFRONT

This agreement seeks to set out a forward strategy for bringing forward the Folkestone Seafront Strategic Site Allocation.

The intention is to agree and submit to Shepway District Council a deliverable Masterplan for Folkestone Seafront.

The agreement is made on the 27th day of March 2013, between

(1) Shepway District Council Castle Hill Avenue, Folkestone, Kent CT20 2QY (SDC)

(2) Folkestone Harbour Company

The Developer and SDC recognise that the Development will give rise to a wide range of complex planning issues and, accordingly, they acknowledge that in order to properly assess those planning issues the Planning Application may take longer than the 16 week statutory period.

In these circumstances, the Developer and SDC agree to enter into this Planning Performance Agreement (as specified in Schedule 6) for the following purpose:

To agree requirements and timescales in the form of Performance Standards (as specified in Schedule 3 and 4) and a Project Programme (as indicated in Schedule 5) for the consideration and determination of the Planning Application for the purpose of providing the parties with certainty as to the process and timescales to be followed;

Nothing in this agreement shall restrict or inhibit SDC from properly exercising its role as the local planning authority.

Nothing in this agreement shall restrict or inhibit the Developer from exercising their right of appeal under Section 78 of the Town and Country Planning Act 1990.

Should the Developer submit an appeal under Section 78 of the Town and Country Planning Act 1990 in relation to the Planning Application (for whatever reason) or should the Planning Application be called in by the Secretary of State, this Agreement shall automatically terminate.
SDC and FHC acknowledge the importance on joint working on strategic site such as this and all parties agree to shall act with the utmost fairness and good faith towards each other in respect of all matters in respect of the handling of the Planning Application.

In order to ensure regular dialogue the Parties shall attend meetings, at premises of SDC or such other premise as agreed by the Parties, to discuss any matters/issues arising from the Planning Application, such matters could include;

- progress in respect of fulfilling the tasks within the relevant timeframes set out in the Project Programme;
- any amendments to the timeframes or requirements set out in the Project Programme as the Parties deem necessary;
- any consultation response or any other communication received by SDC during the preceding period;
- any other matters or issues arising in respect of the pre-application proposals or Planning Application.

In entering into this agreement the Developer agrees to use its reasonable endeavours to comply with the outline timetable set out at schedule 5 of the agreement and respond at all times to reasonable requests from SDC within the timeframe given.

The developer’s agent for the purpose of this agreement is Savills incorporating The London Planning Practice Ltd and all meetings and feedback should be coordinated via a representative of this company.

SDC agrees, without prejudice to its other obligations as local planning authority;

- to use its reasonable endeavours to designate a planning officer(s) who alone or as part of a team shall be responsible for overseeing or carrying out the functions in accordance with this Agreement;
- comply with the Performance Standards set out in Schedule 4;
- to comply with and facilitate the compliance by the Developer with the indicative Project Programme set out in Schedule 5; and
• perform the obligations set out in the Planning Performance Agreement at Schedule 6.

• To provide the developer with fee quotes for any consultant required to facilitate the development process at least 2 weeks in advance of the required start date for the consultant

FHA agrees, without prejudice to

FHC

• provide agendas at least 2 working days prior to meetings between both parties and a list of action points within 2 – 5 working days following these meetings.

• comply with the Performance Standards set out in Schedule 3;

• comply with and facilitate the indicative Project Programme set out in Schedule 5; and

• perform the obligations set out in the Planning Performance Agreement at Schedule 6.

• provide the documents set out within schedule 2 in respect of any application made

• pay for any reasonable consultancy fees required by SDC to help facilitate the development process, these may include but not be limited to;
  
  o Viability consultants
  
  o EIA assessment
  
  o Legal fees in association with any S106 agreement
SCHEDULE 1
The Development

Address of the application site:
Folkestone Harbour & Seafront, Folkestone

Description of the Development:
Redevelopment of the harbour and seafront to provide a comprehensive mixed use development comprising up to 1000 dwellings; up to 10,000sqm of commercial floorspace including A1, A3, A4, A5, B1, C1, D1 and D2 uses as well as seasports and beach sport facilities. Improvements to the beaches, pedestrian and cycle routes and accessibility into, within and out of the seafront and harbour and associated parking.
SCHEDULE 2

The Application Documents

The parties to this Agreement agree that the Planning Application shall be accompanied by the following documents:

The developer agrees to submit 6 hard copies of all documents and electronic copies on CD format

For approval:

- Completed form (6 copies to be supplied with electronic copy).
- A plan which identifies the land to which the application relates drawn to an identified scale (1:1250 / 1:2500) and showing the direction of North (6 copies to be supplied with electronic copy)
- A copy of other plans and drawings or information necessary to describe the subject of the application (6 copies to be supplied with electronic copy) including:
  - Block plan of the site (e.g. at a scale of 1:100 or 1:200) showing any site boundaries
  - Existing drawings
    - Land Uses;
    - Building heights;
    - Access points;
    - Landscape and boundary details;
- Proposed Drawings
  - Master plan parameter drawings including:
    - Land uses
    - Movement hierarchy
    - Massing drawings
    - Development plots
    - Landscape & open space
    - CGI's
• The completed Ownership Certificate (A, B, C or D – as applicable) as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
• Agricultural Holdings Certificate as required by Article 7 of the Town and Country Planning (General Development Procedure) Order 1995
• The appropriate fee
• In addition, where Ownership Certificates B, C or D have been completed, notice(s) as required by Article 6 of the Town and Country Planning (General Development Procedure) Order 1995 must be given and/or published in accordance with this Article.
• Design and Access Statement
• Environmental Impact Assessment including chapters covering:
  o Socio-economics
  o Transport
  o Landscape, townscape and visual impact
  o Archaeology and heritage
  o Flood risk
  o Soil and water quality
  o Ecology
  o Air quality
  o Noise and vibration
  o Waste management
  o Microclimate
  o Energy
  o Cumulative and interactive impacts.
• Transport Assessment including Travel Plan and parking assessment
• Planning obligations – Draft Head(s) of Terms
• Development specification document containing;
  - Site area
  - Land uses
  - Proposed minimum and maximum residential units
  - Proposed minimum and maximum non residential floorspace
  - Dwelling mix
  - Proposed affordable housing percentage including tenure and dwelling mix
  - Commitment to Code for sustainable homes
  - Commitment to BREEAM
  - Commitment to lifetime homes
  - Parking provision & Parking management Strategy
Documents for information purposes but not approval:

- Planning Statement
- Statement of Community Involvement
- Affordable Housing Statement & Viability Appraisal
- Sustainable Development & Renewable Energy Strategy
- Structural Strategy
- Retail and Leisure Impact Assessment (if required)
- Landscape Strategy
- Masterplan Delivery strategy
- Heritage and PPS 5 Statement

SCHEDULE 3
The Developer's Performance Standards

The Developer agrees to use its reasonable endeavours to achieve the following performance standards at all times:

a. To carry out such public consultation as may be agreed between the parties and to provide assistance with any illustrative material required for such consultations.

b. Wherever possible respond to any concerns raised by any consultee as soon as practicably possible;

c. Where received to include the written consultation responses received from consultees with the Planning Application;

d. to provide SDC with such additional information as may be requested within a reasonable timeframe of such written request from SDC (or such other time period as may be agreed) in order to enable SDC to discharge its responsibilities, including any information that SDC might require should it be necessary to carry out an Appropriate Assessment;

e. to provide SDC at least 5 working days prior to any meeting all substantive and relevant documents which are relevant to that meeting and which relate to any relevant action points or agenda item identified, where circumstances
beyond the reasonable control of the developer prevent its compliance with the performance standard the Developer shall in each case notify the SDC of such circumstances and;

f. to provide to SDC within 10 working days of any meeting the minutes or action points arising from that meeting.

g. to submit copies of the application to the list of statutory consultees as provided by SDC.
SCHEDULE 4
SDC’s Performance Standards

In addition to its statutory obligations, SDC agrees to use its reasonable endeavours to achieve the following performance standards at all times:

a. Respond substantively to all faxes, emails, letters and telephone calls within a reasonable period.

b. Notify the Developer no later than 10 working days prior to any committee meeting at which any report or matter relevant to the Development will be discussed and or considered and to provide the Developer with a copy of any report to the Committee at that time; and

c. To provide to the Developer within a reasonable time frame any meeting the comments or action points arising from that meeting or such other time period as may be agreed.

d. To provide the developer with a list of statutory consultees at least 10 working days prior to the submission date.

e. To encourage other key stakeholders to respond promptly to consultations but recognising that this is not within the council’s control.
SCHEDULE 5
The Indicative Project Programme

The parties to this Agreement have agreed to use their reasonable endeavours to ensure that the Planning Application is progressed in accordance with the Planning Performance Agreement (unless subsequently varied) and the following Project Programme indicates the stages and timescales necessary in order to achieve that. This programme is intended to be flexible and can be varied in consultation with both parties during the course of the planning process.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Matters to be covered (not exclusive)</th>
<th>Responsibility</th>
<th>Timetable/Target Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-application Stage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Meetings with SDC</td>
<td>• Progress to date on assessments &amp; design&lt;br&gt;• Screening&lt;br&gt;• Core Strategy – site specific policy feedback&lt;br&gt;• Timeframe&lt;br&gt;• Planning application content&lt;br&gt;• Structure for application process</td>
<td>Shepway District Council / Developer team</td>
<td>Every 2 weeks</td>
</tr>
<tr>
<td>Strategic Site Allocation Requirements for information</td>
<td>• Submit details of strategic nature of site;&lt;br&gt;• Review accordance with planning policy and spatial strategies&lt;br&gt;• Consider strategy for key assessments relating to site and surroundings&lt;br&gt;• Justify proposals</td>
<td>Developer / LPP</td>
<td>As required</td>
</tr>
<tr>
<td>Meetings with SDC and KHS</td>
<td>• Progress to date on assessments and design&lt;br&gt;• Review transport issues&lt;br&gt;• Environmental issues to be reviewed&lt;br&gt;• Key scheme proposals to be considered&lt;br&gt;• Feedback from SDC officers on all elements of scheme</td>
<td>SDC / Developer</td>
<td>As required</td>
</tr>
<tr>
<td>Master Plan Design &amp; Development</td>
<td>• Formulation by Developer team and discussion with SDC&lt;br&gt;• Comments by SDC</td>
<td>Developer / SDC</td>
<td>As Required</td>
</tr>
<tr>
<td>Environmental Impact Assessment and Traffic</td>
<td>• Assessments including transport assessments</td>
<td>Developer / SDC</td>
<td>As Required</td>
</tr>
<tr>
<td>Impact assessment</td>
<td>Discussion with SDC, Environment Agency, KHS</td>
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<td></td>
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<tr>
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<td>------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Issues</td>
<td>All planning matters arising during the process of pre-application consideration to be reviewed at all meetings with SDC.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Core Strategy policy to be incorporated for the site.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Adequate information submitted with the application to demonstrate that the proposals meet the policy requirements of the Core Strategy site allocation.</td>
<td></td>
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<tr>
<td></td>
<td>Provide a draft report on the results and implications of Community Engagement and other pre-applications consultations for discussion with SDC.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Agree to a Design Review Programme with the Kent Architecture Centre and take account of the recommendations (in discussion with SDC) as appropriate.</td>
<td></td>
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<tr>
<td></td>
<td>Confirm with SDC all the BIA matters have been properly addressed in the Scoping Opinion, including the need for any Appropriate Assessment.</td>
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<tr>
<td></td>
<td>Discuss and assist SDC with public and statutory consultation information, including any exhibition material, for formal public consultation by SDC.</td>
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<tr>
<td></td>
<td>Agree to a final check of all the planning application information with SDC just prior to submission.</td>
<td></td>
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<tr>
<td>Developer / SDC</td>
<td>Before Submission</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planning Application Submission Date</th>
<th>Target July 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Validate and send out initial statutory consultations</td>
<td>Case officer Within 2 weeks from receipt of application</td>
</tr>
<tr>
<td>Consultation period</td>
<td>N/A 6 weeks from date of consultation</td>
</tr>
<tr>
<td>Step</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Initial consultation meeting</td>
<td>Consider comments from key stakeholders and internal consultees and discuss amendments required</td>
</tr>
<tr>
<td>Council review and provide further comments</td>
<td>Council to provide comments on any revisions and carry out such revised re-consultations with stakeholders as maybe necessary.</td>
</tr>
<tr>
<td>Developer consultation response period</td>
<td>Developer to assist with any queries arising out of the consultation exercise</td>
</tr>
<tr>
<td>Conditions</td>
<td>Round table discussion on conditions</td>
</tr>
<tr>
<td>S106 meeting</td>
<td>Discuss draft HoTs with particular and triggers</td>
</tr>
<tr>
<td>S106</td>
<td>Signing off draft S106 legal agreement</td>
</tr>
<tr>
<td>Pre-committee/ Council meeting</td>
<td>Consider any outstanding issues</td>
</tr>
<tr>
<td>Developer Response to pre committee meeting</td>
<td>Any changes agreed to be made</td>
</tr>
<tr>
<td>Produce draft committee report</td>
<td></td>
</tr>
<tr>
<td>Notify Developer of committee/ Council meeting date</td>
<td>Discuss report and outstanding matters, and provide a copy of committee report</td>
</tr>
<tr>
<td>Developer Response</td>
<td>Response to any issues raised within draft committee/ Council report and late representations</td>
</tr>
<tr>
<td>Committee/Council meeting</td>
<td></td>
</tr>
<tr>
<td>Further S106 discussions following committee resolution</td>
<td>Round table discussions with all parties relevant to the S106 to resolve any issues.</td>
</tr>
</tbody>
</table>
### 2. Project Team SDC – Key Officers

<table>
<thead>
<tr>
<th>Name</th>
<th>Position and Role</th>
<th>Contact Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris Lewis</td>
<td>Head of Planning services</td>
<td>01303 853456&lt;br&gt;<a href="mailto:Chris.lewis@shepway.gov.uk">Chris.lewis@shepway.gov.uk</a></td>
</tr>
<tr>
<td>Terry Ellames</td>
<td>Major Applications and Projects Manager&lt;br&gt;</td>
<td>01303 853428&lt;br&gt;<a href="mailto:Terry.Ellames@shepway.gov.uk">Terry.Ellames@shepway.gov.uk</a></td>
</tr>
<tr>
<td>Dave Shore</td>
<td>Planning Policy and Economic Development Manager</td>
<td>01303 853459&lt;br&gt;<a href="mailto:Dave.Shore@shepway.gov.uk">Dave.Shore@shepway.gov.uk</a></td>
</tr>
<tr>
<td>A Hammond</td>
<td>Housing Strategy Manager</td>
<td></td>
</tr>
<tr>
<td>Mrs Kennard</td>
<td>Environment Agency</td>
<td></td>
</tr>
<tr>
<td>James Hammond</td>
<td>Kent Highway Services&lt;br&gt;Stagacoch</td>
<td><a href="mailto:James.Hammond@kent.gov.uk">James.Hammond@kent.gov.uk</a></td>
</tr>
</tbody>
</table>

### 3. Vision

To work with Shepway District Council to create a comprehensive regeneration strategy to assist in reinforcing the role of the seafront and harbour for Folkestone.

To promote appropriate development of the site to create a high-quality residential environment and public realm adjacent to the seafront; and a vibrant mixed use environment which enlivens the harbour and to ensure that the redevelopment of Folkestone seafront is fully integrated, socially as
4. Objectives

- Re-creating a sense of place for Folkestone with a vibrant harbour area (including a Harbour Square and active uses facing the Harbour);
- Enabling the creation of an enhanced public realm along the seafront;
- Providing a high quality place to live and work with links to the town centre and Creative Quarter;
- Create a mix of leisure and entertainment facilities which will link in with projects celebrating Folkestone’s history and the Creative Quarter; including a restored Marine Parade promenade and a range of beaches including sand and shingle offering a unique coastal setting for sports, arts and recreation attractions;
- Reduce the influence of the car in the design and layout through the creation of enhanced pedestrian and cycle linkages to and from the site;
- Improve mooring facilities and integrate water sports facilities to encourage varied and continued use of the seafront;
- Enhancement of the local natural environment with the creation of new coastal pathways and boardwalks linking the seafront with the Leas Coastal Park.

5. Policy Position

This PPA is underpinned by an adopted National, Regional and Local planning framework of policies including the Shepway District Council Local Plan adopted March 2009 and the emerging Core Strategy Preferred Options 2009.

6 Key material issues

The main issues likely to arise from this proposal relate to, but not limited to, the:

- Land Use
- Transport, parking and access
- Sustainability and Renewable Energy
- Flood Risk
- Ecology
- Design
- Amenity
- Accessibility and Integration with Folkestone Town Centre

7 Community engagement strategy and Member engagement

An extensive consultation process has been undertaken through a series of presentations and an ongoing public exhibition over a period of 5 weeks. This provided an overview of the initial concept for the new approach to the redevelopment of the site.

An update of this consultation will be carried out during the Autumn of 2012 to update the public on progress and the way in which comments have been undertaken.

The strategy for the future consultation will be discussed with SDC and updated accordingly.

8. Statutory consultees / third parties and resources

The engagement and involvement of all parties will be reviewed and updated regularly.

9 Project Programme

A timetable of the project process has been produced against the required tasks and is attached. The programme will need to be reviewed at regular intervals over the course of the process.
SCHEDULE 6
The Planning Performance Agreement

These dates are milestones which all parties should use their reasonable endeavours to perform to, unless alternative dates are agreed between them and the agreement revised accordingly.

<table>
<thead>
<tr>
<th></th>
<th>The Commencement Date:</th>
<th>On signing of the agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>The Submission Date: the date a valid Planning Application is to be submitted to SDC by the developer</td>
<td>4 months from start date of PPA</td>
</tr>
<tr>
<td>C</td>
<td>The Determination Date: the date the Planning Application is to be reported to committee or Council</td>
<td>5 months from the submission date</td>
</tr>
<tr>
<td>D</td>
<td>The Decision Date; the date the planning decision (which is after the engrossment of the S106 legal agreement) is issued by TDG</td>
<td>3 months from the determination date</td>
</tr>
</tbody>
</table>
Signed by Nuutti Lehto for and on behalf of FHC ("Developer")

Director/Secretary

Christopher Lewis
Signed by XXXXXXXXX for and on behalf of Shepway District Council

Authorised signatory
Folkestone Seafront

Design Development Summary

Draft 10 April 2012
Introduction

Farrells was appointed to design a new master plan for the waterfront based on a completely new contextual approach to the site.

Learning from the past, understanding the site history, framing from and retaining existing structures where practical, working with nature were key strategies in devising a set of key principles that have followed through each of the evolutionary stages of the design process.

The brief has been consistent throughout the process, it is a mixed use project but predominantly housing. Visibility analysis and market testing have been carried out at key stages which has ultimately led to a scheme that provides a variety of family houses arranged around the beach, harbour and a number of public spaces.
The site was initially formed by a rock fall in the 19th century and the resulting land came under the ownership of Lord Radnor. Radnor laid out Marine Parade with fine buildings and gardens most of which remain today.

Rather than fight the sea with imposing sea walls a strategy of using the seas natural defences was devised. Shingle dunes along the seafront provide a readily absorb wave power and provide a natural defence against storm events.

In this option, seafront apartments of six to eight stories line Marine Parade. The existing hard standing is removed and the beach populated by beach houses. The pier head quarter where the larger port buildings used to exist is a natural place for higher density accommodation animated with retail at the ground level.

Plans to use the harbour as a drying marina were also considered at this stage but proved impractical.
Option B

The harbour arm, quays, bridges and beach all require considerable maintenance in order to survive the marine environment. The cost of this maintenance has to be borne by the individual leaseholders. In order to make the property costs viable the number of houses and quantity of other uses started to rise.

In this option the density of accommodation in the pier head quarter has increased and an additional street is added parallel to Marine Parade.

The strategic approach employed here together with the master plan went out to public consultation in the summer of 2010. There was overwhelming support for the new approach and the public engaged in making positive contributions to the mix of uses in the scheme.

The possibility of having a passenger ferry had not been discounted and FHC actively sought operators to come forward and make proposals.

Another key finding of the consultation was the desire for sporting facilities.
Option C

Following the consultation the plan was adapted to incorporate sea sport and beach sport facilities.

Market research revealed that Folkestone was losing families to other towns such as Ashford and Brighton due to the lack of family houses. Additionally a large proportion of Folkestone’s former housing stock has been converted into apartments compounding the problem.

The seafront presented an ideal opportunity to provide family houses right in the middle of the town and the plan was revisited accordingly. Houses, however, are far less dense than apartments and with gardens and parking demand much more land area.

The master plan responded and the built area extended to occupy more of the existing hard standing.
Option D

The viability study concluded that the seafront should comprise around 1000 homes of which 50% should be small to medium sized family houses and the remainder apartments. Retail, leisure, food and beverage, heritage centres complete the mix.

This had a major impact on the scheme. The adjacent drawing shows the impact of having 1000 houses. The entire hard standing and more is used in providing the land hungry houses. Public realm and sport facilities are at a minimum in order to meet the numbers.
Option E

The principles of the master plan however are sufficiently strong and flexible to adjust to the new requirement. Design studies showed that 500 houses is unrealistic and a lesser amount of around 300 was more likely.
Option F

To make most efficient use of the land and still be able to expand the beach, specific house types were developed. Each typology responds uniquely to its location but more importantly are specially designed to sit quite close to one another while retaining the design quality.
Involvement of collaborating architects brought an added dimension to the project and further enhanced the variety and diversity of houses and public spaces.

Having achieved a viable density and tenure, the design focus turned to provision of the public realm. Squares, gardens and streets of varying character and orientation were introduced while more was made of the harbour, harbour arm and the connections back into the heart of Folkestone.

This master plan was the centre piece of the public exhibition held in Folkestone early in 2012. Again, there was overwhelming public support for it.
Report to Folkestone Harbour Company

Results of Consultations

on

Folkestone Seafront – One Year On

10 February 2012
Background

This report summarises the outcomes of a large-scale public consultation process on the proposal, by the Folkestone Harbour Company, to redevelop the Folkestone Seafront and Harbour area. This development proposal or ‘approach’ was designed in partnership with one of the UK’s leading architects, Sir Terry Farrell of Terry Farrell and Partners.

This public consultation process follows an earlier public consultation process that was held from the 19th of May until the 9th of July 2010, during which the main design principles behind the new approach to the Folkestone Seafront were presented and the public was invited to provide feedback as well as suggestions for the use of the public space available. The public consultation held in December 2011 aimed at providing feedback on progress made, plans going forward and maintaining the dialogue with the community.

The consultation was undertaken by an independent research team at Canterbury Christ Church University on the behalf of the Folkestone Harbour Company.

This report was compiled by Dr Wim van Vuuren, Director of the Centre for Entrepreneurship and Innovation at Canterbury Christ Church University Business School.

The public consultation process

The public consultation process for ‘Folkestone Seafront – One Year On’ ran from 8 to 23 December 2011. It included the following elements to inform and gather comments, suggestions and opinions from members of the public:

- A three-day shop-based exhibition: allowing the public to look at a wide selection of posters outlining the updated plans and design principles. The exhibition also included a new and updated model of the proposed development. Staff of the university and the Folkestone Harbour Company were present to answer questions and provide clarifications;

- Two public consultation meetings: where information was provided about the developments that have happened since the public consultation in the summer of 2010 and the updated Folkestone Seafront development plans, followed by an open question and answer session; and
• An online questionnaire: asking respondents to rate key aspects of the
development as well as providing them with the opportunity to provide
feedback in free text format.

The table below gives an overview of the number of people who took part in the
various parts of the public consultation process.

<table>
<thead>
<tr>
<th>Consultation event</th>
<th>Attendance / participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop-based exhibition</td>
<td>533</td>
</tr>
<tr>
<td>Public consultation meetings</td>
<td>180</td>
</tr>
<tr>
<td>Public consultation survey</td>
<td>299</td>
</tr>
</tbody>
</table>

**Shop-based Exhibition**

An exhibition showing the new approach to Folkestone Seafront through a series of
linked display boards and a 3D model was set up in former amusement arcade in the
Creative Quarter on Tontine Street, Folkestone. The exhibition was open to the
public from 10am to 8.30pm on Thursday 8 December and from 10am to 5.30pm on
Friday 9 December and Saturday 10 December 2011. The late opening hours on
Thursday, as well as the Saturday opening hours were included to allow for visits
outside normal working hours.

The exhibition was intended as another means by which members of the public
might gather information and expand their understanding of the new approach to
Folkestone Seafront and the progress to date. In total there were 533 visitors, many
of whom engaged in dialogue with staff who were on hand to answer questions and
explain the consultation process. Discussions with the exhibition staff showed that, in
general, visitors to the exhibition welcomed the opportunity to access and discuss
the information about the approach to Folkestone Seafront and were mostly positive
in their comments.

**Public Consultation Meetings**

Minutes were taken of the question and answer sessions of the two public
consultation meetings in order to capture the issues raised. In total 63 comments
were classified and categorised in 6 main categories. The chart below shows the
distribution of the comments over the respective categories.
This above chart immediately shows that 4 out of 6 categories are responsible for 92% of the questions (i.e. connectivity, development, community and leisure activity). This includes questions about traffic and parking, when and where the development will start, the impact on sea views and existing property prices, who is likely to buy the properties and affordability issues, as well as questions about the need for leisure activities. It should be noted that the issues discussed were in the overall majority of cases presented as constructive feedback and in support of the development. Both the question and answer sessions and the informal discussions around the model of the development clearly showed a wide consensus about the need for revitalising Folkestone’s seafront and the opportunity presented by the new approach.

Public Consultation Survey

The public consultation survey addressed two main areas of interest. In the first set of questions the public was asked about awareness of recent developments and their opinion as to whether they feel these and planned developments were guided by the overall feedback from the first public consultation in the summer of 2010. The response displayed a high level of awareness of the developments that had taken place over the past year. It also showed a general consensus that feedback provided during the 2010 public consultation had in fact been acted upon. No less than 62.2% agree or even strongly agree that past developments were guided by the 2010 public consultation, and 63.2% feel the same about the planned developments. The new plans include a proposal for beach and water sports facilities, in response to the expressed need for leisure activity. The questionnaire results show that 72.6% of the respondents feel very positively about this development. When asked about the overall satisfaction with the direction taken for the development, the response is overwhelmingly positive. No less than 81.3% agree or even strongly agree with the overall direction taken, providing a strong public endorsement of the plans.
In the second set of questions the public was asked about availability of information and the preferred means of communication going forward. With regards to the availability of information about the development since the summer of 2010, just under half of the respondents (i.e. 48.1%) agree or strongly agree that information has been available. Of the remaining respondents, 23.3% disagree or even strongly disagree, while 28.6% has no particular view on this. The response on information provided during the 2011 consultation was far more positive. No less than 74.6% of the respondents agree or even strongly agree that sufficient information has been made available about recent developments and plans going forward. When asked about how to be kept informed going forward, a variety of means were listed with relatively equal preference for the use of newspapers, the Folkestone seafront website, public meetings and email.

All respondents were asked if they had any other comments to make at the end of the questionnaire. In total 125 of the 299 questionnaires included additional written comments. The comments were analysed using the qualitative data analysis software Nvivo 9. In total 22 different main categories of comments were identified, two of which were further subdivided into sub-categories to provide a more detailed understanding. In total, 234 different comments were categorised, with over 68% of the comments relating to:

- **Housing** – including comments on design, affordability, building density, the dune house concept, sustainability, impact on views, mix of houses and leisure, link with Tontine Street, and direction of the development.

- **Overall agreement with plans** – people taking the opportunity to express their overall support for the development and the need for change.

- **Connectivity** – including comments on the traffic network and Tontine Street, the need for public transport, public access, additional lift facilities, and provisions for cyclists.

- **Leisure activity** – in general reflecting a need for more things to do along the seafront area. Houses alone are not enough to revitalise the area.

- **Harbour** – a variety of comments in support of developing the harbour (into a marina) and the need for more facilities.

- **Sea sports centre** – in general in support of the concept, but with some reservations about the proposed location.

**Conclusions**
There is widespread public interest in the new approach to Folkestone Seafront in the local area, as evidenced by the number of people who participated in the consultation events. In general, anecdotal evidence from the public meetings and exhibitions suggests that the public is positive about the actual consultation process and opportunities it offered to engage with the new approach to Folkestone Seafront. The numbers attending public meetings, the exhibition and responding to the questionnaire are also testament to this engagement.
APPENDIX 5
7 December 2011

I Sisley & C Crawford
C/O CHS Project Managers
127 Sandgate Road
Folkestone
Kent CT20 2BH

Dear Ian and Colin

I acknowledge your letter of 2 November received immediately after I had written to you by e-mail though not acknowledging receipt. I subsequently met with David Harvey, signed a confidentiality agreement and viewed your two spreadsheets and crewing list.

The opening sentence of your letter to me stated that “as we said we would do about this time, we write to outline the latest position with this project.” Your letter of 15th April 2011 is specific on our agreement that the end of October was the deadline (“Our plan is to establish the link and to be operational in spring 2012 to coincide with the build up to the Olympic Games. This means having all our ducks in a row no later than October 2011”).

The agreed approach between us was that if you could introduce us to somebody with the investment power and belief in the project to take the project forward then we would give you until this agreed time to work up a business plan for consideration.

What I saw on 18 Nov 2011 was a two page spreadsheet headed “Estimated cash flows 2012 and 2013”. I was very surprised that this was all you were able to provide given the considerable period of time that has elapsed and the fact that you indicated in your letter of 2 November that you had "an extremely viable project". Most importantly you were unable to provide any comfort that you had unconditional funding in place to enable you to embark on this significant project.

I state clearly and finally that the contents of my letter of 2 November stand. In view of the missed deadline and the absence of a committed
investor and a detailed credible business plan, we are not in a position to take forward this project with you.

I once again request that you fulfil your obligation made at our meeting at the Quarterhouse on 23 February 2011, at which I gave you an extension of the previous deadline to October 2011 and in which you agreed to make the position clear publicly that you had been given the opportunity to bring a viable and funded plan forward but had not been able to do so should that deadline pass.

Yours sincerely,

[Signature]

Trevor Minter OBE DL
Dear Fiona

**THE FOLKESTONE HARBOUR BRANCH LINE**

I work for Roger De Haan who is the owner and sole director of the Folkestone Harbour Company (FHC). I had a meeting with Jerry Swift and Mark Ellerby on 10 Feb 12 concerning the future of the Folkestone Harbour branch line following which it was agreed that the FHC position would be laid out in writing to you.

FHC have owned the harbour and seafront site since 2004 and 2006 respectively. It was acquired as a key component in Roger De Haan’s efforts to regenerate Folkestone. He is doing this from a philanthropic not a developer’s perspective. So far he has contributed the following:

- The Roger De Haan Charitable Trust (RDHCT) acquires and refurbishes properties in the oldest part of Folkestone then leasing them to the Creative Foundation at a peppercorn rent.

- Set up the Creative Foundation (CF) as an arts led regeneration charity which lets the properties at affordable rents to those in the creative industries. 285 jobs have been created to date.

- The CF has in turn supported the opening of the University Centre Folkestone and

- The Quarterhouse performing arts and business centre.

- With the major additional funding from RDHCT the CF has mounted the Folkestone Triennials of 2008 and 2011. The latter attracted 103,000 visitors and cost £2.1m for a free to view contemporary art exhibition and the town now hosts a permanent collection.

- He is the sponsor and Chair of Trustees of the Folkestone Academy. Where the predecessor school achieved 8% 5 x A*-C GCSEs the Academy this year achieved 91%.

- He is a funder and Chair of Academy FM, a community radio station run by Academy pupils.

- He funded the Rocksalt and Smokehouse restaurants.

- He funded a £.5m public fountain for the enjoyment of families in the harbour square.

- The RDHCT contributes several millions of pounds each year to local community groups, sports clubs and festivals.
This list of regeneration actions indicates that the venture is a serious one and not for any profit. Indeed it represents about £50m of personal donations.

The harbour has had no economic use for a decade and is deteriorating, loss making and an eyesore in comparison with the above. In 2009/10 a strategic review was carried out on potential business uses for the harbour including cruises and ferry. In particular work was done with the Mayor of Boulogne on both a technical and market study to support a potential cross channel foot passenger ferry. It was sadly concluded that there was not sufficient market for such a service and the technical costs of making the harbour safe and workable were prohibitive.

The conclusion of this work was briefed in the first consultations on the Farrell plans for seafront site in the early summer of 2010. However, two individuals had already approached the FHC convinced that they could make a business case for a viable ferry service with a financial backer. FHC agreed to give them time to come forward with finance and a plan. Three deadlines passed and nothing was forthcoming over an eighteen month period. On 2 November 2011 a letter was sent to them confirming that the final deadline has now passed and FHC intend to move forward with a planning application assuming no ferry. Following a further exchange FHC’s position on ending discussions was confirmed once again in a letter dated 7 December 2011.

The seafront site is available for development and plans have been prepared over several years by firstly Norman Foster Associates and then Sir Terry Farrell and Partners. There is a once in a century opportunity to give the town new life through well planned quality design and economic development. It will include up to 1000 homes, significant public realm, flood mitigation, a sports centre and a beach sports centre. It is not anticipated that there will be any positive return on investment by Roger De Haan but it is hoped that the land value will be returned to the charitable trust. The planning incorporates land use of the whole site and anticipates closure of the branch railway line and return of the site to FHC who are the owners.

The planning application has been slowed while awaiting the results of discussions with the people who wished to reintroduce a ferry to Boulogne. As outlined above they have had every opportunity to put forward a business plan for consideration and a funding partner and have failed to do so. In the meantime large ferry operating companies have gone out of business and there remains over capacity on the cross channel route. It is now time to move forward and an outline planning application for the whole site is being prepared for submission in 2012.

The Folkestone Harbour Company is unequivocal in its view that a ferry will not operate from the site in the future and plans are now made for alternative use. This will include taking steps towards a Harbour Revision Order.

In the absence of a ferry it is not credible that a railway line can ever be a viable proposition for the branch line. FHC will be pursuing a dialogue with NWR to secure a permanent closure of this line and move forward with major investment and economic regeneration of the town. The plans envisage paying due memory to the heritage of the railway and port.
I look forward to continuing this conversation as a matter of urgency in 2012.

Yours sincerely

Trevor Minter OBE DL
15 Sandgate High St
Folkestone
Kent CT20 3 BZ
01227 830882
Trevor.minter@strandhouse.org
Dear Trevor

The Folkestone Harbour Branch Line

Thank you for your letter of 14th March and for setting out in detail the position of Folkestone Harbour Company.

The Harbour line and station are currently part of the national rail published network. This means that we have certain responsibilities relating to the infrastructure, including a requirement to follow statutory processes for determining the future of the line. We have been working hard on our engagement with stakeholders and remain committed to being open and transparent regarding our plans for the line. Mark and Jerry will no doubt have explained that any significant change to the use of the line, such as closure, requires us to undertake formal consultation, both within the rail industry and externally.

We would, therefore, be interested to understand your plans and timescales for a Harbour Revision Order, which we believe to be the process that will effectively close the port to ferry traffic. Whilst we understand that the Harbour line has been designated by the local authority as a transport corridor, we would like to have greater visibility as to what is included in your plans in this respect and the date that you intend to submit the planning application.

Please be assured that neither of the points above will delay our plans to commence public consultations on the future of the line. However, the information requested will be important in the context of any responses to the consultation and we would want to be able to make specific reference to them if possible. I would appreciate if you could provide the information requested direct to Mark at mark.ellerby@networkrail.co.uk.

I am pleased that you have been having regular contact with my team regarding the Harbour branch, which I trust you have found constructive and helpful. We are committed to continuing this dialogue and will keep you updated on any developments.

Yours sincerely

[Fiona Taylor]

Fiona Taylor
Route Managing Director, Kent

cc. Mark Ellerby, Network Rail