



Agenda

Meeting: **Overview and Scrutiny Committee**
Date: **20 June 2017**
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.

1. **Apologies for Absence**

2. **Declarations of Interest**

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 3 - 32)**

To consider and approve, as a correct record, the minutes of the meeting held on 23 May 2017.

4. **Cleansing, Folkestone town centre (Pages 33 - 36)**

Report OS/17/02: As part of the Overview and Scrutiny Committee's annual programme for 2017/18, Folkestone Town Council have requested that the committee review the Council's contractual arrangements with Veolia for street cleansing, as they are seeking more regular cleaning of the Town with the expect outcome of cleaner streets.

Queries about the agenda? Need a different format?

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5. National Non Domestic Rates Locally-Administered Relief Scheme (Pages 37 - 42)

Report C/17/13: This document outlines the proposals for the design and implementation of the locally-administered National Non Domestic Rates relief scheme as announced in the Chancellor's Spring Budget on 8 March 2017.

6. "Spirit of the Leas" Folkestone Coastal Park Heritage Lottery Fund Grant (Pages 43 - 64)

Report C/17/14: Following Cabinet approval in September 2016, a round one grant application was submitted to the Heritage Lottery Fund (HLF) for a project to improve access to Folkestone's Coastal Park. The round one application was successful and the HLF has awarded SDC a development grant of £40,300 to support a round two submission. This report seeks Cabinet approval for submission of a round two application and, should other contributions fail to materialize, agree to a growth bid item coming forward to be considered alongside other priorities at that time, to provide a match funding contribution of circa £130,000 in 2019/20.

*Explanations as to different levels of interest

(a) A member with a disclosable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- 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.

Voluntary announcements do not prevent the member from participating or voting on the relevant item

Folkestone

Hythe & Romney Marsh
Shepway District Council



Minutes

Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre, Folkestone
Date	Tuesday, 23 May 2017
Present	Councillors Peter Gane, Ms Janet Holben, Mrs Claire Jeffrey, Michael Lyons, Frank McKenna, Ian Meyers, Peter Simmons and Mrs Rodica Wheeler
Apologies for Absence	Councillor Clive Goddard
Officers Present:	Katharine Harvey (Head of Economic Development), Andy Jarrett (Head of Strategic Development Project), Sue Lewis (Committee Services Officer), Tim Madden (Corporate Director - Organisational Change), Brendan McGowan (Project Manager), Shaun Taylor (Anti-Social Behaviour Manager) and Suzy Tigwell (Leadership Support Manager)
Others Present:	Rebekah Button, Integrated Family Service Manager, Ivan Rudd, Public Health Specialist and Inspector Kevin Stephens, Kent Police Councillor John Collier, Cabinet Member for District Economy

1. Election of Chairman

Proposed by Councillor Michael Lyons
Seconded by Councillor Mrs Rodica Wheeler and

Resolved: To appoint Councillor Peter Gane as Chairman of this Committee for 2017/18.

2. Election of Vice-Chairman

Proposed by Councillor Peter Gane
Seconded by Councillor Michael Lyons and

Resolved: To appoint Councillor Mrs Claire Jeffrey as Vice-Chairman of this Committee for 2017/18.

3. **Declaration of interest**

There were no declarations of interest.

4. **Minutes**

The minutes of the meeting held on 18 April 2017 were submitted, approved and signed by the Chairman.

5. **Community Safety**

Members received a copy of the Shepway Community Safety Partnership Plan with the agenda and Shaun Taylor, Communities Team Leader informed that officers and partners were in attendance to update members on their work over the past year.

Mr Taylor gave a short introduction to the partnership, providing further details in the presentation papers attached to these minutes. He explained that the Chair of the group was chosen on rotation from the four sub groups.

He updated members on a number of issues surrounding the Clean, Green and Safe priority and confirmed that work, alongside the private housing sector team to work with landlords to improve standards is on-going. He also confirmed that the urban pastor scheme is still going and work with Giles Barnard, Community Safety Officer is continuing.

There have been a number of issues relating to illegal encampments which have been dealt with swiftly working across teams including environmental and legal. PSPO work is leading to more court orders being placed and in turn with a more robust action plan in place will continue to be monitored.

It was also reported that there is more action being taken in respect of fly tipping but it is noted that some areas are being targeted by business waste. Work will continue to make residents aware of the enforcement action that will be taken by enforcement officers if it continues and if people are caught.

The members approved the pink lighting project of Sandgate Road car park and acknowledged it had been a success in reducing ASB after years of complaints.

Rebekah Button, Integrated Family Service Manager, spoke in respect of Safeguarding paying particular attention to the following:

- Domestic Abuse – there has been an increase in visitors being assisted and work is being done to raise awareness through agencies. A domestic abuse conference in September was a huge success, bringing together agencies, school children and a previously abused woman.

- Child Sexual Exploitation and Trafficking – a variety of agencies have been working hard to educate children by going into schools, teaching them and training them on how to become mentors for the younger generation. To deliver awareness and provide an online tool for schools around community safety.
- Taxi drivers – receive training and awareness around community safety and some elements of this training will be built into their knowledge tests.

A number of initiatives have already taken place with more work being done by multi-agencies to get awareness across. A youth conference attracted 700 year 9 pupils aimed at safeguarding the next generation.

Schools are being targeted to help young adults learn about community safety and safety action week looking at road safety, policing and peer relationships. Universities are involved in the development of some of these programmes. This is something that can be replicated across the country.

Further work now needs to be done to highlight the dangers and encourage parents to get more involved with their children, raising awareness in the local community, working with agencies.

Ivan Rudd, Public Health Specialist, stated that Shaun's team had been proactive in their work and continuing support of the multi-agency approach.

Mr Rudd highlighted a number of issues and these are listed below:

Alcohol abuse - £15m is spent managing the fall out of alcohol abuse and that working with children and young people across the district will help them to understand the need for awareness. He informed that the 'Mind and Body' programme, together with positive intervention would give them awareness and knowledge to help themselves and others.

Doctor Surgeries - concern that with an ever growing population and increasing strains on the health service cutting doctors surgeries is not the way forward. It is an understanding that people are living longer which leads to an impact on care.

Gambling – this is an issue but not as high as alcohol abuse, work will continue in this area through agencies.

Underage drinking – if premises are selling to underage drinkers then enforcement action will be taken, this is difficult to manage but if reported action will be taken.

Dementia awareness – this is still a high priority and training and awareness in the community will be continued.

Inspector Kevin Stephens, Kent Police, updated the work he and his colleagues, together with multi-agencies are doing throughout the district. He

informed that due to a reduction in police officers and administration staff it is more difficult to cover the district and therefore the police take the view that they must look after people most vulnerable in the community.

He explained that a number of key outcomes have been highlighted and the full list is in the partnership plan with some discussion on the items listed below:

Re-offenders – the police are not able to work with those already in the system but can help those that have just left prison. The probation service has the main resources in this field.

Positive Choices programme – 5 schools in challenging areas of the district have been selected and if students are being disruptive or a danger to others then they can be referred to the police who will work with the school and the child, together with families to help try and resolve any problems they may have.

Vulnerable victims – the police have investigation teams who go to calls, make arrests and deal with crimes and if they feel that victims are vulnerable then more work is done with multi agencies. There are 13 different strands of vulnerability including prostitution and homelessness. If any of the strands are identified by the police then more work will be done to get a positive result.

Gangs – operation in place at the moment working with partners to identify gangs, working with trading standards, immigration and other agencies to reduce the impact of gang activity within shepway.

More detail on all of the above can be found in the partnership plan circulated with the agenda.

6. **Corporate Risk Register update**

Report C/17/02 The Council is committed to report on its changes to the Corporate Risk Register and this report outlines updates since April 2016 based on the corporate objectives outlined in the Corporate Plan 2013-2018.

Proposed by Councillor Peter Simmons
Seconded by Councillor Michael Lyons and

Resolved:

- 1. To receive and note report C/17/02.**

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

7. **Bigginwood Development**

Report C/17/06 provides an update on progress delivering new homes and jobs on a council-owned brownfield site known as Bigginwood in Folkestone. The

report outlines the proposed preliminary work and budget necessary to establish a delivery route and associated programme.

A presentation given by Andy Jarrett, Head of Strategic Development Projects is attached for information.

Mr Jarrett informed members that the site had been vacant for a number of years and the Council acquired it in December 2016 for £1.5m. The land has planning permission for 77 homes and employment use and it is for this reason that the Council wants to invest for the next generation, delivering more jobs, more homes and building on the appearance with value for money and meeting corporate objectives.

There are a number of constraints within the site as shown in the presentation papers and officers will now work to determine the most effective way to move forward, a number of options are available to the Council listed below:

1. The Council becomes the developer and then selling it themselves once the development is complete.
2. Sell to a developer with agreement to purchase proportion of homes and serviced land allowing the Council to hold homes for affordable housing.
3. De-risk site by remediating land by clearing and replacing the site with clean soil which would cap the land and make it safe before going to market.

Members were informed that an environmental study had been done with further tests to take place. A copy of the study is available on request. They were also informed that there was no indication that the site has been identified as having air quality issues.

Proposed by Councillor Peter Gane
Seconded by Councillor Mrs Claire Jeffrey and

Resolved:

1. **To receive and note report C/17/06.**
2. **To receive a further report before Cabinet when a delivery decision needs to be made.**

(Voting: For 6; Against 0; Abstentions 2)

8. Investing Shepway's share of the Kent Business Rates Growth Pool

Report C/17/05 seeks agreement for investing Shepway District Council's share of the Kent Business Rates Growth Pool in two key employment related projects in the district: (1) Bigginwood; and (2) the refurbishment of floors 3 and 4 of the Civic Centre.

Katharine Harvey, Head of Economic Development, informed members that since the Council joined the Kent Growth Pool they had acquired approximately £500,000 over the 2 year period.

After considering all the options for how to use these funds to promote future economic growth in the district, which is a requirement for how these funds are used, it is proposed to directly invest in two Shepway District Council schemes to bring forward high quality business accommodation:

- Civic Centre floors 3 and 4 - officers have tried and failed to secure tenants for all of these two floors and so it is proposed to use these funds to improve the quality of the accommodation.
- Bigginswood – this scheme is identified in the report previously discussed and it is proposed to use the funds to bring forward the employment space component.

Proposed by Councillor Peter Gane
Seconded by Councillor Michael Lyons and

1. To receive and note report C/17/05.

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

9. Updated Medium Term Financial Position

Report C/17/03 The medium term financial position updates the latest forecast for the Council's financial projections. It seeks to take a view over the medium term so that the Council can undertake its financial planning in good time and carry out any required actions in a planned and timely manner.

Tim Madden, Corporate Director for Organisational Change, informed members that this report updates on the latest forecast for the Council's financial projections, anticipating the future. Preparatory work is being done looking at the future financial strategy.

Members paid attention to the projected forecast and the key impacts and assumptions in particular the following issues:

- Changes to New Homes Bonus which has had a significant impact upon the financial forecasting, which has led to a lack of clarity and uncertainty
- Re-tendering of the waste contract with indications showing significant financial pressures within the current contract. The forecast assumes a growth impact of £1.5M per annum. Work has now started in respect of the tendering process with results in due course. Officers expect a significant cost to continue the service at current levels.

Mr Madden informed members that it is clear that the Council has significant pressures ahead and work will need to be undertaken now to help to alleviate those pressures in the future.

Members asked if the waste contract could come back in-house and were informed that officers have a major piece of work to do before any decisions can be made.

Members were also informed that government consultations were taking place on business rates and how the new system would operate in practice but this had been postponed pending the outcome of the General Election.

Proposed by Councillor Peter Simmons
Seconded by Councillor Michael Lyons and

Resolved:

- 1. To receive and note report C/17/03.**

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

10. **Annual Scrutiny Programme 2017-18**

Report OS/17/01 presents recommendations for the work programme for the overview and scrutiny committee for 2017/18.

Proposed by Councillor Peter Gane
Seconded by Councillor Michael Lyons and

Resolved:

- 1. To receive and note report OS/17/01.**
- 2. To approve the annual scrutiny work programme for 2017-18 attached to this report.**
- 3. That FlyTipping is added to the scrutiny work programme for 2017-18.**

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

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Shepway Community Safety Partnership Plan 2017-18

- Overview of the Partnership
- Priority 1 – Safeguarding
- Priority 2 – Clean, Green and Safe (including ASB)
- Priority 3 – Vulnerability and Reoffending
- Priority 4 – Health & Wellbeing
- Summary and Questions



Community Safety Partnership Structure

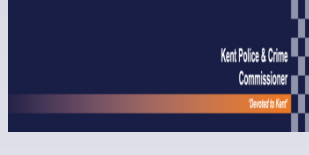
CSP Meeting.
 Chair: Rotating Chairs
 Deputy Chair: Lead Officer, SDC (Shaun Taylor)
 Attendees: Numerous Partners

Safeguarding Sub Group
Chair: KCC
 -Domestic Abuse
 -Child Sexual Exploitation
 -Child Exploitation
 -Counter Terrorism: Prevent and Vulnerable Persons
 -Youth Inclusion
 -Trafficking / Modern People Exploitation
 -Female Genital Mutilation

Safer, Cleaner, Greener Sub Group
Chair: SDC
 -Built Environment & New Developments
 -Housing Provision
 -Quality of Life & Reassurance
 -Road Safety
 -Anti-social Behaviour
 -Community Cohesion & Inclusion

Vulnerability and Reoffending Sub group
Chair – Kent Police
 -Preventing Offending
 -Integrated Offender Management
 -Organised Crime Groups (Serious & Organised Crime)
 -Gangs
 -Migration
 -Vulnerable victims
 -Social injustice priority areas
 -Changing & Emerging Communities

Health and Wellbeing Sub Group
Chair: Public Health
 -Drugs and Legal Highs
 -Alcohol
 -Mental and Physical Health
 -Active Communities



Introduction

- Shepway Community Safety Partnership (CSP) meets quarterly.
- Sub groups meet bi-monthly.
- Clean, Green and Safe (including High Risk ASB meetings are every Tuesday in Council Chamber)
- Funding through the Police Crime Commissioner – currently £28,858 and agreed at present for this financial year only. This is given in two payments after a report to the PCC has been submitted on how the money has been spent. The CSU applies for additional match funding for projects.
- Sub groups defined on new emerging themes for the district taking into account partners priorities.
- Each sub group receives equal share of the PCC funding.



Priority 1 – Safeguarding – Rebekah Button

- **Domestic Abuse** – One Stop Shop multi-agency weekly Drop In for Domestic Abuse over the last year has seen visitors increase by 10.9% (183 people assisted).
- **Child Exploitation and Trafficking** – Four officers from the Council have been trained to deliver awareness. Also CSU paid for online educational tool for schools around CSE.
- **Taxi drivers** receiving training and awareness around CSE and trafficking, elements will be built into their knowledge test.
- **Preventing violent extremism** – Four officers from the Council have been trained to deliver awareness.



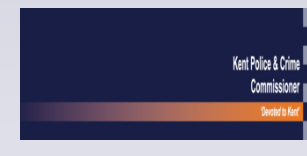
Priority 1 - Safeguarding (cont'd)

- **DA conference** organised for practitioners and sixth form pupils across the district- was successful.
- **Safety in Action Week** – For year 6 pupils, took place in January/February engaged with 513 students from 17 Shepway primary schools.
- **Youth conference** – 700 Shepway Year group 9 and 20 Sixth Form pupils from all secondary schools attending – “Safeguarding The Next Generation”. Disclosures made and schools and practitioners have called for a regular event. Had a massive impact on the students involved and has led to a number of other initiatives. KCC/Kent Police have asked Shepway to help plan for a countywide youth conference modelled on this.



Priority 2 – Safe, Clean, Greener & ASB – Shaun Taylor

- **Improve living standards for those within rented accommodation** – April – Dec 2016 - 118 includes housing condition complaints, fire safety checks, rent deposit schemes inspections & B & B inspections, properties improved by home safe loans – 9, properties improved for disabled persons 44, energy efficiency 3
- **Support to the Urban Pastors scheme** – 32 volunteers aged 18 - 83
- **Improve appearance of the district** – Green Gym, Clean for the Queen, PSPO dog fouling in New Romney, CPNs and CPNW work – joint ticketing approach
- **Multi-agency action days** – East Folkestone, Payers Park, Sellindge, Lydd, Densole, Brenzett
- **Crime reduction initiatives** – Cheriton Rec lighting, outreach work in Hawkinge, Leas' Residents lighting and mosquitos, Bayle cameras.



Priority 2 – Safe, Clean, Greener and ASB (cont'd)

- **PSPO** for street begging, street drinking, the taking of new emerging drugs (legal highs), sleeping in a public place – 3 cases pending prosecution, 2 community triggers resolved, Missenden Court closure order, 7 CBOs including 3 pending court (highest number in the County).
- **PSPO** – new dog orders about to go live.
- **Illegal encampments** – new robust no-nonsense hard line approach.
- **Diversionsary activities** – SHAPE Gillingham FC and Folkestone Sports Centre – 140 young people engaged in the last year.
- **Sports based projects** accessible to all – 180 engaged up to Dec 2016.
- **Develop Independent Advisory Group** to review all partner activity with minority groups – chaired by member of CSU, SDC.



Priority 3 – Vulnerability and Reoffending

- Complete a profile of the gangs in Shepway – “feet on the street” multi-agency event
- Develop community interventions to aid intelligence and disrupt gang activity – intelligence gathering, search warrants, stop checks, covert observations.
- Develop multi-agency risk assessment and referral process for those vulnerable to being recruited into gangs using county lines data and Kent Connect portal intelligence.
- Develop and understanding of bespoke communities within Shepway and develop regular engagement.



Priority 3 – (cont'd)

- Understand the drivers of migration in and out of the district.
- Understand the **needs of migrants** and the wider communities and support their integration.
- Travellers – understand the legal requirements in respect of travellers.
- Develop accessible **community services hub** to facilitate engagement and participation with partners – Community Hub in Dover Road was developed and has had successful outcomes.
- **Positive Choices programme** – Multi agency programme working to prevent youths (ages 9-12) from being associated with ASB through family mentoring and early interventions.

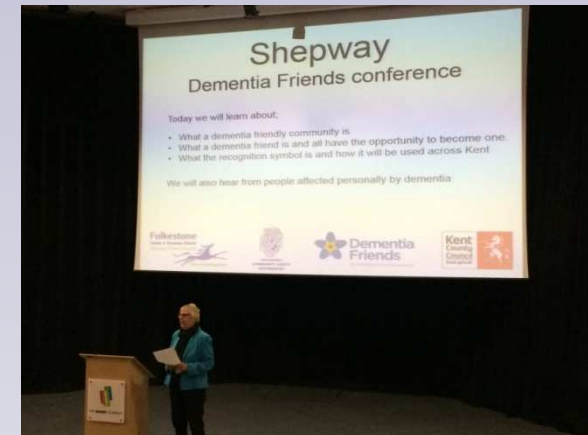


Priority 4 – Health and Wellbeing – Ivan Rudd/Hilary Knight

- Know Your score – www.kent.gov.uk/knowyourscore
- Support County health campaigns
 - Alcohol
 - Stay well this winter
 - Keep warm
 - Get flu jab
 - Healthy Eating – with smoothie bikes
- **Promote Kent Alcohol Care pathway** – identification of high risk groups, training for identification and referral pathways.
- Linking in with the schools in deprived areas to the Folkestone Sports Centre to develop taster sessions for families.
- **Dementia Friends Conference** – Promoting the support available for those with dementia and how we can all help.

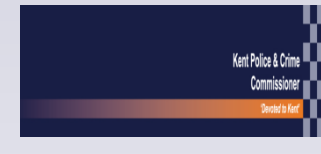


Men & Women



Priority 4 – Health and Wellbeing (cont'd)

- Increase health and wellbeing in the workplace – organisations to invite their HR team to discuss.
- Delivery of the Mind and Body programme by Kent Addaction supporting young people in relation to self harm.
- Street Cheer programme the Folkestone Sports Centre
- Funding for the SHAPE Programme linking into Gillingham FC and the Folkestone Sports Centre (180 yp's per year now in 4th year)



Summary and Questions

- 4 sub groups with a working Tactical Delivery Plan.
- Accountable to the PCC office on how funds are spent and they attend CSP meetings and receive regular updates.
- Work of the Partnership is in conjunction with priorities for the Council and strategies of partners, particularly the Kent Control Strategy, Kent Police, PCC Police and Crime Plan and the KCC Kent Alcohol Strategy.



Overview and Scrutiny Committee – 23rd May 2017

Bigginswood, Cheriton

Bigginswood - Overview

- Former brickworks site
- Vacant for several decades
- 4.43 hectares(10.75 acres)
- Employment Land Allocation
- Planning permission 77 homes and employment use
- Acquired December 2016 £1.5m

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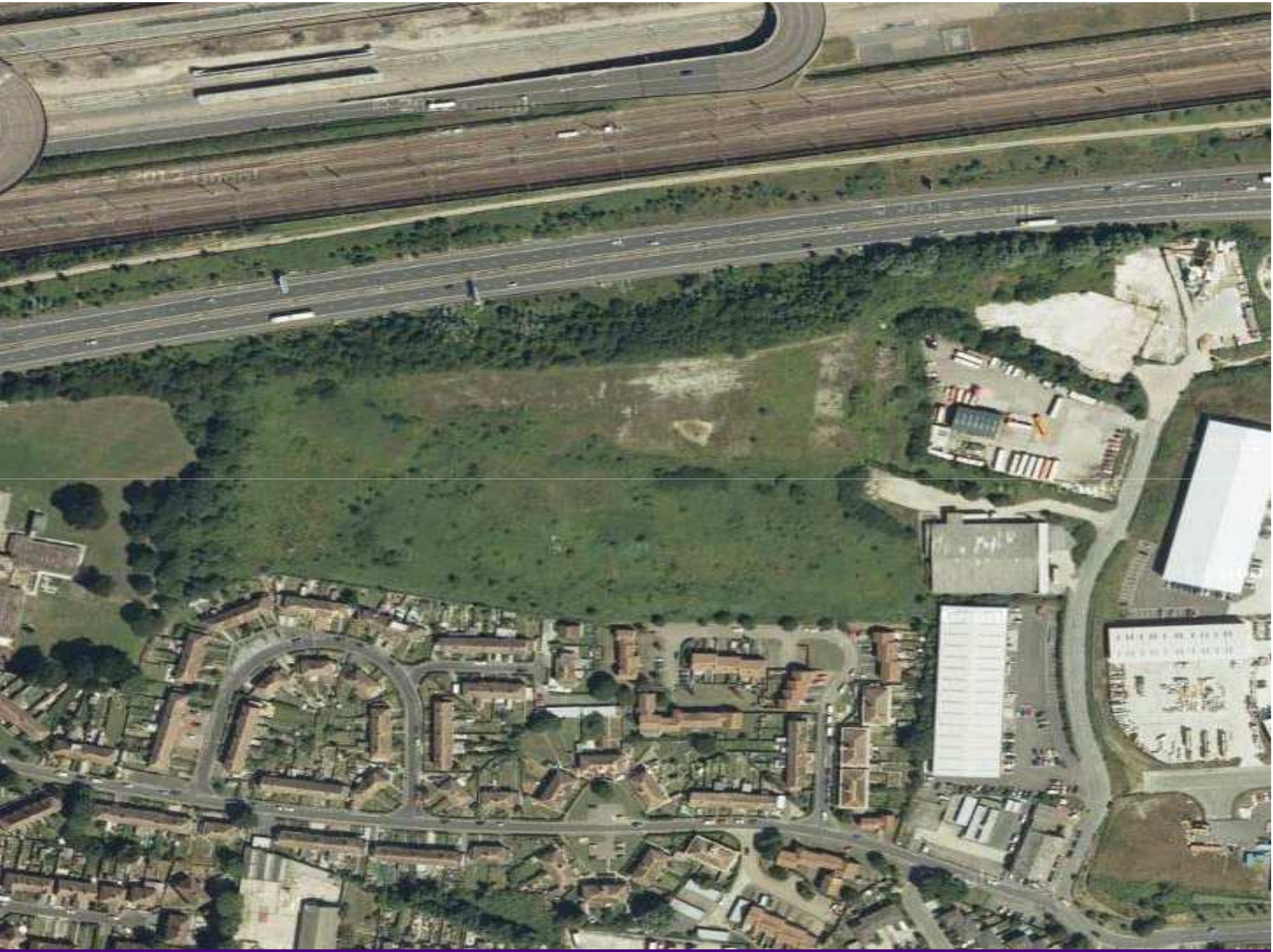
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Meeting Corporate Objectives

Investing for the next generation – delivering more of what matters

Key objectives of the Council's Corporate Plan 2017-2020 particularly:

- **More Jobs** - *to boost the local economy and increase job opportunities through the development of a major new flexible and quality employment offer;*
- **More Homes** – *to enable the construction of 77 new homes including 23 affordable homes;*
- **Appearance Matters** - *support an attractive and vibrant place to live by ridding the area of a derelict and contaminated site and by creating new public open space.*
- **Financial Stability** – *to deliver value for money.*



RDA architects –illustrative masterplan

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Bigginswood - potential

- Good size urban freehold site
- Planning permission 77 homes and employment use
 - **New Homes** 39 (No.) 2 bed + 38 (No.) 3 bed (of which 23 HRA inc. shared equity homes)
 - **Employment use:**
 - 54 light ind. units 52 x 96 sq.m. + 2 x 75 sq.m.
 - Office 660 sq.m (divisible)

Bigginswood - constraints

- Contamination and ground conditions;
- Access - shared
- Proximity to M20 Motorway (environment)
- Employment use allocation

Next step – procurement preparation;

- Options appraisal

Determine the most cost efficient way to procure – options include:

- Council act as developer
- Sell to developer with agreement to purchase proportion of homes and serviced land
- De-risk site by remediating land.

Bigginswood - Budget

£130k budget to progress to procurement.

- 70% (£91.7k) to the General Fund and 30% (£39.3k) to the HRA
- Relevant HRA budget already exists
- General Fund element can be met from the Corporate Property Developments Projects budget contained within the approved capital programme

Recommendations to Cabinet

1. To receive and note report C/17/06.
2. To note the necessary preliminary work required to undertake detailed delivery planning through to a procurement decision.
3. To note that a further report is brought back to Cabinet when a delivery decision needs to be made. That report will:
 - Detail the issues around finance, risk profile and timelines of each option; and
 - recommend a procurement route.

This report will be made public on 12 June 2017

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report **OS/17/02**

To: Overview and Scrutiny
Date: 20 June 2017
Head of service: Roger Walton, Head of Environmental Services
Cabinet Member: Stuart Peall, Cabinet Member for the Environment

SUBJECT: CLEANSING, FOLKESTONE TOWN CENTRE

SUMMARY:

As part of the Overview and Scrutiny Committee's annual programme for 2017/18, Folkestone Town Council have requested that the committee review the Council's contractual arrangements with Veolia for street cleansing, as they are seeking more regular cleaning of the Town with the expect outcome of cleaner streets.

RECOMMENDATIONS:

To receive and note report OS/17/02.

1. BACKGROUND

- 1.1 The joint street cleansing and waste collection contract was awarded to Veolia UK in late 2010 with a start date of 16th January 2011.
- 1.2 For cleansing purposes the contractor is required to achieve or exceed the cleansing standards set out in the Code of Practice on Litter and Refuse, issued under section 89 of the Environmental Protection Act 1990.
- 1.3 The contractor is also required to undertake the emptying and cleansing of litter and dog bins and arrange the weed spraying of public highways.

2. LEVELS OF CLEANLINESS

- 2.1 Levels of cleanliness to be achieved by Veolia in the district are set in accordance with those in the Environmental Protection Act 1990 and the Code of Practice on Litter and Refuse.
- 2.2 For Litter and Refuse:

Grade	Level of Cleanliness
Grade A	No litter or refuse.
Grade B	Area predominantly free from litter and/or refuse apart from some small items such as cigarette ends, ring pulls etc.
Grade C	Widespread distribution of litter and/or refuse with minor accumulations of small items as Grade B and larger items including beverage containers, fast food packs, animal faeces etc.
Grade D	Area heavily littered by litter and/or refuse with small and large items with significant accumulations along boundaries.

For detritus (gravel, sand, silt, or other material or organic matter produced by erosion):

Grade	Level of Cleanliness
Grade A	No detritus
Grade B	Predominantly free of detritus except for some light scattering
Grade C	Widespread distribution of detritus with minor accumulations.
Grade D	Heavily affected by detritus with significant accumulations

- 2.3 Both the contractor and the Waste Team within Environmental Services are responsible for monitoring the standards of cleanliness in district. The time limits following notification of a shortfall in cleansing standards in Folkestone Town Centre, The Leas and Harbour area are as follows:

If the standard has fallen to	Time limits within which the street must be restored to Grade A	
	Zone Z (Town Centre)	Zone 2a (High Intensity)
Grade B	6 hour	Next Day
Grade C	3 hour	6 hours
Grade D	1 hour	3 hours

- 2.4 The rectification times only apply within the permitted working time periods - October to March 6am to 6pm and April to September 6am to 10pm.

3 LITTER BIN EMPTYING

- 3.1 The following standard descriptions have been applied to define the appropriate response times for litter bin emptying in the district regardless of where the litter bin is sited:

Category A - Empty litter bin
 Category B - Any litter
 Category C - ½ full
 Category D - ¾ or more full

- 3.2 The contractor is required to empty these bins to grade A (completely empty) in the following times:

If a bin reaches Grade D it must be returned to Grade A within 3 hours.
 If a bin reaches Grade C it must be returned to Grade A within 1 days.
 If a bin reaches Grade B it must be returned to Grade A within 7 days.

4. CURRENT RESOURCES IN FOLKESTONE TOWN CENTRE

- 4.1 Whilst the contract standards are based on output rather than frequency, Veolia's staff resources are deployed on set rotas, which are based on their assessment of the level of resources required to meet the contract standards.
- 4.2 Three barrow operatives are deployed in the Town Centre and surrounding area during the day from 6.30am till 5.30pm. These are based within the Town Centre, but are not exclusive to the Town Centre, The Leas and the Harbour area. Their duties include the emptying and storing of overflowing litter bins, litter picking and removal of detritus, broken glass or needles.
- 4.3 Mechanical sweepers are deployed in the early morning and throughout the day until 3pm.
- 4.4 There are two mobile crews in the town centre vicinity who empty litter bins and support the barrow operatives where required in removing large

quantities of litter, where bags have split open, or waste that has been fly tipping. One crew is deployed from 6.30am till 3pm and the other from 2pm till 10pm, with the last litter bin emptying taking place at around 9.30pm. Litter bin emptying takes place, on average, four times per day in the peak season.

- 4.4 During the winter period the second mobile team work until 5.30pm.
- 4.5 The current resource should be sufficient to meet the current contract requirements; if higher standards are to be achieved then additional resource would need to be supplied and additional costs would be incurred. There is no additional budget within the Waste budget to cover any extra spend.
- 4.6 Based on the Bill of Quantities Prices within the contract the current costs for additional services are:

	Hourly rate	Based on a 7hr day
Operative (Mon – Fri 7am to 6pm)	£10.10	£70.70
Operative (Mon – Fri 6pm to 7am and Saturday)	£15.14	£105.98
Operative (Sunday)	£20.18	£141.26
Driver (Mon – Fri 7am to 6pm)	£12.22	£85.54
Driver (Mon – Fri 6pm to 7am and Saturday)	£18.32	£128.24
Driver (Sunday)	£24.43	£171.01
Caged vehicle	£8.50	£59.50

5. CONTACT OFFICERS

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

Roger Walton, Head of Environmental Services
 Telephone: 01304 872420.
 Email: roger.walton@shepway.gov.uk

Mandy Pile, Waste Services Manager
 Telephone: 01304 872242
 Email: mandy.pile@doover.gov.uk

This Report will be made public on 13 June 2017.

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report Number **C/17/13**

To: Cabinet
Date: 21 June 2017
Status: Key Decision
Head of service: Pat Main
Cabinet Member: Councillor Malcolm Dearden, Finance

SUBJECT: NATIONAL NON DOMESTIC RATES
LOCALLY-ADMINISTERED RELIEF SCHEME

SUMMARY: This document outlines the proposals for the design and implementation of the locally-administered National Non Domestic Rates relief scheme as announced in the Chancellor's Spring Budget on 8 March 2017.

REASONS FOR RECOMMENDATION: Cabinet members are asked to approve the criteria proposed for the implementation of the new Locally-Administered National Non Domestic Rates Relief Scheme.

RECOMMENDATIONS:

1. To receive and note report C/17/13.
2. To approve the recommended local discretionary criteria for inclusion in the Council's locally-administered National Non-Domestic Rates relief scheme, as detailed in this report.

1. BACKGROUND

- 1.1 On 1 April 2017 the latest revaluation of National Non Domestic Rates (NNDR) came into effect. The effect is to adjust the rateable value of non domestic properties to reflect changes in the property market and consequently can lead to changes in the NNDR charges payable by ratepayers.
- 1.2 Across Shepway district the overall increase in NNDR payable is 6.8%; however some ratepayers have seen much more significant increases which are only partially assisted by the standard Transitional Relief that is awarded to ratepayers as part of the revaluation process.
- 1.3 In his Budget on 8 March 2017, the Chancellor announced that the Government would also make available a discretionary fund of £300 million over four years from 2017/2018 to support those businesses that face the steepest increases in their NNDR bill as a result of the revaluation.
- 1.4 Each local authority will be provided with a share of the £300 million to support local businesses. Relief will be administered through the discretionary powers of billing authorities under section 47 of the Local Government Act 1988. No new legislation is required.
- 1.5 A proportion (expected to be 50%) of the cost will be borne directly by Central Government and the remainder will be funded through the council's Section 31 grant.
- 1.6 Shepway's discretionary relief funding allocation comprises:

	£
2017/18	213,000
2018/19	103,000
2019/20	43,000
2020/21	6,000
Total	<u>£365,000</u>

The decision of the Council to award discretionary relief cannot take account of the value of the funding allocation. It is possible for councils to grant more relief than the funding allocation; when the maximum grant level has been reached any additional costs are borne 40% by the Council, 10% by the major preceptors and 50% by Government.

- 1.7 It is for local authorities to design their discretionary relief schemes and determine the eligibility of local ratepayers for support. The scheme must state the criteria that ratepayers across the authority, or in specific locations within the area, must meet in order to qualify for discretionary relief.
- 1.8 Reliefs will be awarded from 1 April 2017. The Government have advised that there is no formal deadline with regard to making a decision on the scheme but, in respect of providing an efficient service to ratepayers and projecting and collecting revenue, it is in the interest of each local authority for this to be done promptly.

- 1.9 The Government requires local authorities to offer more support to ratepayers/localities that face the most significant increases in their bills (specified as being greater than a 12.5% increase when compared to 2016/2017) and ratepayers that occupy lower value properties (less than £200,000 rateable value).

2. RECOMMENDED SCHEME CRITERIA

- 2.1 The Government has specified that locally-administered schemes must include the following eligibility criteria:
- Rates increased by at least 12.5% comparing 2016/2017 to 2017/2018
 - Properties with a rateable value of property below £200,000.
- 2.2 In addition the recommended local discretionary criteria for inclusion in the Shepway locally-administered relief scheme are as follows:
- The ratepayer occupied the premises on 31 March 2017
 - Accounts that were in arrears at 31 March 2017 are not eligible for relief
 - Relief will be adjusted when rates increase or decrease
- 2.3 Consideration was given to inclusion of additional discretionary criteria that the ratepayer should occupy no more than one property in the district. This was found to have limited impact on initial eligibility and is therefore not being recommended for inclusion in the scheme at this time.

3. SCHEME DEVELOPMENT

- 3.1 Along with other Kent districts, Shepway District Council has engaged the Services of an independent consultant to assist developing the locally-administered scheme. This service will include:
- Defining eligibility criteria, taking into account the specified and discretionary criteria
 - Designing the processes for applications (if necessary), revisions and cancellations
 - Confirming the relationship with other NNDR reliefs
 - Process for making awards and award adjustments
 - Process for revision of decisions
 - Appeals process
 - State aid considerations
 - Any other locally-administered scheme requirements.
- 3.2 The scheme will be managed by the Corporate Debt Team in Finance, overseen by the Chief Finance Officer.
- 3.3 There is a requirement for each local authority to submit locally-administered relief scheme proposals to the Department for Communities and Local Government by 30 June 2017.

- 3.4 The Government has advised that consideration is still being given to whether or not flexibility should be provided to allow the annual funding sums to be spread across the financial years.
- 3.5 The Council will also be consulting with the major precepting authorities prior to submitting the scheme proposals to the Government.
- 3.6 Following approval of the scheme the next step will be to contact businesses directly who may be eligible to receive the support and invite them to apply. Full details and an application form will be available on the Council's website. Those qualifying for relief will have it applied to their business rates account as soon as possible.

4. RISK MANAGEMENT ISSUES

- 4.1 There are no significant risks relating to this proposal.

Perceived risk	Seriousness	Likelihood	Preventative action
Insufficient funds to administer the relief scheme	Medium	Low	Recommended criteria will not result in applications that exceed the funding allocation.
High volume of appeals from ineligible ratepayers	Low	Medium	The recommended criteria will be clearly defined and the scheme will include a transparent and effective appeals procedure.

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

Legal Officer's Comments (DK)

There are no legal implications arising directly out of this report to the extent the Council follows the guidelines and requirements contained in the Spring Budget for 2017.

Finance Officer's Comments (DC)

The Council will receive funding through the s31 Grant process to cover the cost (lost income) of this initiative. The overall effect on income should be neutral over the period of the scheme, which will be monitored accordingly.

Diversities and Equalities Implications (PM)

The locally-administered relief scheme will be administered in line with Government guidance and the Council's local equalities policies.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Rebecca Edwards, Senior Corporate Debt Officer
Telephone: 01303 853654
Email: Rebecca.edwards@shepway.gov.uk

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

Government consultation on proposals on the design and implementation of the locally-administered NNDR relief scheme
<https://www.gov.uk/government/consultations/discretionary-business-rates-relief-scheme>

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This Report will be made public on 13 June 2017

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report Number **C/17/14**

To: Cabinet
Date: 21 June 2017
Status: Non- key Decision
Head of Service: Katharine Harvey, Head of Economic Development
Cabinet Member: Councillor Collier – Cabinet Member for District Economy

SUBJECT: “Spirit of the Leas” Folkestone Coastal Park Heritage Lottery Fund Grant

SUMMARY:

Following Cabinet approval in September 2016, a round one grant application was submitted to the Heritage Lottery Fund (HLF) for a project to improve access to Folkestone’s Coastal Park. The round one application was successful and the HLF has awarded SDC a development grant of £40,300 to support a round two submission. This report seeks Cabinet approval for submission of a round two application and, should other contributions fail to materialize, agree to a growth bid item coming forward to be considered alongside other priorities at that time, to provide a match funding contribution of circa £130,000 in 2019/20.

REASONS FOR RECOMMENDATIONS:

Cabinet is asked to agree the recommendations set out below because:

- a) A decision to accept the round two development grant and allocate resources for delivering the project in 2019/20 would deliver potential benefits for the visitor economy in Folkestone and improve local residents’ quality of life.
- b) There is a need to prioritise Economic Development team resources being used to develop a round two application.
- c) There could be a project funding gap should match funding not be available for the final project from other sources, in the event that a round two bid is approved by HLF.

RECOMMENDATIONS:

1. To receive and note report C/17/14.
2. To agree to the development and submission of a round two HLF application.
3. To support SDC officers in taking a proactive approach in identifying and securing external match funding contributions to deliver the necessary project funding and delivery requirements.

- 4. To agree to SDC considering a funding contribution as part of the final HLF project grant allocation as a potential growth bid item, alongside other priorities at that time, in light of other identified contributions.**

1. INTRODUCTION

- 1.1 As reported to Cabinet on 14th September 2016 (Report C/16//30) the Folkestone Coastal Park “Spirit of the Leas” project aims to restore historic routes and structures at the park and along the Leas and to develop an understanding and appreciation of the roles played by the Park, Leas Cliff Hall and the Leas in Folkestone’s development as a coastal resort.
- 1.2 The project will:
- Restore cliff-paths either side of the Leas Cliff Hall to improve access between the park and town-centre to encourage new users, re-establish views of the park and Hall, and relieve pressure on other routes such as the Pulhamite Zig-Zag Path.
 - Restore heritage features including the Leas subway, air-vents from the Hall’s predecessor the Leas Shelter, and manufacture a mould of the Leas lamp-columns from which new columns will be able to be cast.
 - Interpret the Leas Cliff Hall and Leas cliff-top promenade’s built and social heritage.
 - Engage people through activities centred on music, dance, fashion, architecture and archaeology.
 - Enhance connectivity and pedestrian / tourist movement flow between the town and seafront.
- 1.3 The project is running in parallel with but cannot incorporate the efforts being made by the owners of the Leas Lift to secure funding from HLF to restore and re-open it. The Coastal Park application was developed before the closure of the lift and it is not now possible to include the Lift without starting again and delaying the project. However, help has been offered to the Lift’s owners with their work to secure funding.
- 1.4 Following submission of a round one application in October 2016 the HLF has offered the Council a development grant of £40,300 to support the costs of producing a more detailed round two application. The HLF grant offer letter is attached at Appendix 1. The development grant comprises 80% of the estimated £50,000 costs of commissioning detailed proposals for a round two application. The £10,000 balance of funding for this work is budgeted and can come from the 2017/18 Economic Development Service budget.
- 1.5 HLF requires work to start on developing the round two bid by early September 2017, and for the round two bid to be submitted by 9th March 2019 at the very latest. However, it is expected that the round two bid would be completed by October 2018, with the project itself completed by December 2019, subject to HLF’s approval.
- 1.6 The round one grant offer does not guarantee the ultimate success of the bid, but round two applications are rarely rejected and a successful application would secure a grant of circa £467,000 towards the expected total remaining delivery cost of circa £600,000, which comprises £581,000 capital costs and £18,000 in increased revenue costs over a five year period.

- 1.7 The anticipated £467,000 grant leaves a shortfall of some £133,000 balance of costs which will need to be match funded by local / external partners.
- 1.8 The HLF requires projects of this nature to be maintained by the grant recipient for a period of at least five years. The £133,000 match funding contribution therefore includes the estimated costs for this maintenance which amounts to some £18,000 over the minimum five year period. The remaining match funding contribution of £115,000 need not come solely from the Council's own resources and contributions from other organisations, such as Folkestone Town Council, local trusts and possibly S106 contributions, will be explored.

2. BENEFITS OF SCHEME TO SHEPWAY

- 2.1 Taken together the Coastal Park and Leas comprise one of the district's main "free-to-enter" attractions. The Park has achieved Green Flag status since 2007 and is rated by Trip Advisor as the 9th best out of 862 "things to do" in Kent, attracting some 500,000 visitors annually.
- 2.2 The 2015 Cambridge Model estimates average day visitor spend in Shepway at £30. Therefore, assuming visits to the Park are generally of a half-day duration, the Park could be attracting around £7.5 million annually to the district. The proposed improvements to the Park will help to increase the Park's attractiveness and connectivity with Folkestone town centre to visitors and residents, thereby supporting the local economy.
- 2.3 The project fits well with new Corporate Plan priorities including:
- Maintaining and improving natural and historic assets;
 - Working with partners to boost the appearance of the district;
 - Providing clean and well maintained public spaces;
 - Protecting and managing the coastal sites in an environmentally sustainable way;
 - Promoting healthy lifestyles within our communities;
 - Ensuring access to high quality open space; and
 - Exploring alternative income streams including commercial opportunities.
- 2.4 The project will support the Economic Development Strategy and in particular it will:
- Enhance our towns and coast to attract visitors to the area and inward investment;
 - Improve connectivity in Folkestone between the town and seafront;
 - Enhance and develop Folkestone as an internationally recognised tourist destination; and.
 - Maximise the economic benefits of the coast through encouraging the full enjoyment of the asset.

2.5 The project is expected to fit well with the Heritage Strategy when it is released, and the project has also been identified as one of the Folkestone Coastal Community Team's Economic Plan goals/actions.

3. CHALLENGES TO SDC

3.1 At present no internal funds for the SDC contribution towards this project has been identified beyond officer time. There is an estimated capital requirement of some £133,000 from match fund sources towards the project in 2019/20 including approximately £3,600 per annum required to maintain the asset from the grant recipient.

3.2 While much of the work to produce the round two application will be commissioned from consultants using the HLF's development grant, the process will require the involvement of officers from various services, particularly Economic Development, Grounds Maintenance, Communities and Property. If the round two bid is successful the implementation of contracts and provision of monitoring to meet HLF's requirements will also require involvement from across SDC services.

3.3 The HLF has advised that if there is significant doubt about the stage two bid, and delivery of the project more broadly, it would be preferable for the Council to withdraw at this stage.

3.2 In view of this there is a need for Cabinet to re-affirm its commitment to the project and to agree that Economic Development team resources are prioritised to develop the round two bid and explore alternative funding sources. Moreover, if alternative external financial contributions towards the final project match funding required fail to materialise, a growth bid item for SDC funds in 2019/20 will be submitted which will be considered alongside other budget pressures at the appropriate time.

3.3 In summary there is a risk that:

- Economic Development team resources and input from other departments required to develop the round 2 bid in 17/18 will not result in a successfully delivered project; and
- There is potential reputational damage to SDC should the Council submit a stage 2 bid and then need to decline the grant (if the bid was successful) if the required match funding cannot be found.

4. RISK MANAGEMENT ISSUES

4.1

Perceived risk	Seriousness	Likelihood	Preventative action
The council accepts the development grant and produces a round two submission but	High – loss of officer time over lengthy period and £10,000 development contribution	Low	The HLF has said that it is rare for a round two submission to be rejected provided that applicants work closely with them during the development stage.

this is unsuccessful	from SDC made in 17/18.		Therefore a close working relationship will be established.
The council chooses to accept the development grant and produces a successful round two submission but the match funding required to take the final project forward is not found.	High – significant funds will be lost to other heritage projects in the south east region with adverse impact on the council’s reputation and risks to future bids for HLF grants.	High – significant pressures are likely on future SDC budgets.	Cabinet decision is made at this stage to support taking the risk. The benefits of the project are conveyed well in order to secure the match funding contribution for the final project. Proactive efforts are made to secure sources of funding towards the required match funding for the final project as an alternative to SDC as soon as possible. A Growth Bid item comes forward for spend in 2019/20.

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer’s Comments (DK)

There are no legal implications arising directly out of this report other than those already identified in the report. The match funding payments required of the Council towards the project are clearly an important undertaking and one which must be honoured by the Council; in the event of the Council being unable to source such match funding, the Heritage Lottery Fund require being put on notice prior to the end of the development phase (which is being sponsored by the initial payment). (Legal Services have been informed by the Heritage Lottery Fund that the terms and conditions upon which it requires beneficiaries to undertake prior to accepting a grant are not negotiable.)

5.2 Finance Officer’s Comments (AK)

The financial implications are set out in paragraphs 3.1 to 3.4 above. As stated there are no financial resources set aside in forward plans at this stage

5.3 Diversities and Equalities Implications (DI)

There are no diversities or equalities implications arising.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Telephone: 01303 853474

Email: dave.illsley@shepway.gov.uk

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

Appendix 1: HLF Stage 2 Grant Offer letter

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South East England
7 Holbein Place
London SW1W 8NR

Telephone
020 7591 6000
Facsimile
020 7591 6273

Textphone
020 7591 6255
Website
www.hlf.org.uk



02 March 2017

Our Ref: HG-14-04669

David Illsley
Shepway District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent CT20 2QY

Dear David,

The Spirit of the Leas - Improving access, understanding and enjoyment of Folkestone's Coastal Park

Congratulations, your application has now been assessed, and I am delighted to inform you that we have decided to award a first-round pass. I am also pleased to confirm that we will offer you a development grant of up to £40,300.00, forty thousand, three hundred pounds, (80% of the total eligible development work cost of £50,370.00) towards the development of Round 2 plans for the Spirit of the Leas project.

The percentage above is known as your 'grant percentage.' As your approved project costs include non-cash contributions and/or volunteer time, we have also calculated the percentage of cash that we will be contributing towards the project. We describe this as the 'payment percentage' and for your project this will be 80%. More information on this can be found within the enclosed *Receiving a grant* guidance.

Part 1 of this letter sets out how we will work with you during the development phase of your project and what you need to do to develop your second-round application.

Part 2 deals with the legal aspects of the development grant that we are offering. It refers to the standard terms of grant that you accepted when you completed the Declaration section of your online application.

Part 1 – How we will work with you

What does a first-round pass mean?

A first-round pass means that we believe that your project has potential to deliver high-quality outcomes and value for Lottery money. Your application will have been in competition with other supportable projects, so a first-round pass is recognition that we value your proposals and want to have the opportunity to assess them in detail at the second round.

A first-round pass does not guarantee that you will receive a grant. We receive more requests for grants than we can support, and your second-round application will still be in competition for funding. The total costs of your project may change during your development period, but if there is any significant increase in your grant request at the second round this will have an impact on our judgement of the value for money your project offers.

Your project's development phase

You will need to develop your project in line with the proposals set out in your application and the key points to be addressed during the development phase set out below. We will contact you shortly to arrange a start-up discussion for your development phase, when we will agree a timetable for progress reporting, grant payment requests and for your second-round submission. More information on this can be found within the enclosed *Receiving a grant* guidance.

Your second-round application can be sent in as soon as you have completed your development work and we have signed off your completion report on the development grant. **The deadline for us receiving your second-round application is 9th March 2019.** If we have not received your full second-round application by then, your first-round pass will have lapsed and you will need to start a new first-round application if you wish us to consider your project again.

Keeping in touch

The key points that need to be addressed in the working up of a second-round bid are: developing a full activity plan with opportunities for audience development and targeted groups, addressing accessibility within the capital plans, and developing a full interpretation strategy, and such other requirements as may be notified to you during the development phase.

During the development phase we will ask you to report on progress against these and on how you are doing in preparing the documents that you need for your second-round bid. This will help us to understand how well your plans are advancing and alert us to any issues affecting the timing of your second-round submission.

We will undertake a formal review of your progress when you have developed outline costs. This will usually be when your outline proposals are ready (RIBA work stage 2). Following this review, we will normally ask you to continue developing your project to the second round. Exceptionally, if your proposals have changed a lot, or your costs and grant request have increased significantly, and we consider they no longer represent value for money, we will ask our Committee to consider your project again. If this is the case, we may reject your application at this point.

Please read the attached *Receiving a grant* guidance. This forms part of the standard terms of grant for our development grant and requires you to:

- obtain our permission to start for your development phase;
- submit progress reports at a frequency agreed between us. As a minimum, you will normally submit a report with your *Advance payment request form*, if applicable;
- request your grant payments;
- provide a completion and evaluation report when you have finished the development work;
- procure goods, works and services in accordance with EC procurement regulations and the *Receiving a grant* guidance.

The forms that you will need for requesting permission to start, requesting your grant and reporting your progress and completion should be **accessed and submitted via your online account (https://forms.hlf.org.uk/officeforms/HLF_Projects.ofml)**, in the same way that you supplied your application form.

Part 2 – The legal section

Grantee name and address:

Shepway District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent CT20 2QY

Project Reference Number: HG-14-04669

Development Grant

The attached appendix sets out the approved costs to which the Heritage Lottery Fund (HLF) has agreed to contribute, along with the anticipated partnership funding.

Please be aware that if you spend less on your development work than the approved development budget, we will reduce the final grant payable. Any reduction will be in proportion to HLF's grant contribution.

Standard terms of grant

We will pay you the grant subject to you complying with our standard terms of grant which formed part of your application; the additional grant conditions (if any) set out below; and with the conditions and requirements set out in *Receiving a grant*.

Additional grant conditions

In addition to our standard terms of grant, you must observe the following additional conditions in respect of the development work: None.

Grant expiry date

You must complete the development activities and documents by 9th March 2019.

Duration of the terms of grant

The standard terms of grant and the additional grant conditions (if any) will last for two years from the date of this letter.

The following documents define the development work for which the grant is offered:

1. This letter
2. Your application dated 28th November 2016.
3. Documents submitted by you in support of your application including: Feasibility Report on Leas Clifftop Restoration; Subway report; ARC initial proposals; consultant's briefs; costs spreadsheet.

Withdrawal of the grant

We may withdraw the grant if:

- You have already started your development work before we have given you our permission to do so, in accordance with the standard terms of grant.
- You do not start the development work within 6 months of the date of this letter.
- For capital projects only, your project does not pass the review at RIBA/LI stage C. If your project is rejected at this point, we will withdraw the remainder of the development grant.

Part 3 – Next steps

The following documents accompany this letter:

- Standard terms of grant
- *Receiving a grant* setting out our monitoring requirements
- *How to acknowledge your grant* guidance
- *Photography of HLF-funded projects*, a guide for grantees – available online at: www.hlf.org.uk/photography
- *How to announce your grant to the media*
- Template photo call notice
- Template press release – first round pass with development funding

Permission to start

We will only give you our permission to start the development phase when certain pre-conditions, defined in the *Receiving a grant* guidance, have been satisfied. For us to pay your grant requests by bank transfer (BACS), we need to see a copy of a recent bank statement (within the last three months), or a cheque or a paying-in slip for the relevant account, showing the bank's name and address. You will need to submit this with your *Permission to start* form.

Please note that your *Permission to start* form will be released to your online account within 15 working days of this letter. Please contact your Grants Officer using the contact details below if you need to access the form any earlier than this.

Anya Whitehead
Senior Grants Officer
Direct Line: 020 7591 6112
Email: Anya.Whitehead@hlf.org.uk

Publicity

It is important to publicise your award to local media so that lottery players know where their money has gone. However, you must keep your award confidential until we have discussed and agreed your publicity plans. We will publish the fact that you have been awarded a development grant on our website within 10 days of the grant being awarded. Your grants officer can assist you with queries about publicity and the media and I have enclosed a template press release which you may find helpful to issue to media once your publicity plans have been agreed.

Please also contact your grants officer as soon as possible to agree the most appropriate location and nature of HLF acknowledgment for your development phase grant. You must make sure you include our logo on any information you produce about your development work, for example, on public consultation or fundraising information or materials. You must also include our logo on all designs or plans you produce, on all specialist reports or surveys, and on all tender documents that are funded by our grant. Please refer to the enclosed *How to acknowledge your grant* guidance which explains how to do this.

Join our Online Community

Did you know that we have an Online Community to connect people working on HLF-supported projects? It's a friendly and informal forum to ask and answer questions, share learning and network with other grantees and heritage professionals. You can find it on our website at <https://www.hlf.org.uk/community>. If you'd like to join in the discussions, simply log in with your existing HLF account username and password, or you can register a new account at

www.hlf.org.uk/user/register. If you have any questions about the Online Community, please contact onlinecommunity@hlf.org.uk.

We wish you every success with your development phase, and look forward to receiving regular updates.

Please contact your grant officer if you have any queries arising from this letter.

Yours sincerely,

A handwritten signature in black ink that reads "Stuart McLeod". The signature is written in a cursive style with a large initial 'S'.

Stuart McLeod,
Head of Heritage Lottery Fund, South East England

Appendix 1 – Approved project costs

a) Development Phase costs

Development costs

Cost Heading	Description	Cost £	Vat £	Total £
Professional Fees	Development of specifications for restoration of paths and subway, interpretation, and lamp column mould; activity plan; and evaluation scheme.	43,800	0	43,800
Contingency		6,570	0	6,570
Total Costs		50,370	0	50,370

b) Development Phase income

Development income

Income Heading	Description	Secured	Total (£)
Local authority	Contribution	Yes	10,000
HLF Grant			40,300
Total Income			50,300

c) Delivery Phase costs

Capital costs

Cost Heading	Description	Cost £	Vat £	Total £
Repair and conservation work	Cliff path and subway restoration to reinstate historic routes, re-establish views of the Leas Cliff Hall's architecture and Coastal Park.	324,500	0	324,500
Other capital work	Production of interpretative materials and manufacture of a mould from which to cast new Victorian pattern Leas Lamp columns.	85,000	0	85,000
Professional fees relating to any of the above	Project management of capital works - paths and subway	51,188	0	51,188
Total Costs		460,688	0	460,688

Activity costs

Cost Heading	Description	Cost £	Vat £	Total £
Professional fees relating to any of the above	Delivery of community engagement programme over 9 month period.	22,500	0	22,500
Total Costs		22,500	0	22,500

Other costs

Cost Heading	Description	Cost £	Vat £	Total £
Evaluation	Project impact evaluation building on baseline data gathered during development phase.	2,500	0	2,500
Contingency	Reflects risk figure in Bailey Partnership's cost study for subway and uncertainties re engineering on cliff-paths	72,853	0	72,853
Inflation	2% pa for 2 years (BCIS reported 1.9% inflation in Sept. 2016)	22,565	0	22,565
Increased management and maintenance costs (maximum five years)	Additional costs of maintaining restored cliff-paths, subway and interpretation, based on 10 year average at Coastal Park.	17,500	0	17,500
Total Costs		115,418	0	115,418

d) Delivery Phase income**Delivery income**

Income Heading	Description	Secured	Total (£)
Local authority	Shepway District Council	Yes	114,369
Increased management and maintenance Costs (maximum five years)	Additional costs of maintaining restored cliff-paths, subway and new interpretation.	Yes	17,500
HLF Grant			466,700
Total Income			598,569



Heritage Grants

Grants of over £100,000

Standard terms of grant

Definitions:

'we', 'us', 'our' – the Trustees of the National Heritage Memorial Fund (who administer the Heritage Lottery Fund).

'you', 'your' – the organisation(s) awarded the Grant as set out in the Grant Notification Letter.

Application – any documents or information you send us to support your request for a grant, or submit to us from your Development Work.

Approved Purposes – the purposes for which you applied for a grant and how you intend to carry out those purposes as set out in your Application, but taking account of any changes we and you agree in writing, or that are required by us at any time before we release any of the Grant. These purposes include you getting and using partnership funding as set out in your Application.

Approved Usage – how you said you would use the Property in your Application (allowing for any changes that we may have agreed up to the release of any of the Grant).

Development Work – the work involved in progressing your project to your second-round Application, including the production of designs, plans, and other documents.

Digital Outputs – all material with heritage content created in or copied into a digital format by or for you in connection with the Project.

Evaluation Report – the report you must send us before we pay the last 10% of the Grant telling the story of your Project, its achievements and lessons learned.

First-Round Pass Letter - our letter confirming that you can proceed to the second-round Application. This will identify any Development Work you need to do before you send in a second-round Application.

Grant – the amount set out in the Grant Notification Letter.

Grant Expiry Date – the date by which you must achieve the Approved Purposes as set out in the Grant Notification Letter and by which you will make the final drawdown of the Grant.

Grant Notification Letter – our letter confirming our Grant award to you after a second-round Application.



How to acknowledge your grant – the booklet that explains how we require you to acknowledge the Grant and which gives details of the acknowledgement materials we will provide.

Photography of HLF-funded projects: A guide for grantees – guidance on how to submit images to us, how we use these, and how to source consents.

Project – the project referred to in your Application that consists of, or includes, the Approved Purposes.

Project Completion Date – the date that we make our final payment and are satisfied that the Approved Purposes of the Grant have been met.

Programme Application guidance – the document setting out the scope of the programme and how to apply.

Property – any property that you buy, create, receive or restore, or property that is otherwise funded by the Grant including Digital properties, intellectual property rights and any documents that you produce or order as part of the Approved Purposes.

Receiving a grant – the guidance we publish to explain how we will pay the Grant, monitor your Project and agree changes to the Grant.



Achieving the Approved Purposes

1. You must use the Grant only for the Approved Purposes, unless you get our approval beforehand.
2. You must not start work to achieve the Approved Purposes without our approval beforehand.
3. You must achieve the Approved Purposes and make your final Grant drawdown by the Grant Expiry Date.
4. You must use the Property, or allow it to be used, only for the Approved Usage.
5. As well as these terms of grant, you must follow the conditions (if any) set out in the First-Round Pass Letter and Grant Notification Letter, address any issues we identify in the course of monitoring, and meet the requirements set out in the Programme Application guidance, *Receiving a grant*, the *How to acknowledge your grant* guidance, and *Photography of HLF-funded projects: A guide for grantees*.
6. You must carry out the Approved Purposes in line with current best practice in your area of heritage and to a standard that is appropriate to a project of importance to the national heritage. You must follow all legislation and regulations that apply.

Project development

7. The First-Round Pass Letter may offer to provide you with funding for Development Work. If it does these terms of grant will also apply to that funding but with the following changes:
 - a. when they refer to "Approved Purposes" this means your Development Work.
 - b. when they refer to "Approved Usage" this means you using the product of the Development work to further the Project.
 - c. when they refer to a "Grant Expiry Date" this is the date set out in the First-Round Pass Letter by which you must complete the Development Work.
 - d. when they refer to "Grant" this means the amount of funding for the Development Work set out in the First-Round Pass Letter.
 - e. when paragraphs 5 and 37 refer to the "Grant Notification Letter" this means the First-Round Pass Letter.
 - f. paragraphs 9a, 9c, 15, 16 and 17 will not apply.

Project monitoring

8. You must give us any financial or other information and records we may need from time to time on the Grant, the Property, the Approved Purposes (and achieving them) and the Approved Usage.
9. You must allow us (or anyone we authorise) to have any access we may need to:
 - a. inspect the Property and any work to it;



- b. monitor the conduct and progress of the Approved Purposes; and
- c. monitor the Approved Usage.

In these cases we will give you notice. You will report on the progress of your Project at times agreed with us.

- 10. We may ask you to provide proof that you have taken action to reduce the risk of fraud. We may ask you to let us examine your accounting processes and procedures to check the effectiveness of anti-fraud measures.
- 11. We will monitor the progress of your Project and will carry out checks at and after the end of the Project to confirm that it is delivering the outcomes expected. If we (or anyone we authorise) make any recommendations on the matters set out in paragraph 9, you must take those recommendations into account when meeting your obligations to us.
- 12. You must take appropriate steps to monitor your own success in achieving the Approved Purposes and in using the Property for the Approved Usage. On completing the Project, you must submit your Evaluation Report before we will release the final Grant payment.

Procurement

- 13. Before you start any phase of the work needed to achieve the Approved Purposes, you must put in place all necessary contracts with appropriately qualified contractors and professional advisers to allow you to finish that phase of the work. Building contracts must contain a clause which allows you to retain part of the contractors' fees on practical completion of the works. If you want any contracts to be on different terms, you must get our approval beforehand.
- 14. If the Approved Purposes involve buying goods or services or getting work done, you must carry out a tendering exercise in line with the requirements set out in the Programme Application guidance.

Property

- 15. You must continue to own the Property and keep exclusive control over what happens to it. Other than as permitted under paragraph 24, you must not sell, let or otherwise part with it or any interest in it, or give any rights over it to anyone else (or take any steps to do so) without our approval beforehand. If we give you our approval, it may depend on any of the following requirements.
 - a. that you pay us a share of the net proceeds of selling or letting the Property within one month of parting with the assets or other goods;
 - b. that you sell or let the Property at its full market value;
 - c. any other conditions we think fit.

We may claim from you an amount in the same proportion to the sale prices as the Grant is to the original cost of the Approved Purposes, or the portion of the Grant spent on the assets or goods concerned, whichever is the greater. You must pay whatever we decide is



appropriate in the circumstances. We may decide not to ask you to repay the Grant (or any part of it as we think fit) for any reason but it is for us to decide that.

16. You must maintain the Property in good repair and condition. If the Approved Purposes include creating, repairing or restoring property, you must maintain the Property in good repair and condition after the work has been done. If the Approved Purposes include the preparation of a maintenance and management plan or a conservation management plan, you must maintain, manage or conserve the Property in accordance with the version of the relevant plan that we have approved.
17. You must insure the Property to the standard set out in (and use any proceeds of the insurance in line with) the Programme Application guidance.
18. You must keep any objects or fixtures that form part of the Property in a physically secure and appropriate environment.
19. You must tell us, in writing, within five working days about any significant loss or damage to the Property.
20. You must arrange for the general public to have appropriate access to the Property. You must make sure that no person is unreasonably denied access to the Property.

Publicity and acknowledgement

21. We may make the purpose and amount of the Grant public in whatever way we think fit.
22. Once we have announced the Grant, you must acknowledge the Grant publicly in line with the requirements set out in our *How to acknowledge your grant* booklet. You must meet any other acknowledgement or publicity requirements we may tell you about from time to time. Before we make any public announcement of the Grant, you must not issue any public statement, press release or other publicity in relation to the Grant or which refers to us, other than in a form we have approved beforehand.
23. You must also provide us with digital images in electronic format of your Project – or hard-copy photographs or transparencies. You give us the right to use those you provide us with at any time, including putting them into a digital format and altering them. You must get all the permissions required for you and us to make use of them before you use them or send them to us. See *Photography of HLF-funded projects: A guide for grantees* for more information.

Digital outputs

24. You agree to:
 - a. hereby grant to us an irrevocable, perpetual and royalty-free licence to use, copy, keep and disseminate the Digital Outputs as we see fit and to grant sub-licences of the same kind;
 - b. obtain and maintain in force all authorisations of any kind required for you to use, copy, keep and disseminate the Digital Outputs and to grant such licence to us;



- c. contract to the effect that any creation by you or on your behalf of material which forms Digital Outputs is undertaken on terms that either the copyright in the digital material is assigned to you or that the copyright owner may not commercially exploit it;
- d. ensure that the Digital Outputs are kept up-to-date, function as intended and do not become obsolescent before the fifth anniversary of the completion of the Project;
- e. comply with these terms of grant in relation to the digital files that make up the Digital Outputs for the period agreed in the Grant Notification Letter. For the avoidance of doubt, this includes ensuring that the digital files are held securely and are available on request to the public and to us;
- f. grant licences in respect of the Digital Outputs under the Creative Commons model licence Attribution Non-Commercial but not on other terms without our prior written consent;
- g. not otherwise exploit the Digital Outputs commercially without our prior written consent.

Grant payment and repayment

25. We will, up to the Grant Expiry Date, pay you the Grant or any instalment of it in line with these terms of grant and the procedures explained in *Receiving a grant* as long as:
- a. the National Lottery continues to operate under the National Lottery etc. Act 1993 (as amended from time to time), and enough funds are made available to us under the Act; and
 - b. we are satisfied that you are achieving (and will continue to achieve) or have achieved the Approved Purposes in line with these terms of grant and that you are spending the Grant in proportion to any other funds you receive from other sources for the Approved Purposes.
26. You acknowledge that the Grant is the total amount of funds we will provide and will not be increased as the result of you overspending or for any other reason.
27. You must repay to us immediately any Grant that we have paid you (and we will stop any future instalments of the Grant) if:
- a. you no longer operate, or you are declared bankrupt or placed into receivership or liquidation;
 - b. you have, in our opinion, given us fraudulent, incorrect or misleading information;
 - c. you have acted negligently in any significant matter or fraudulently in connection with the Approved Purposes or the Approved Usage;
 - d. any competent authority directs the repayment of the Grant;
 - e. there is a significant change in your status;
 - f. you knowingly withhold information that is relevant to the content of your Application; or



- g. you fail to keep to any of these terms of grant.
- 28. If you achieve the Approved Purposes without spending the full amount of the Grant, you must pay back the part of the Grant you have not spent. We will treat you as spending the Grant in proportion to other funds you were due to receive from other sources for the Approved Purposes.
- 29. If you sell or otherwise part with all or part of the Property without our permission under paragraph 15, or you receive money in some other way as a result of you not following these terms of grant, you may have to pay us immediately a share of the net proceeds if that share is more than the amount we would otherwise be entitled to under paragraph 27.

General terms

- 30. You may not, and must not claim to, transfer the Grant or any rights under these terms of grant.
- 31. You must take all steps and sign and date any documents as may be necessary to carry out your obligations under these terms of grant and to give us the rights granted to us under them.
- 32. If there is more than one of you, any liability under these terms of grant will apply to you all together and separately.
- 33. We may rely on any of our rights under these terms of grant at any time, even if we do not always choose to do so immediately. If we decide not to rely on one right, we may still rely on any of our other rights under these terms of grant.
- 34. If you need our approval for anything, you must write to us to ask for it. You may only rely on any approval needed under these terms of grant if we (or anyone we authorise) give it to you in writing.
- 35. Any notice, request or other document we or you send to each other under these terms of grant can be delivered or sent by any effective means.
- 36. Any documents you need to send us under these terms of grant are for our own purposes only. If we approve or accept any documents, this does not mean that we have approved or accepted them for any other purpose.
- 37. These terms of grant will last for the period set out in the Grant Notification Letter.
- 38. These terms of grant cannot be enforced by anybody other than you or us.