



# Agenda

Meeting: **Cabinet**  
Date: **18 October 2017**  
Time: **5.00 pm**  
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Cabinet**

All Councillors for information

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

1. **Apologies for Absence**
2. **Declarations of Interest**

Members of the Council should declare any interests which fall under the following categories. Please see the end of the agenda for definitions\*:

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

3. **Funding of Proposed Acquisition Former Gasworks Site, Ship Street, Folkestone (Pages 3 - 4)**

This report seeks to clarify the funding of the pre development work for the above site following on from the report considered at Cabinet on the 27 September 2017 (report no. C/17/37).

4. **Business rates (Pages 5 - 24)**

This report informs Cabinet of the discussions currently being undertaken to explore a Kent wide bid to be part of the government's 100% business rates pilot. It seeks to obtain delegations for the final decision as to

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whether to join the pilot due to the deadline required for any submission.

**5. Otterpool Park - principles of long term stewardship (Pages 25 - 30)**

Report C/17/46 sets out some proposed principles for the long term management and maintenance of open space and community assets at Otterpool Park.

**6. A Charter for Otterpool Park (Pages 31 - 58)**

This report presents, for consideration by Cabinet, a draft Charter for Otterpool Park.

The Charter builds on the seventeen sustainability principles set out in the Expression of Interest submitted to Government in June 2016.

It provides guidance on how the new garden town should be planned, built out and delivered so as to create the foundations of a truly sustainable high quality new community.

“A Charter for Otterpool Park – Consultation Draft” is attached as Appendix A to this agenda.

The Charter has been prepared as a corporate document and is without prejudice to any future decisions the Council might take in its capacity as Local Planning Authority or landowner.

\*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

This report will be made public on 10 October 2017.

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



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Report Number **C/17/50**

**To:** Cabinet  
**Date:** 18 October 2017  
**Status:** Non Key Decision -  
**Corporate Director:** Susan Priest Corporate Director - Strategic Development  
**Cabinet Member:** Cllr Monk, Cllr Ewart-James

**SUBJECT: Funding of Proposed Acquisition Former Gasworks Site, Ship Street, Folkestone.**

## **SUMMARY:**

This report seeks to clarify the funding of the pre development work for the above site following on from the report considered at Cabinet on the 27 September 2017 (report no. C/17/37).

## **REASONS FOR RECOMMENDATIONS:**

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

- a) The original recommendation did not reflect the intended funding split between the Corporate Development reserve and the Housing Revenue Account (HRA) as set out in the report.

## **RECOMMENDATIONS:**

1. **To receive and note report C/17/50 and to replace the original recommendation 3 (b) in report C/17/37 with the following:**

**That Cabinet authorise officers to complete the remaining pre-development work and prepare draft planning proposals for consideration at a future Cabinet, and agree to allocate the sum of £230,000 from the Corporate Development Fund budget and the Housing Revenue Account to be apportioned as per the housing mix.**

## 1. Main report

At its meeting of the 27 September 2017, Cabinet considered and approved report C/17/37 in relation to the proposals for the former gasworks in Ship Street, Folkestone. Within section 8 of that report, there is a paragraph relating to pre development costs as follows:

**“Pre-development costs:** This includes the costs of preparing a detailed planning application including a range of specialist studies. It also includes advice on how best to maximize value through different disposal options. This cost is anticipated to be in the order of £230,000 and, as above, can be met from the Corporate Development Fund and the Housing Revenue Account to be apportioned as per the housing mix.”

This section reflects the accurate intention of the report. However the original recommendation 3 (b) was to “allocate the sum of £230,000 from the Corporate Development Fund budget to meet that expenditure”.

As can be seen, this does not accurately reflect the aim of the wording in the body of the text to split the pre development costs appropriately between the Corporate Development Fund and the HRA. It is therefore proposed that the recommendation 3 (b) in the original report is replaced by the new recommendation as set out in this report.

## 2. Legal and Financial Comments

### 2.1 Legal Officer’s Comments (Amandeep Khroud)

There are no further legal implications arising directly out of this report beyond those set out in the original Cabinet report C/17/37.

### 2.2 Finance Officer’s Comments (Lee Walker)

There are no further financial implications arising directly out of this report beyond those set out in the original Cabinet report C/17/37 other than the pre development costs will now be split between the Corporate Development reserve and the HRA.

## 3. Contact Officer and Background Documents

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

Andy Jarrett – Head of Strategic Development Projects,  
[andy.jarrett@shepway.gov.uk](mailto:andy.jarrett@shepway.gov.uk) , 01303 853

Brendan McGowan – Project Manager,  
[brendan.mcgowan@shepway.gov.uk](mailto:brendan.mcgowan@shepway.gov.uk), 01303 853379

## 4. Appendices

There are no appendices.

This report will be made public on 10 October 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/51**

**To:** Cabinet  
**Date:** 18 October 2017  
**Status:** Non Key Decision -  
**Corporate Director:** Tim Madden Corporate Director – Organisational Change  
**Cabinet Member:** Cllr David Monk, Leader of the Council

**SUBJECT:** Consideration of a Kent Business Rates Pilot for 2018/19.

## **SUMMARY:**

This report informs Cabinet of the discussions currently being undertaken to explore a Kent wide bid to be part of the government's 100% business rates pilot. It seeks to obtain delegations for the final decision as to whether to join the pilot due to the deadline required for any submission.

## **REASONS FOR RECOMMENDATIONS:**

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

The deadline for submission of an application to be a pilot is the 27<sup>th</sup> October 2017. Discussions are ongoing between Kent Leaders and the form of any application is not yet finalized. Subject to the outcome of discussions, if a bid is decided to be made there will not be time to bring a further report back to Cabinet. Therefore delegated authority is being sought to be part of the bid should one be made.

## **RECOMMENDATIONS:**

- 1. That Cabinet note the report and the work being carried out across Kent on a business rate pilot.**
- 2. That delegated authority be given to the Corporate Director, Organisational Change, in consultation with the Leader of the Council, to determine whether to become part of the pilot.**

## 1. Introduction

- 1.1 For the past 3 years, the council has been part of a business rates pool which retained more income to the council than would have been the case operating the system individually. This has been worth approximately £900,000 to the Shepway area, split on an agreed basis between the relevant authorities (KCC, SDC and a shared amount for a growth pool). This has been reflected through the business rates income in the council's budget and is based on council's receiving 50% of the business rates growth in that area.
- 1.2 There has been a commitment from central government to introduce 100% Business Rates Retention since before the 2015 General Election. There was some doubt about this commitment after this year's Queen's Speech omitted any reference to local government finance. However, the Department for Communities and Local Government has now invited local authorities to participate in a pilot of 100% Business Rates Retention in 2018/19.
- 1.3 The DCLG's prospectus encourages local authorities to apply as pools, and it states that the Government is particularly interested in piloting two-tier areas. Both criteria demand urgent consideration by Kent authorities as to whether to submit an application to become a pilot. A copy of this invitation is attached at **Appendix A**.
- 1.4 The government is requesting a business case for any pilots to be presented to it by **Friday 27 October 2017**.

## 2 Work to Date

- 2.1 Kent Finance Officers commissioned LG Futures, specialist public sector finance consultants, to carry out an assessment of the risks and rewards of becoming a business rates pilot. This work was commissioned in advance of the DCLG's invitation to authorities to pilot, which has enabled Kent to respond quickly to the invitation.
- 2.2 The conclusions arrived at by LG Futures are set out below.

### Rewards

On current projections a pilot would deliver a clear and significant financial benefit for the area as a whole in 2018/19. This benefit represents Business Rates income that would otherwise have gone to central government. It is understood that HM Treasury has allocated resources to the DCLG which will allow it to fund a limited number of pilots in 2018/19. However, these resources are limited, so there will be competition to become a pilot.

### Risks

Participation in a pilot involves bearing the cost of any negative growth amongst pool members, subject to an overall pilot safety net of 97% of baseline business rates income. The government has not guaranteed that there will be 'no

detriment' from participating in a pilot; i.e. that the pilot could result in less resources being received by either authorities acting individually or as per a Kent business rate pool. However, LG Futures state that the business rates income collected each year in Kent since 2015/16 provides 'strong evidence' that the level of business collected will result in increased resources for Kent in 2018/19.

The projected gain from participation in the pilot represents around 4% Kent's estimated 2017/18 business rates income. It would therefore take a very significant setback to business rates income growth to wipe out the benefit, particularly in the context of steady growth over the past three years.

- 2.3 The indicative work therefore indicates that there are potentially significant financial advantages to be gained through becoming a pilot. If successful, exactly how this sum would be distributed amongst participating authorities needs to be determined and agreement reached before presenting the bid to DCLG.
- 2.4 This was discussed at the Kent Leaders meeting of the 28<sup>th</sup> September 2017. Following that it was agreed that a further discussion would take place with the Kent Finance Officers and proposals be taken back to the Leaders of the respective councils to see if an agreement could be reached to present a bid to DCLG to become a pilot.

### **3 Next Steps**

- 3.1 Given the timescales involved, it is not feasible to report fully to Cabinet prior to agreement for any submission. There are further discussions to be held with the Leaders of the respective councils which will look to arrive at an agreed position for a bid to be submitted. It is expected that, for any agreement to be supported by Shepway, it must at the very least not be to any detriment to Shepway and should provide some measure of benefit for the council. Any bid must be signed off by each council's section 151 officer.
- 3.2 It is therefore proposed that any decision as to whether to join the business rates pilot application, the deadline for which is the 27<sup>th</sup> October 2017, should be delegated to the Corporate Director, Organisational Change (the Council's S151 officer) in consultation with the Leader of the Council.

### **4. Legal and Financial Comments**

#### **4.1 Legal Officer's Comments (Amandeep Khroud)**

To be accepted as a pilot for 2018/19, agreement must be secured locally from all relevant authorities to be designated as a pool for 2018/19 (in accordance with Part 9 of Schedule 7B to the Local Government Finance Act 1988) and to put in place local arrangements to pool their additional business rates income.

#### **4.2 Finance Officer's Comments (Tim Madden)**

These are contained within the report

### **5. Contact Officer and Background Documents**

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

*Tim Madden, Corporate Director, Organisational Change*  
*Tel: 01303 853371 E-mail: tim.madden@shepway.gov.uk*

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

No background documents have been used.

**Appendices:**

Appendix A - DCLG – Invitation to Local Authorities in England to pilot 100% Business Rates Retention in 2018/19 and to pioneer new pooling and tier-split models





Department for  
Communities and  
Local Government

## ***Invitation to Local Authorities in England***

*to pilot 100% Business Rates Retention in 2018/19 and to pioneer new pooling and tier-split models.*

September 2017

Department for Communities and Local Government



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## Section 1 – The purpose of these invitations

- 1.1 The Government is committed to continuing to give local authorities greater control over the money they raise locally. It is in this context that the Government has decided to proceed with the already announced expansion of the pilot programme for 100% business rates retention for 2018/19. These will run alongside the five current 100% pilots which have been in operation since 1 April 2017.
- 1.2 The current pilots, and a new wave in 2018/19, will help explore options, with local government, for the design of future local government finance reforms.
- 1.3 Alongside the 2018/19 pilots, the Government will continue to work with local authorities, the Local Government Association, and others on reform options that give local authorities more control over the money they raise and are sustainable in the long term.

### Background

- 1.4 On 1st April 2017 the Government launched five pilots<sup>1</sup> of 100% business rates retention, which Ministers have granted to areas with ratified devolution deals. These pilots will retain 100% of business rates income and forego some existing grants. Over the pilot period they will retain all of their growth in business rates income. The five current 100% pilots which launched on 1 April 2017 will be continuing on in 2018/19, running alongside this new wave of 2018/19 pilots.
- 1.5 Spring Budget 2017 announced that authorities in London are working with the Government to explore piloting 100% business rates retention from 2018/19 and to retain a greater share of business rates in 2017/18.
- 1.6 In response to the Consultation on Self Sufficient Local Government, the Government made a commitment to launch a further pilot scheme in 2018/19. All interested authorities are invited to apply.
- 1.7 The 2018/19 pilots are an opportunity for the Department to test more technical aspects of the 100% business rates retention system, such as tier-splits. This will provide the opportunity to evaluate how collaboration

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<sup>1</sup> These pilots are in Greater Manchester, Liverpool City Region, The West Midlands, Cornwall and The West of England.

between local authorities works in practice.

- 1.8 The Government would like to see authorities form pools and, with agreement in place from all authorities, to apply jointly for pilot status. The opportunity to work together as a pool across a functional economic area will allow authorities to make coherent strategic decisions about the wider area and to jointly manage risk and reward.
- 1.9 Finally, in addition, the pilots will test authorities' administration (e.g. how they tackle avoidance), technical planning for implementation, and look at system maintenance; how the accounting, data collection and IT system will work. The Government expects to learn from the pilots' experiences in the design of any national system of business rates retention.

## Section 2 - The invitation to authorities to pilot

- 2.1 This invitation is addressed to all authorities in England, excluding those in London and participants in the 2017/18 pilots of 100% business rates retention which are expected to have separate discussions with the Department.
- 2.2 These authorities are now invited, if they so wish, to make a proposal to become a pilot of 100% business rates retention in 2018/19.

### Terms of the invitation

- 2.3 The Government is interested in exploring how rates retention can operate across more than one authority to promote financial sustainability and to support coherent decision-making across functional economic areas. Accordingly, the Government encourages, in particular, areas to apply as pools (either on existing, or revised pool boundaries), which comprise county council(s) and all relevant district councils; groups of unitary authorities; or groups of county councils, all their districts and unitaries. Arrangements would also need to reflect the position of precepting authorities, such as Fire and Rescue authorities.
- 2.4 To be accepted as a pilot for 2018/19, agreement must be secured locally from all relevant authorities to be designated as a pool for 2018/19 (in accordance with Part 9 of Schedule 7B to the Local Government Finance Act 1988) and to put in place local arrangements to pool their additional business rates income.
- 2.5 We require pooled areas coming forward to propose a split for sharing additional growth. We particularly want to see additional growth being used to promote the financial stability and sustainability of the pooled area. In addition, we would expect some retained income from growth to be invested to encourage further growth across the area.
- 2.6 For the 2017/18 pilots the Government has agreed a 'no detriment' clause, guaranteeing that these areas will not be worse off as a result of participating in the pilot. However, proposals for the 2018/19 pilots should include details of how authorities will work together to manage risk in line with their proposed pooling arrangements in the event that the 2018/19 pilots programme does not include a 'no detriment' clause. Applications should make it clear whether or not they would be willing to become a 100% BRR pilot if the 2018/19 pilots

were expected to operate without the benefit of ‘no detriment’.

- 2.7 The Government will use the 2018/19 pilots to deepen its understanding of how different local arrangements work and improve the information that it holds on business rates retention. As such, participating authorities will be expected to share additional data and information, as required.
- 2.8 Authorities selected as pilots for 2018/19 will be expected to forego Revenue Support Grant (RSG) and Rural Services Grant. The value of the grant foregone will be taken into account in setting revised tariffs and top-ups, which will be used to ensure that the changes are cost neutral, except for the value of any growth retained.
- 2.9 Pilot areas will be expected to operate under the arrangements that currently determine safety net payments for pools. In other words, each “pool” will have a single safety net threshold determined on the basis of the pool’s overall baseline funding level and business rates baseline. However, the pool’s safety net threshold will be set at 97% of its baseline funding level, instead of 92.5%, to reflect the additional risk of greater retention. Pilots will operate with a “zero levy”, as is the case for the current 2017/18 pilot areas.
- 2.10 Given the timetable for pilot applications and the proximity to the finalisation of the local government finance settlement, all applications must outline, with agreement from all participating authorities, what pooling arrangements they would like to see if their application to become a pilot were unsuccessful. In addition, any authority which is part of a current pool but wishes to apply to become a pilot as part of a different pool, must inform the current pool of its intention.
- 2.11 Alongside this prospectus we are publishing supplementary information on how pooling arrangements will be managed in line with applications to become pilots. Please consult this document for further information.
- 2.12 The Government reserves the right to pilot a full range of options and so to create a single authority pilot if it is deemed useful as a result of our discussions with applicants. The Government will not compel any authority to become a pilot that does not wish to, and we cannot designate a pool without explicit agreement from all participating local authorities.

## **Response to the invitation**

- 2.12 It is wholly at the discretion of authorities whether or not they choose to apply to the pilot scheme outlined above.
- 2.13 Any proposals for new pilots must be received by the Department for Communities and Local Government on or before Friday 27 October 2017.
- 2.14 It is expected that successful applications will be announced before or alongside the publication of the draft local government finance settlement.



## Section 3 - The criteria for becoming a pilot

- 3.1 The Department will consider all applications to pilot 100% business rates retention that are received by Friday 27 October 2017 and which conform to the scheme outlined in Section 2.
- 3.2 Because of affordability constraints, it may be necessary to assess applications against selection criteria. In these circumstances, the following criteria will apply:
- Proposed pooling arrangements operate across a functional economic area (i.e. the county council(s) and all relevant district councils; groups of unitary authorities; or groups of county councils, all their districts and unitaries);
  - Because they were not included in the 2017/18 pilot scheme, the Government is particularly interested in piloting in two-tier areas;
  - The proposals would promote the financial sustainability of the authorities involved; and,
  - There is evidence of how pooled income from growth will be used across the pilot area.
- 3.3 If further assessment criteria are required, the Government will:
- Seek a wide spread of geographical areas across England;
  - Focus on rural areas (given that the majority of 2017 pilots are in urban areas);
  - Achieve a variation in the types of business rates base represented (e.g. whether there a small number of large rate payers in the area).

## Section 4 – The authorities’ proposal to become a pilot

- 4.1 Any proposal must be in accordance with the invitation outlined in Section 2, and summarised in paragraph 4.3.
- 4.2 The proposal must be in the form of a business case with supporting financial analysis.
- 4.3 The business case should clearly set out the following:

### **Membership details/ Housekeeping**

- i. Local authority membership of the proposed pool, explaining its relevance to the economic geography of the area;
- ii. Evidence that each local authority fully supports the application and the proposed pooling arrangements;
- iii. A clear outline, with agreement from all participating authorities, on what pooling arrangements you would like to see if your application to become a pilot was unsuccessful
- iv. A clear indication of whether or not you would still like your application to be considered if you were expected to operate without a ‘no detriment’ clause.
- v. The lead authority;
- vi. The proposed position of precepting authorities such as Fire and Rescue;

### **Governance arrangements**

- vii. The governance agreement, including how any additional business rates income is to be used; how risk is to be managed; and how residual benefits/liabilities would be dealt with once the pilot ends;
- viii. An indication of how the pool will work together in the longer term;
- ix. Proposals for sharing additional growth. We particularly want to see additional growth being used to promote financial stability and sustainability. In addition, we would expect some retained income from growth to be invested to encourage further growth across the area.

### **Additional supporting evidence**

- x. The benefits to the area of participation in the 2018/19 pilots, including the financial case;
- xi. In two-tier areas, applications should propose a tier split and explain how this will promote sustainability; and

xii. A brief explanation of the business rates base in your area.

4.4 We understand application lengths may vary, however, as a guide, we would expect applications to be around four typed pages in size 12 font.

### **Membership**

4.5 Proposals should include the identities of all authorities in any proposed pool and evidence that each fully supports the application and the proposed pooling of a proportion of additional income.

4.6 Authorities cannot apply as part of more than one pool and, where they have two possible options, must choose which pilot they wish to apply to participate in.

4.7 If existing pooling arrangements need to be reconfigured as a result of a pilot proposal, the Department would expect to make the necessary determinations at the same time as confirming its agreement to the pilot arrangements. In the event that a pilot proposal is not accepted, the Government will make 2018/19 pooling arrangements with the authorities concerned in line with their expressed preferences on their pilot application, as requested in paragraphs 2.7 and 4.3 (iii).

### **Benefits**

4.8 Applications must include details on how participation in the pilot scheme will benefit the area and should cover the potential pilot's approach to pooling and the sharing of growth, including how authorities will collaborate to use pooled retained income to promote further growth across the area. In two tier areas applications should propose a tier split and explain how this will promote sustainability. The financial case should reflect these considerations. An indication of how the area will work together in the longer term should also be included.

### **Lead Authority**

4.9 Participating pools will be treated as one entity by the Department for the purposes of business rates retention and one calculation will be made regarding top-up/ tariff and the safety net payment. Therefore, the pool must nominate a Lead Authority to receive payments from and make payments to the Department on behalf of the entire pool. Any authority within the pool is eligible to fulfil this role. Applications must state which authority will be acting

as the Lead Authority for the duration of the pilot.

### **Governance agreement**

- 4.10 Pools should submit a governance agreement setting out how the pooling arrangements will work in terms of financial distribution and service provision and evidencing how business rates income growth will be shared. The governance agreement should also include how balances and liabilities will be treated if the pool were to be dissolved.
  
- 4.11 Please ensure that the s.151 officer of each authority has signed off the proposal before it is submitted. The Department will work closely with all successful applicants to support the implementation and running of the pilot.

### **Other information**

- 4.12 Authorities may include any further materials they see fit in support of their proposal.

## Section 5 – The Government’s handling of proposals

- 5.1 All proposals received on or before Friday 27 October 2017 by the Department will be carefully considered between then and December 2017.
- 5.2 The first assessment of proposals will ensure that all conform to the terms of the invitation (see Section 2).
- 5.3 If it is necessary for a selection to be made, for reasons of affordability, then the proposals will be subject to a further assessment against the criteria outlined in Section 3, 3.2.
- 5.4 If a third round of assessment is required, then proposals will be assessed against further criteria to ensure a variety of useful pilots are created, including those outlined in Section 3, 3.3.
- 5.5 The Government may request further information in carrying out this assessment from the authorities submitting the proposal and from other persons and bodies that it deems appropriate.
- 5.6 Where information is not available the Government reserves the right to make assumptions and estimates as it sees fit.
- 5.7 Successful pilots will be announced in December 2017 and launched in April 2018. Between these dates the Department will support authorities in preparing for implementation.

## Section 6 – Submission of proposals

6.1 Any proposals for new pilots must be received by the Department for Communities and Local Government on or before Friday 27 October 2017. The Secretary of State may publish proposals in the Libraries of Parliament.

6.2 Proposals should be submitted to:

Local Government Finance Reform Team

The Department for Communities and Local Government

Fry Building

2 Marsham Street

Westminster

London

SW1P 4DF

Email: [Businessratespilots@communities.gsi.gov.uk](mailto:Businessratespilots@communities.gsi.gov.uk)

## Section 7 – Conditions

- 7.1 In designating a pool for 2018/19, the Department will attach conditions to the designation in accordance with paragraph 35(1) of Schedule 7B to the Local Government Finance Act 1988 by appointing a lead authority and requiring the authority to take the steps set out in its application in the event that the pool is dissolved.
- 7.2 It also reserves the right to attach such other conditions as it sees fit, in accordance with paragraph 35(2) of Schedule 7B. If the Department attaches conditions these are likely to be around the publication of information by the lead authority in the interests of transparency.
- 7.3 The Department also reserves the right to modify or remove conditions at any point in the future, as becomes necessary.
- 7.4 The 2018/19 pilot programme will last for one year only, and does not prejudice the discussion the Department will be continuing to have with Local Government on the future of the business rates retention system as a whole.

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This report will be made public on 10 October 2017.

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



www.shepway.gov.uk

Report Number **C/17/46**

**To:** Cabinet  
**Date:** 18 October 2017  
**Status:**  
**Corporate Director:** Susan Priest, Corporate Director - Strategic Development  
**Cabinet Member:** Cllr David Monk, Leader of the Council and Cllr Dick Pascoe, Cabinet Member for Property Management & Environmental Health

**SUBJECT:** Otterpool Park – principles of long term stewardship

#### **SUMMARY:**

This report sets out some proposed principles for the long term management and maintenance of open space and community assets at Otterpool Park.

#### **REASONS FOR RECOMMENDATIONS:**

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

- a) The recommendations will enable officers to progress work in a timely manner with our collaboration partner on a long term stewardship strategy that will be required as part of the outline planning application for Otterpool Park.
- b) The recommendations below will ensure effective and appropriate measures are put in place to achieve high quality management and maintenance of open space and other public assets to benefit residents and visitors to Otterpool Park.

#### **RECOMMENDATIONS:**

1. To receive and note report C/17/46.
2. That Cabinet approves the principles set out in section 2 of this report for the long term stewardship of public space and other community assets for Otterpool Park as the basis for developing a future strategy.

## **1. Background**

- 1.1 Long term stewardship (LTS) of public space and community assets is an important tenet of the garden city principles and is included in the Otterpool Park Guiding Principles. Putting in place sustainable long term arrangements for management and maintenance will be an important aspect of retaining the quality of development at Otterpool Park, and also provide an opportunity to encourage direct community development and involvement.
- 1.2 The Otterpool Park Collaboration Board (the Council and its landowner partner Cozumel Estates) will be responsible for commissioning a long term stewardship strategy. This strategy will be based on a set of principles agreed by the partners. Cabinet is being asked to take a corporate view and approve the principles set out in section 2 of this report as our starting contribution for discussion with Cozumel Estates. These principles will form the basis of a future long term stewardship strategy. Cozumel has been supportive in principle of ensuring arrangements for high quality management and maintenance of open space and community assets, but should there be any significant disagreement on this external advice can be sought, and this matter brought back to Cabinet.

## **2. Principles for long term stewardship**

- 2.1 The principles below have been drawn up based on research and case studies from elsewhere, and through discussion with Members over a number of months, supplemented by site visits and study tours. The principles will establish the foundations for the long term stewardship strategy. The draft principles were discussed and agreed with the Junction 11 Working Group on 21 September 2017. The group sought additional information on governance arrangements for Letchworth Heritage Foundation to inform the long term stewardship strategy.
- 2.2 The principles that Cabinet are asked to approve are:
  - The long term stewardship of open space, public realm (other than highways) and non-commercial community buildings will be the responsibility of a new body, i.e. not SDC.
  - The responsible body will form part of an approach to land value capture for Otterpool Park. Its income is likely to come from a range of sources including income generating assets, endowment and potentially service charges. However, income sources being reinvested in the new community will need to be balanced against income generation to SDC for investment in facilities and services for residents across the whole district.
  - While a trust or similar structure is likely to be the most suitable vehicle initially, potential future transition to a Town Council should be allowed for. SDC should retain representation on the body.

- The body will be community-led (as distinct from a privately run management company). It should also allow for future residents and businesses to shape the objectives and governance of the organisation, and to influence the design of new community facilities and spaces.
- High quality management and maintenance over the long term is of fundamental importance when setting out the objectives of the stewardship body.

2.3 Having established these broad principles, there are a range of issues that the stewardship strategy should address. It is suggested that its scope includes the following:

- **Assets** - Assets a new body could manage. In addition to the items listed in the principles above this could potentially include a wider list of facilities or premises such as: commercial premises or land for income generation; car parks; community run facilities such as shops or pubs and ducts along streets for utilities.
- **Funding & Sustainability** – Creating a sustainable organisation. What is the optimum method and balance of income streams, and the commercial basis on which it will ensure long term financial sustainability.
- **Decision-making** - Who will make decisions on assets and at what point in development, including the timing and extent of involvement of local representatives.
- **Governance** - The most appropriate governance structure. This should test models such as a charitable trust or Community Interest Company, or an external body such as the Land Trust.

### 3. Lessons from elsewhere

3.1 Research by HCA, Town and Country Planning Association and the council, including assessment of a series of case studies,<sup>1</sup> suggests that there are some general lessons that can be applied in planning LTS for our new community. Some of these lessons are:

- Establish the structure, specification and costs as early as possible, as it's difficult to retrofit.
- Design spaces and facilities with their long term management and maintenance in mind – ensure the responsible body is involved in this as soon as practicable.
- Attract as large an endowment or other capital payment up-front as possible to give sufficient flexibility to cope with future circumstances, including potential recession, which may affect the levels of future income streams. Consideration should also be given at an early stage

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<sup>1</sup> Case studies include: Milton Keynes Parks Trust; Cambourne Parish Council; Chilmington Green Community Development Trust; Caterham Barracks Community Trust and North West Bicester Local Management Organisation.

in designing the strategy as to the range of potential contingencies should the organisation fail.

- Take into account the challenge of finding Trustees / Board members with the necessary skills and experience, which include financial management, legal and development skills. Time commitment is another factor for consideration.
- Take into account the relatively high set up costs of a new body and its future running costs, including legal advice.
- Set up one body rather than multiple organisations to avoid confusion in the community and multiple overhead costs.
- Build in flexibility in the type, range and size of facilities to be managed as the needs of the community are likely to change over time.

#### **4. Next Steps**

4.1 The next steps over the coming few months will be:

- To take these principles to the Otterpool Park Collaboration Board for discussion and agreement with our partner; and
- To bring back the scope of the proposed strategy to Cabinet following discussions with Cozumel.
- For the Collaboration Board to commission the preparation of a long term stewardship strategy to support the delivery of Otterpool Park.

4.2 A planning application will be submitted in spring of next year. The LPA will expect the planning application to include information on a bespoke approach to long term stewardship. Its requirements are likely to be:

- Inclusion in Heads of Terms / draft Section 106 agreement. This will need to commit to measures to ensure that the costs of maintaining land in the public domain is provided for once that part of the development is completed and handed over. This would, for example, cover open spaces, play areas, ecological areas, woodlands, sustainable urban drainage systems etc.
- A Viability Appraisal submitted with the application that factors in the set up and on-going costs of the long term stewardship of community assets, including all community focussed facilities.
- Mechanisms for the future management and maintenance of all community assets, including transfer arrangements between the developer and the community body set up.
- Provision in the Section106 agreement for an income for the funding of cultural and community development activities.
- Demonstration of a long term stewardship body that is self-sustaining into perpetuity.

#### **5. Risk Management Issues**

A summary of the perceived risks is as follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Failure to agree principles with Cozumel	High	Low	Ensure all parties signed up for high quality management arrangements. Draw on external expertise and advice on LTS.
Failure to complete strategy in line with planning application	Medium	Low	Begin work early on strategy and ensure milestones for planning application requirements are clear.
Detailed work on the LTS challenges one or more principles	Low	Medium	Return to cabinet for further discussion on the implications arising and recommend next steps

## 6. Legal and Financial Comments

### 6.1 Legal Officer's Comments (David Kelly)

There are no legal implications arising directly from this report. Legal Services will give further advice as and when required on the structure and governance of the long term stewardship body once this has been ascertained.

### 6.2 Finance Officer's Comments (Timothy Madden)

The short term resource implications of this report is the requirement for SDC as landowner to jointly fund preparation of a strategy for long term stewardship. This work is already included with the Otterpool Park budget for 2017/18.

### 6.3 Diversities and Equalities Implications

This report does not raise any specific diversities and equalities implications.

## 7 Contact Officer and Background Documents

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

Julia Wallace – Otterpool Park Project Manager,  
[julia.wallace@shepway.gov.uk](mailto:julia.wallace@shepway.gov.uk), 01303 853248

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This report will be made public on 10 October 2017.



Report No **C/17/49**

**To:** Cabinet  
**Date:** 18 October 2017  
**Status:** Key  
**Corporate Director:** Susan Priest, Corporate Director - Strategic Development  
**Cabinet Member:** Cllr David Monk, Leader of the Council

**SUBJECT:** A Charter for Otterpool Park

## **SUMMARY:**

This report presents, for consideration by Cabinet, a draft Charter for Otterpool Park.

The Charter builds on the seventeen sustainability principles set out in the Expression of Interest submitted to Government in June 2016.

It provides guidance on how the new garden town should be planned, built out and delivered so as to create the foundations of a truly sustainable high quality new community.

“A Charter for Otterpool Park – Consultation Draft” is attached as Appendix A to this agenda.

The Charter has been prepared as a corporate document and is without prejudice to any future decisions the Council might take in its capacity as Local Planning Authority or landowner.

## **REASONS FOR RECOMMENDATIONS:**

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

- a) The recommendations allow the Council to set out in further detail its aspirations for Otterpool Park.
- b) The recommendations will inform future planning policy and the masterplanning of the new garden town.

## **RECOMMENDATIONS:**

1. To receive and note report C/17/49.

- 2. That Cabinet agrees the Charter for Otterpool Park attached to this report.**
- 3. That Cabinet identifies any substantive changes it considers to be necessary to the draft Charter having considered the recommendations of the Overview and Scrutiny Committee and the comments of stakeholders as set out in a Supplementary Report.**
- 4. That the Corporate Director - Strategic Development, in consultation with the Leader of the Council, be authorised to make revisions to the document in response to issues raised by Cabinet and set out in the Supplementary Report.**



## 1. BACKGROUND

- 1.1 The Expression of Interest for Otterpool Park was prepared in June 2106 in response to the Government's prospectus for "Locally Led Garden Villages, Towns and Cities". It set out a vision supported by guiding principles as a foundation for working with landowners and the wider community to plan and deliver a new garden settlement of up to 12,000 new dwellings. Figure 14 of the Expression of Interest set out in a "sustainability wheel" a total of 17 environmental, economic and social principles that "will be developed into a deliverable vision in conjunction with the wider community".
- 1.2 In November 2016 the Minister for Housing Planning announced that the Council's Expression of Interest had been successful and that Otterpool Park Garden Town would be supported with government capacity funding "that will help kick start work and enable the local council to take forward their proposal".

## 2. PURPOSE OF THE CHARTER

- 2.1 The proposed Charter enables the Council to take forward and articulate in greater detail its corporate aspirations for Otterpool Park. It expands upon the development principles set out in the Expression of Interest to provide more detailed guidance and advice on how the new settlement should be planned, built out and delivered so as to create the foundations for a truly sustainable high quality new community. Each one of the 17 segments of the "sustainability wheel" is expanded on a page in the draft Charter.
- 2.2 The draft Charter draws on the considerable body of work that has been undertaken in the last year by working with Cozumel Estates, our landowner partner, statutory bodies and local communities across Shepway.
- 2.3 Additionally the Charter will help inform discussion on the framework masterplan due to be submitted to the local planning authority later this year and the full masterplan that is programmed to be submitted alongside an outline planning application for Otterpool Park in Spring 2018. The Charter will also importantly provide a focus for formulating new planning policies to be included in the drafting of the Core Strategy Local Plan Review.

## 3. OBJECTIVES OF THE CHARTER

- 3.1 The charter reflects three aspects of sustainability set out in the original guiding principles – environmental, social and economic.
- 3.2 The **environmental sustainability** section of the draft Charter advocates a landscape-led approach that respects topography, views, and the potential for

the enhancement of all green and blue assets while enhancing the natural landscape character with a diverse range of accessible green spaces. It requires an energy strategy that embraces new technologies and embeds best practice so as to achieve a low carbon, low waste and low water usage environment. Walking, cycling and access to public transport will be a priority in the layout and design of the new settlement. There is a commitment to working closely with local clinical commissioning groups and the Kent Health and Wellbeing Board so as to develop a programme that delivers raised standards of public health at Otterpool Park.

3.3 The social sustainability section of the draft Charter refers to Otterpool Park being created over the next 20-30 years through a phased approach to providing housing in integrated communities, starting with new housing close to the town centre and also in a village style neighbourhood. The significant contribution that local heritage assets, such as Westenhanger Castle, can make in defining the character and interest of Otterpool Park is recognised. The intention is to create an aesthetically pleasing townscape that delivers critical community and social infrastructure at the earliest opportunity so as to meet the growing needs of the community. The Charter promotes custom and self-build housing to bring innovation, diversity and choice. It also recognises the importance of achieving a healthy community such as by growing local food. Key infrastructure should be provided at an early stage with a legal entity established for its long term maintenance and management.

3.4 The economic sustainability section of the draft charter stresses the importance of a vibrant local economy with a wide range of businesses creating employment opportunities and supporting local suppliers. It is envisaged that Otterpool Park will be designed as a "smart town" with investment in digital and telecommunications technology for the benefit of its residents and businesses. The draft Charter recognises the importance of investing in key infrastructure assets at an appropriate stage of development with particular reference made to the potential for upgrading Westenhanger Station. A multi-purpose town centre should be planned close to integrated transport links with attractive cultural, community, shopping and leisure facilities. The vibrant town centre will be supported by village style neighbourhoods within walking distance, but with their own supporting community facilities, such as a primary school.

#### **4. CONSULTATION**

4.1 The draft Charter (attached as Appendix A) was published on the Council's web site on 26<sup>th</sup> September. A 21 day focused consultation period invites comments by 17<sup>th</sup> October.

4.2 [https://www.shepway.gov.uk/media/4549/A-Charter-for-Otterpool-Park---Consultation-Draft/pdf/A charter for Otterpool Park Draft.pdf](https://www.shepway.gov.uk/media/4549/A-Charter-for-Otterpool-Park---Consultation-Draft/pdf/A%20charter%20for%20Otterpool%20Park%20Draft.pdf)

- 4.3 All Shepway parish and town councils and Aldington Parish Council have been invited to comment as have other East Kent local authorities, a range of stakeholder organisations and Cozumel Estates, the council's joint promoter.
- 4.4 A summary of all comments received will be set out in a supplementary report that will be available to Cabinet members at the meeting.
- 4.5 The Overview and Scrutiny Committee is receiving a presentation on the draft Charter at its meeting on the 10th October 2017. A presentation is also being made to a special meeting of the Shepway District and Parish Councils' Joint Committee on the 5<sup>th</sup> October. The comments of these committees will be reported at the meeting of Cabinet.
- 4.6 It is proposed that the Cabinet, having considered the comments received, identify any necessary substantive changes to the draft Charter with the Corporate Director – Strategic Development finalising revisions to the document in consultation with the Leader of the Council. Once the document is finalised it will be published on the Council's web site.

## 5. RISK MANAGEMENT ISSUES

5.1 A summary of the perceived risks is as follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Stakeholders raise significant concerns.	High	Low	Continue to maintain programme of regular meetings and seek to resolve understanding of issues by discussion.
Charter becomes outdated.	Medium	Medium	Consider future regular reviews of the Charter.
Masterplanning does not reflect Charter aspirations	High	Low	Regular formal meetings with the applicant will cover matters identified in the Charter. Aspirations will be made clear. Return to Cabinet for further discussion on the implications arising and recommend means of resolution if development aspirations are not reflected in the masterplan.

## 6. LEGAL, FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

### **6.1 Legal Officer's Comments (NE)**

There are no legal implications arising directly from this report.

### **6.2 Finance Officer's Comments (TM)**

There are no direct financial implications arising out of this report.

### **6.3 Diversities and Equalities Implications (CL)**

This report does not raise any adverse diversities and equalities implications. Achieving diversity and equality is integral to the aspirations for Otterpool Park set out in the Charter.

### **Contact Officer and Background Documents**

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

Chris Lewis – Planning Advisor, [Chris.lewis@shepway.gov.uk](mailto:Chris.lewis@shepway.gov.uk)

Tel - 01303 853456

### **Appendix A**

“A Charter for Otterpool Park – Consultation Draft”

# A Charter for OTTERPOOL PARK

## CONSULTATION DRAFT

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**Folkestone**  
Hythe & Romney Marsh  
Shepway District Council



[www.shepway.gov.uk](http://www.shepway.gov.uk)

# Foreword

Shepway District Council has produced this Charter to set out its aspirations for Otterpool Park - a garden town for the future. The Charter takes as its starting point the principles set out in the Expression of Interest submitted to Government in June 2016 and focuses on creating a place that is truly environmentally, socially and economically sustainable.

Otterpool Park will be a new growing settlement, planned from the outset on garden city principles that respond to its unique setting in the heart of Kent. The town will enhance the natural environment with carefully designed homes and gardens, generous parks and an abundance of trees, woodlands and natural habitats.

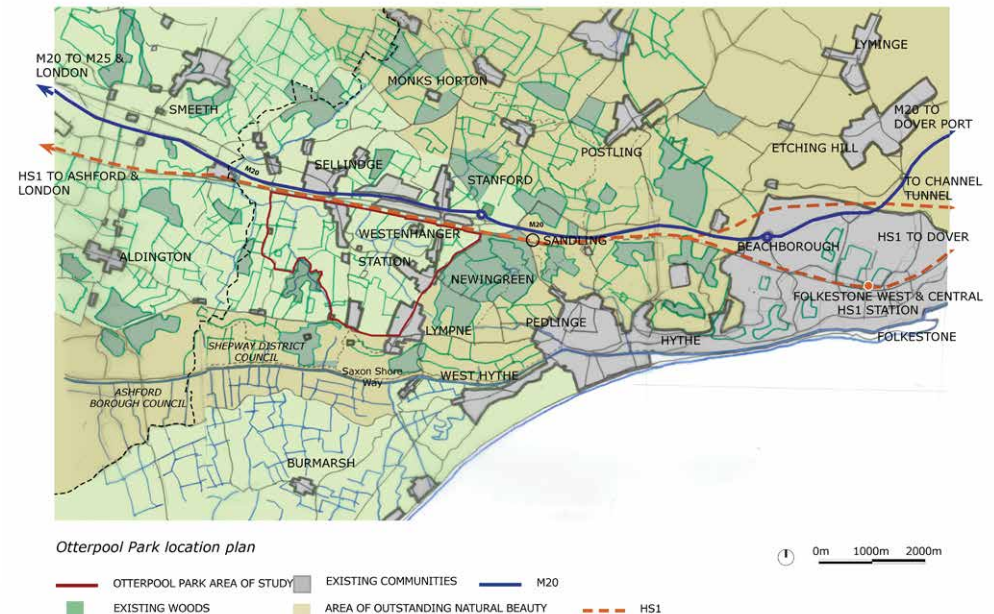
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The garden town will have a distinctive townscape, outstanding local landscape, its very own heritage and access to a diverse coastline. There will be an emphasis on quality landscaping, open space and recreation that supports healthy lifestyles and an inclusive community.

It will be a community built on sustainability with a wide range of mixed tenure homes and jobs for all age groups that are within easy walking, cycling and commuting distance.

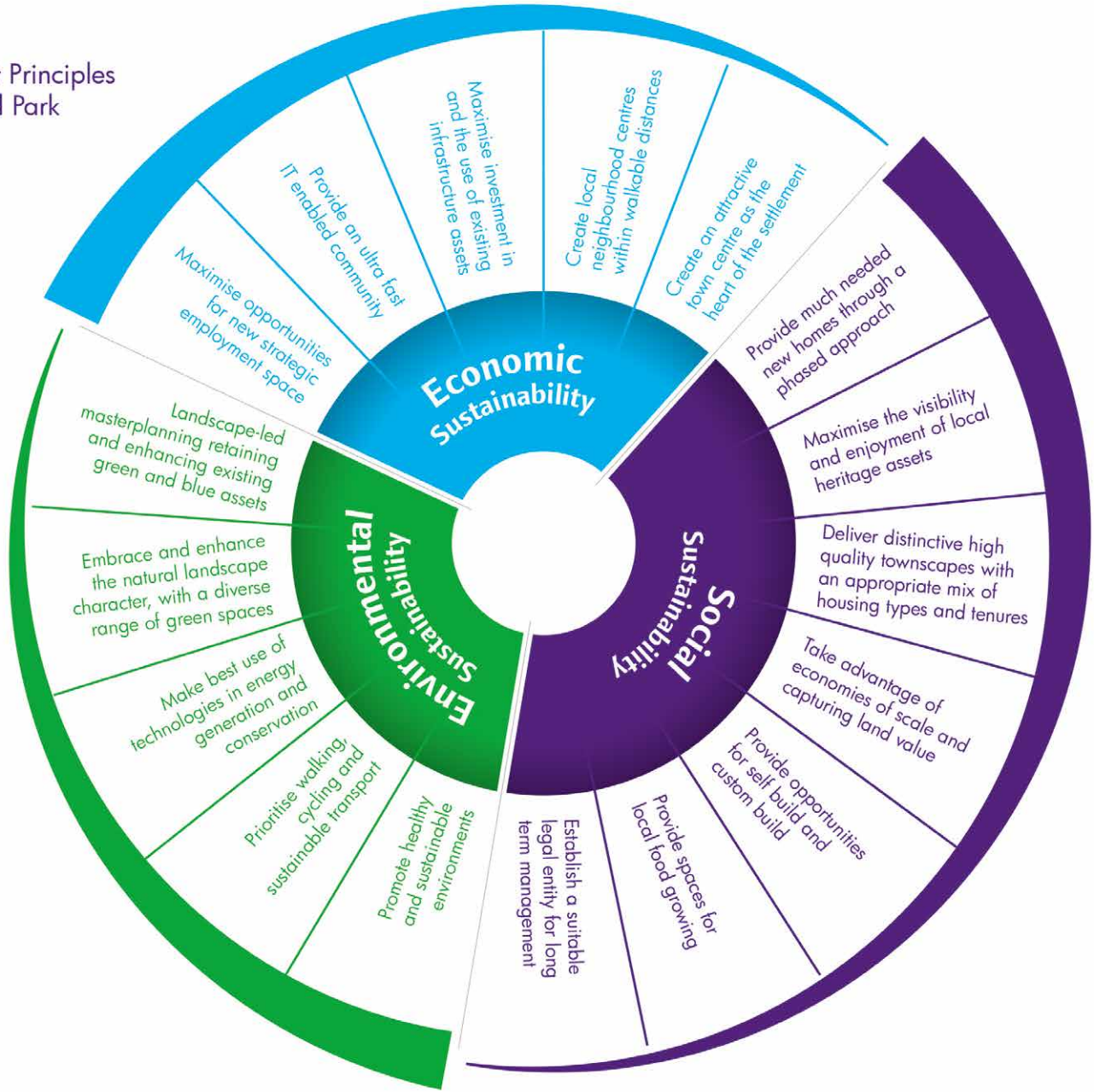
The masterplanning of Otterpool Park will be a beacon of best practice that embraces new technologies and designs to achieve a low carbon, low waste and low water usage environment.

Community involvement and participation in the planning of Otterpool Park has been encouraged from the outset. Land value will be captured so as to provide long term funding for the stewardship of community assets.

The Charter expands on the “Development Principles for Otterpool Park” first published in the Expression of Interest and reproduced on the following page. It expands these principles to provide more detailed guidance and advice on how the new settlement should be planned, built out and delivered so as to create the foundations for a truly sustainable new community.



Development Principles for Otterpool Park



# Landscape-led masterplanning retaining and enhancing existing green and blue assets

The Masterplan for Otterpool Park shall demonstrate a landscape led approach that respects topography, views and the potential for the enhancement of all green and blue assets

i. Significant areas of the new settlement shall provide high quality open space which shall be a characteristic of Otterpool Park.

ii. A new signature country park shall be provided which is easily accessible from the town centre and supported by and linked to other areas of strategic open space.

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iii. Tree lined streets, cycle ways, pedestrian paths and open spaces shall be a feature of Otterpool Park.

iv. Positioning and orientation of street trees and landscape features shall support climate change resilience while allowing natural light into new homes.

v. Structured areas of landscape shall be integrated into housing development with space for trees to mature, supplemented by native garden hedges and trees in gardens.

vi. A design code drawn up with the participation of the local community will establish the parameters for achieving excellence and continuity in townscape, architecture, built form and landscaping materials.

vii. The landscape strategy shall deliver a clear net biodiversity gain with an emphasis on native species planting, meadows, ponds and the enhancement of other natural features.

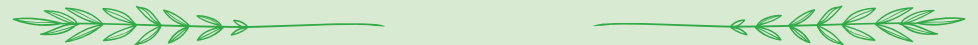
viii. An access strategy that balances public access with ecological and landscape preservation will be established, taking into account recreational

impacts of the new population on the North Downs Area of Outstanding Natural Beauty (AONB), the Folkestone to Etchinghill Escarpment Special Area of Conservation and other protected areas.

ix. The unique character and biodiversity of the East Stour River shall be enhanced with measures put in place to for its long term management.

x. Water storage areas shall be designed to maximise landscape and biodiversity value. Surface water shall be cleaned and reused and challenging standards adopted for minimising water usage.

xi. A surface water attenuation system that is based on sustainable urban drainage principles shall be provided to prevent downstream flooding of the East Stour River.



Kirk View, Singleton Hill, Ashford © KCC 2012



# Embracing and enhancing the natural landscape character, with a diverse range of green spaces

An open space, landscape and ecological habitat strategy shall be prepared that supports the masterplan for Otterpool Park and incorporates the key features set out below.

- i. The safeguarding and enhancement of natural features, landmarks and views, particularly those that are visible from the AONB.
- ii. A new publicly accessible strategic park that enhances the historic landscape setting of Westenhanger Castle.
- iii. Additional green space that enhances the setting of Otterpool Manor, Upper Otterpool and provides connectivity with other heritage assets.

iv. Landscaped open space that prevents the coalescence of Otterpool Park and Lympe and separates neighbourhoods within the new settlement.

v. Advanced woodland block planting in strategic locations that enhances the views to and from key viewing points on the North Downs ridge.

vi. Playing fields, adventure space, play areas and informal open spaces shall be located for maximum use and meet the sporting and recreational needs of the new garden town.

vii. Space for outdoor performance and festivals shall be provided.

viii. A network of existing and proposed landscaped paths and footways that link areas of open space, neighbourhoods and adjoining settlements.

ix. Protection and creation of 'wild' havens to provide enhanced ecological habitats and biodiversity opportunity areas.

x. Landscaping shall be indigenous and receptive to local climate, geology and its built surroundings.

xi. All green spaces and planting shall be sustainable and delivered with a legally binding agreement that provides for their maintenance into perpetuity.



Welwyn Garden City © 2017



# Making best use of technologies in energy generation and conservation

**An Energy Strategy that embraces cutting edge technology and innovation shall be prepared. It will demonstrate how low carbon emissions will achieve challenging targets set by the local planning authority and deliver both short and longer term sources of renewable energy on and off the site.**

**i.** The Strategy shall demonstrate how best practice in energy conservation and generation will be achieved at both a micro and macro level in homes and commercial buildings while avoiding overheating in building design.

**ii.** The scoping of the Energy Strategy shall include the potential for a district heating network with hot water supplied by a combined heat and power plant or heat from a local waste plant.

**iii.** Energy production from solar gain shall incorporate the latest technology in and on buildings and structures as an integral well designed component of a building's design.

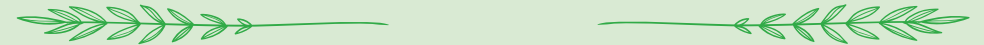
**iv.** The garden town shall embrace modern technologies for the household management of energy efficiency resulting in demonstrably lower energy use and utility bills than the national average.

**v.** Technology relating to energy generation and conservation is rapidly evolving and therefore the Strategy shall demonstrate how buildings can be adaptable and future proofed to respond to new technologies, such as battery energy storage.

**vi.** Targets set by the council will require a reduction in household waste and an increase in recycling rates significantly higher than is achieved in established towns in Kent. Internal and external storage for recycling and landfill waste shall be provided for all homes and businesses.

**vii.** The Strategy shall also demonstrate how the garden town will forward plan to meet the Government's commitment to ban all new petrol and diesel cars and vans by 2040 and include measures from the outset for all properties to have ready access to cost effective slow, fast and rapid electrical recharging points.

**viii.** All telecommunications, energy and other service infrastructure shall be provided in multi-service corridors that are easily accessible to statutory undertakers and do not involve digging up the public highway.



Shutterstock © 2017

# Prioritise walking, cycling and sustainable transport

**i.** A travel plan shall be prepared that has walking, cycling and access to public transport as a priority in the layout and design of the new settlement, with challenging targets set for non car use as a percentage of all journeys.

**ii.** A permeable network of tree lined streets, lanes, pathways and spaces will be created that provide footpath and cycle connections linking open spaces, recreational areas, neighbourhoods, the town centre, public transport and employment. It should extend to beyond the new community to existing villages, facilities and the countryside beyond.

**iii.** The masterplan for the garden town shall clearly show how new footpaths and cycle ways are linked to enhanced public rights of way and cycle paths, including the North Downs Long Distance Footpath and the Sustrans national cycle route network.

**iv.** Within the new garden town a hierarchy of footpaths and cycle ways shall be identified that are clearly separated from the public highway and also from each other where cycle speeds on through routes could be dangerous to pedestrians.

**v.** Well designed and well located cycle parking shall be provided within town centre and neighbourhood centres, at the station and transport hub as well as at employment and community facilities. The opportunity for a cycle scheme should be explored

**vi.** All housing should be planned with the objective of being within a 10 minute walk from local shops and services.

**vii.** Bus stops shall, unless impractical, be within a five minute walk of all homes.

**vii.** All volume house builders on Otterpool Park shall provide first purchasers of their homes with a “sustainable travel pack” that includes subsidised incentives for residents to walk, cycle and travel by public transport as an economic and convenient way to travel.

**viii.** The parking strategy for Otterpool Park shall be an integral part of the design of the new town and seek to achieve a balance that recognises the reality of car ownership and the need to avoid indiscriminate car parking. The street scene shall not be dominated by parked cars at the expense of local amenity and future forms of movement.

**ix.** Otterpool Park shall be designed with a legible pattern of interconnected streets with low design speeds.



Shutterstock © 2017

# Promote healthy and sustainable environments

**Working closely with local Clinical Commissioning Groups and the Kent Health and Wellbeing Board a healthy new town programme shall be developed that delivers high levels of public health at Otterpool Park. This programme shall embrace the principles set out below.**

**i.** Promoting physical activity and more active lifestyles for all age groups will be a central theme of Otterpool Park.

**ii.** Preventative health care measures shall include quality public spaces that are easily accessible and designed to be inclusive for all age groups.

**iii.** Provision shall be made for formal indoor and outdoor sports and recreation that are accessible by attractive walking and cycling routes.

**iv.** Streets should encourage community outdoor activities including interactive public art, play and meeting places, with homes providing natural surveillance.

**v.** Streets, spaces and public buildings should be designed to be attractive, safe, accessible and age friendly environments for all. Secluded areas should be avoided.

**vi.** Generous provision of seating in public places, level access for mobility scooters and local public conveniences shall be provided to encourage elderly people to get out and about.

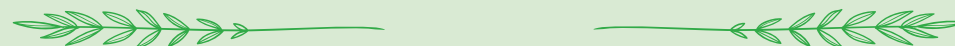
**vii.** Homes, where practical, shall be built to meet the changing needs of occupants over their lifetime

**viii.** Smart homes will provide flexible and adaptable accommodation for elderly people and embrace the latest digital technology that links the home with the local health centre.

**ix.** A state-of-the-art medical centre that provides a 'one-stop shop' for outpatients including a cluster of GPs, a wide range of diagnostic services and primary care treatment shall be provided as early as practical in the development programme to meet the needs of the growing town and minimise the requirement for secondary care treatment at local hospitals. The medical centre should be located on an accessible site close to other community services.

**x.** Challenging air quality standards will be set for Otterpool Park and design and masterplanning must ensure that road and rail noise in dwellings, gardens and open spaces is minimised without resorting to unsightly barriers and screens.

**xi.** The construction and landform of Otterpool Park should be soil neutral to avoid any importing or exporting of earth.



Photograph © 2017

# Providing much needed new homes through a phased approach

**Otterpool Park will be created over the next 20 – 30 years, through a phased approach.**

**i.** The initial phase of development shall focus new housing in and around the town centre and in a village style neighbourhood well connected to the town centre by a walking, cycling and public transport network.

**ii.** In close proximity to the town centre and the railway station there shall be an emphasis on smaller residential units serving all age groups.

**iii.** Additional village style neighbourhoods will be masterplanned in future phases. All neighbourhoods will be expected to provide a mix of houses, flats and bungalows with land identified for custom and self-build housing in each phase of development.

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**iv.** Housing shall be planned to provide integrated communities with build, design and landscaping quality consistent regardless of phasing, tenure or market sector.

**v.** Housing shall be built to meet “Optional Requirement M4(2): Category 2 - Accessible and Adaptable Dwellings” as set out in schedule 2 of the Building Regulations.

**vi.** 10% of homes to be built shall meet the needs of a projected ageing population from active retired to those needing various degrees of nursing care.

**vii.** Off-site construction technologies that can bring forward the early delivery of new homes, taking advantage of advances in manufacturing methods are encouraged, where high quality design, durability and sustainability of the product can be proven.

**viii.** Homes should be designed with flexibility to respond to the changing needs of families without compromising design quality or the amenity of neighbouring properties.



Shornccliffe Heights © 2017



# Maximising the visibility and enjoyment of local heritage assets

**Local heritage assets can make a significant contribution to defining the character and unique interest of Otterpool Park, attracting future residents, businesses and visitors.**

**i.** A Heritage Strategy shall be produced that identifies in detail the opportunities for the enhancement of local heritage assets, including Westenhanger Castle (including its associated barns), Otterpool Manor Farm, Upper Otterpool and other local buildings of historic interest.

**ii.** Westenhanger Castle shall become a focal point that helps inform the character of Otterpool Park. The masterplan shall identify the provision of a new and improved setting for the building including generous public open space via the delivery of a great park for the community, and the long term protection of key historic views.

**iii.** There is an opportunity for the existing buildings and barns at the Castle to be renovated to improve the setting of the building and provide space for businesses, leisure and craft industries/activities at the heart of the community.

**iv.** There is also a wider opportunity to enhance other heritage assets such as the nearby Lymne Castle and Lymne Conservation Area which, although outside the masterplan boundary, can make a significant contribution to the future prosperity of Otterpool Park.

**v.** Archaeological and other heritage assets will be evaluated and, where appropriate, safeguarded with their potential recognised in the masterplan and maximised for education and culture within the community.

**vi.** A new cultural, art and recreational strategy shall be devised, working alongside stakeholders and community, that complements heritage objectives, encourages grass-roots initiatives and provides long term support to the local economy.

**vii.** Public art can make a key contribution to place making and should be an integral part of the heritage strategy.



Westenhanger Castle © 2017

# Delivering distinctive high quality townscape with an appropriate mix of housing types and tenures

**An aesthetically pleasing townscape in a mature landscape environment shall be created that respects the setting of the North Downs Area of Outstanding Natural Beauty including views from the North Downs Way and other local vantage points.**

**i.** The townscape shall comprise of urban higher density housing and supporting uses in a lively town centre. Development shall radiate out with reduced density and more rural character in the village style neighbourhoods reflecting the town and country vision of the original garden city movement.

**ii.** The masterplan for Otterpool Park shall set out a density hierarchy based on the following requirements:

- Urban residential density - the new town as a whole.
- Gross residential density of each place - the town centre and each neighbourhood.
- Net residential density - the built form within each street.
- Site density - the ratio of the dwellings to the site they occupy.

Comparators shall be provided of each component of the density hierarchy together with the transitional relationship between places.

**iii.** Neighbourhoods, buildings and spaces shall be planned to create a unique and distinctive character. Local and long range views shall be captured to provide interest and surprise.

**iv.** A high quality palette of building materials will be required that has resonance with the local area. Varied roofscapes will be an integral feature of the townscape as will balconies and roof gardens so as to ensure that all homes have some private space of their own. Houses shall have their own gardens and private outdoor spaces. Overall the architectural vernacular shall support local distinctiveness

**v.** The residential mix of the new settlement will include owner occupied housing, private rented housing, affordable/social rented housing and shared ownership homes in accordance with the requirements of the Council's Strategic Housing Market Assessment.

<https://www.shepway.gov.uk/planning/planning-policy/local-plan/core-strategy-review-2016>

**vi.** Building materials, landscaping and design should be of a consistently high quality throughout the new settlement regardless of tenure type.



Ingress Park © 2017

# Taking advantage of economies of scale and capturing land value

**Otterpool Park should be planned so as to create economies of scale that will remove barriers to development and deliver critical community and social infrastructure at the earliest possible opportunity, so as to meet the needs of a growing community.**

**i.** Otterpool Park should aim to be self-sufficient in terms of providing its own schools, health centres, community facilities and integrated transport systems and community facilities.

**ii.** Early phases of development should be planned in a way that will not disadvantage early residents or place pressure on existing local facilities and infrastructure, but is viable and deliverable.

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**iii.** Key infrastructure, such as a new primary school and possibly a new secondary school, should be provided in phase one of the new settlement to support investment and community development.

**iv.** Where it is appropriate or necessary for services to be shared with other local communities this shall be decided after detailed local consultation and made clear as part of the planning process.

**v.** Existing nearby communities of Lypne, Barrow Hill, Sellindge, Westenhanger, Saltwood, Stanford and Postling shall have appropriate access to and benefit from the new community facilities provided.

**vi.** A section 106 legal agreement will be negotiated with the developer as an integral part of a planning permission that ensures investment arising from economies of scale is made at appropriate stages of the building of the new town for investment in key infrastructure.

**vii.** The uplift in land value that would be created by a grant of planning permission for Otterpool Park shall be captured to create:

- Early investment in key infrastructure.
- A sustainable strategy for the long term stewardship of the town.
- Investment in local assets that can provide a sustainable funding stream for the community facilities and those areas of the public realm that will be managed, in the future, by the public and voluntary sectors.
- An investment in sustainable development.
- Spaces and facilities designed with long term management and maintenance in mind.



Land at Otterpool © 2017



# Providing opportunities for self-build and custom build

**Custom and self-build housing can bring innovation, diversity and choice that are not always achievable in conventional housing developments. The masterplan for Otterpool Park shall place self-build and custom build housing as a central element of housing delivery.**

**i.** The masterplan for Otterpool Park shall identify a neighbourhood in phase one with serviced land provided for at least 100 self/custom build dwelling plots.

**ii.** A target, subject to on-going review, will be set to achieve a minimum of 10% and an aspiration of 20% of all dwellings in Otterpool Park as self or custom build, with each neighbourhood containing this type of housing.

**iii.** The promoter shall demonstrate the measures being taken and the support given to:

- Individual self-build/custom build housing.
- Group and community led housing projects.
- Developer led custom build.

**iv.** Shepway District Council will investigate establishing a Community Led Homes fund that will enable local people and groups working together to promote innovative forms of housing development and management at Otterpool Park.

**v.** In allocating sites for custom and self-build housing priority will be given to people and associations with local connections and those on the council's self build register. Consideration will be given as to whether or not it's appropriate to introduce a local connection test and a financial solvency test.

**vi.** Innovative designs will be encouraged that are flexible and incorporate cutting edge technology, particularly in the field of low carbon and low

energy consumption. Self-build and custom build housing will not be required to be uniform in scale, plot width or materials.

**vii.** However, straightforward parameter requirements will need to be established by:

- planning policy and a design code prescribing those developments that meet the guiding principles of place making and sustainability, and/or
- a "plot passport" scheme introduced alongside a Local Development Order where plot purchasers submit an application to the local planning authority for a compliance check against an established design code.



# Providing spaces for local food growing

**Creating healthy communities and providing the opportunity to grow food locally is an integral part of the garden settlements ethos.**

**i.** Allotments for local food growing shall be identified in the masterplan and provided on fertile land with safe and convenient access from all residential neighbourhoods.

**ii.** The masterplan could also include the provision of community orchards for growing local indigenous fruits, subject to evidence of demand for this activity.

**iii.** A scheme that encourages the produce grown on allotments and community orchards to be sold in local shops or at a community market will be introduced so as to promote healthy living, community cohesion and reduce “food miles”.

**iv.** A scheme that encourages local leadership and community participation in local food growing, such as community composting, shall be established.

**v.** In lower density areas houses with generous gardens should be provided and the scope for communal food growing areas established.

**vi.** In higher density areas where small or no residential gardens are proposed, new homes should have access to an allotment for local food growing within 800m (10 minutes walking time).

**vii.** Buffer zones on the edge of the settlement and between the new settlement and existing settlements maybe suitable for allotments and agricultural use provided these are not isolated from the local community and with safeguards built into a legal agreement that these areas will have long term protection from development.

**viii.** Otterpool Park shall include meadowlands and a biodiverse landscape that can provide places of natural beauty, informal recreation and seasonal wild food alongside each other.

**ix.** Measures shall be put in place for the community management of allotments, community orchards and community woodlands that ensures their long term upkeep and protection.



Hawkinge Allotments © 2017

# Establishing a suitable legal entity for long term management

**Key infrastructure will need to be provided starting at an early stage of the development of the new town, with arrangements made for its long term maintenance and management.**

**i.** A strategy for long term stewardship should include, as a central element, the creation of a Community Trust overseen by trustees and/or a new elected body.

**ii.** Although the precise model for the Trust will need to be agreed, it must ensure that Otterpool Park has an empowered, self-reliant community that can manage its own key assets and have local people at the centre of place making and town life.

**iii.** The Trust must be capable of generating a sustainable income from some of its assets so as to balance its budget and support a thriving local community.

**iv.** Infrastructure that will need to be managed and maintained by the Trust includes:

- Strategic and local open space
- Sports pitches
- Leisure facilities
- Community halls and other community buildings
- Public squares and spaces
- Sustainable urban drainage systems (SUDS)
- Allotments

**v.** Landscaping needs to be a lasting legacy, with high quality maintenance arrangements put in place for the long term, for example ensuring street trees are replaced. A section 106 legal agreement entered into alongside the grant of planning permission will include requirements to ensure the quality of all open space and physical assets on handover to the Trust.

**vi.** A community development programme should allow for changing governance arrangements as the community grows, and consider potential for the future creation of a Town Council.

**vii.** An objective of the Trust or new elected body will be to nurture community development and participation working with a network of volunteers.



Letchworth Garden City © 2017



# Economic Sustainability - maximising opportunities for new employment space

Otterpool Park shall have a vibrant local economy that fosters community prosperity with a wide range of businesses supporting the environmental and social sustainability of the town through creating employment opportunities and supporting local suppliers.

i. A challenging target shall be set at the outset of masterplanning the new settlement for the number of jobs that will be created across the private, public and voluntary sectors for a genuine mix of employment.

ii. Provision of a range of modern, high quality employment space shall be delivered in appropriate and accessible locations across the new settlement.

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iii. The masterplanning of the settlement should identify land suited to accommodating companies operating in growing regional, national and international markets with a capacity to contribute to employment and GVA growth.

iv. Potential target sectors that should be investigated to support economic activity include green construction, environmental goods and services, advanced manufacturing, creative digital media and business, professional and financial services and other emerging markets. The potential for an upmarket hotel should be pursued

v. Additionally, an innovation centre or hub that supports business start-ups shall be included in an early phase of the development. This shall provide space to encourage successful businesses to grow.

vi. The scale of employment space located near the gateway to Europe (Channel Tunnel) will provide a new opportunity to complement the offer at locations such as Folkestone town centre, Hythe and other growth locations across East Kent. It shall provide an opportunity for new ideas to flourish.

vii. The employment offer for Otterpool Park shall include skills development and apprenticeship opportunities to be delivered working alongside Shepway District Council and other partners.

vii. Employment space should be planned and phased as part of a comprehensive delivery framework commensurate with the development of associated infrastructure and new homes so that job opportunities are available for when housing first becomes occupied. Interim uses could be accommodated on suitable sites as the settlement establishes.

viii. The location offers space for a learning and research campus for a growing University that would be influential in how the overall community grows in a sustainable way.

ix. Businesses locating at Otterpool will be expected to be an active part of the community and help infuse a spirit of entrepreneurship and enterprise that will be a hallmark for a 'good economy' location.



Cambourne Business Park © 2016

## Providing an ultrafast IT enabled community

Otterpool Park shall be designed as a “smart town” with investment to ensure that traditional networks and services are made more efficient with the use of “smarter” digital and telecommunications technology for the benefit of all its residents and businesses.

i. Buildings and infrastructure throughout the new settlement shall incorporate the latest information and communication systems which shall be readily adaptable to a rapidly changing technological environment.

ii. The development shall incorporate, at suitable locations within the public realm, information relating to an integrated public transport system so as to provide real time and mobile enabled public transport.

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iii. Data analysis and smart monitoring of water use, energy use and waste generation shall be incorporated into all new homes, workspaces and community buildings.

iv. An online community shall be encouraged for use by all residents and businesses with the objectives of:

- Fostering community engagement
- The local management of assets
- The co-ordination of event management
- Real time transport information
- The swapping, recycling and reuse of goods

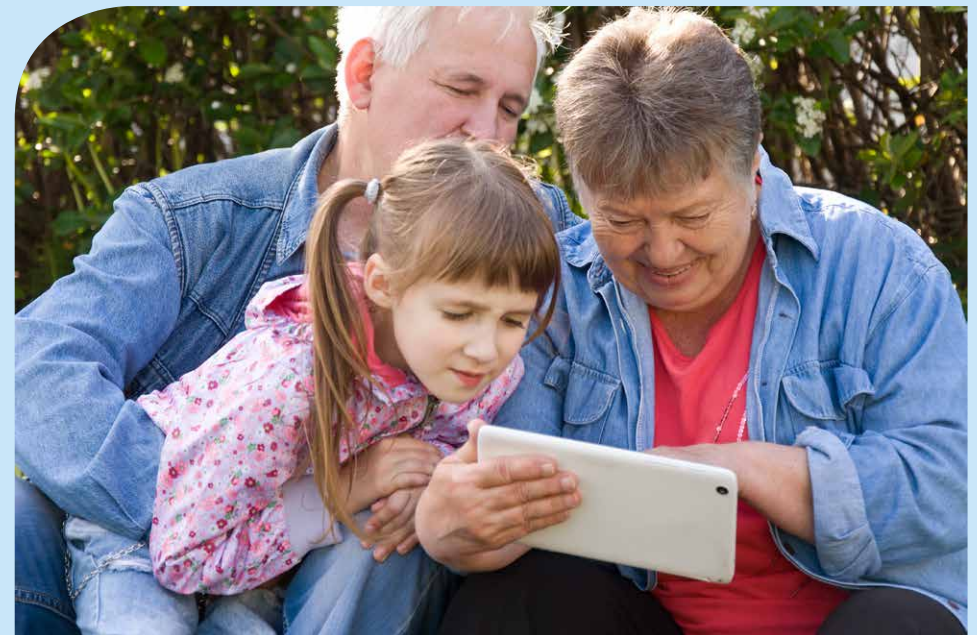
v. All homes, offices, cafés, public spaces and community buildings constructed at Otterpool Park shall be enabled for ultrafast fibre optic broadband. Broadband speeds shall be reviewed at periodic intervals so as to provide the highest standards of connectivity available. Periodic reviews of the masterplan shall demonstrate how the latest information technology is to be incorporated into each phase of new development.

vi. Where practical, the latest high speed internet technology shall be rolled out to the neighbouring communities of Lympe, Postling, Stanford, Sellindge, Westenhanger and Barrow Hill.

vii. The designs for every new dwelling constructed at Otterpool Park shall clearly identify adaptable space suitable for home working.

viii. Third place work will be encouraged from cafés, community buildings and business areas.

ix. Ducting for fibre optic and other cabling shall be located outside the public highway and should be designed for easy access by all utilities so as to avoid unnecessary roadworks and surface patching.



Shutterstock © 2017

# Maximising investment in and the use of existing infrastructure assets

Otterpool Park should minimise demand on the existing infrastructure network by embracing a “smarter” town philosophy. Where new infrastructure is required this should focus on improving existing infrastructure assets at an appropriate stage of the development programme.

i. Westenhanger Station should be upgraded as part of an integrated transport hub that maximises its potential to attract passengers and promote sustainable travel patterns.

ii. A package of enhancements to the station should potentially include:

- A new hub with priority to pedestrians, cyclists and bus users
- Lengthening of the platform
- New station buildings
- Enhanced customer experience and facilities
- A new footbridge between platforms
- A suitable level of car parking that meets the needs of Otterpool Park and nearby villages

iii. There is a major opportunity that will be pursued working alongside partners and stakeholders to secure a high speed rail service between Westenhanger and London St Pancras. This will stimulate new business investment into Otterpool Park.

iv. The existing bus network that serves surrounding towns and villages will be upgraded as an integral element of the transport hub at Otterpool Park. All new homes, where practicable, shall be within a five minute walk of a bus stop.

v. The capacity of Junction 11 shall be upgraded and other key junctions on the road network shall, where necessary, be redesigned and improved.

vi. The masterplanning of Otterpool Park shall investigate and bring forward proposals for:

- On-site waste recycling
- The provision of on-site energy generation
- A decentralised energy network

vii. Where new and sustainable forms of infrastructure provision can't be provided within the new settlement existing infrastructure assets such as reservoirs, wastewater treatment works and energy installations should be upgraded without causing environmental harm.



Westenhanger Station © 2017



## Creating local neighbourhood centres within walkable distances

The masterplan for Otterpool Park shall include a multi-purpose town centre close to public transport links, supported by “village style” neighbourhoods that meet the day to day needs of residents but are easily accessible to the town centre and to each other.

i. Each neighbourhood centre will include a primary school, pre-school nursery, convenience shopping, open space and recreational activities at an early stage of its development so as to foster sustainability and community cohesion.

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ii. Each neighbourhood centre shall be master planned as a place that has its own distinctive identity. New buildings, the public realm and open spaces shall incorporate high quality design, materials and landscaping that creates a signature character for that neighbourhood in the unique setting of the North Downs.

iii. All community buildings will be of an inspired design and seek to meet zero carbon standards as exemplars. They should provide a range of local services potentially supported by outdoor sports pitches, activity zones, an open air performance space and other meeting places.

iv. Each centre shall be planned to foster community development and identity and promote healthy living by encouraging mentally and physically active lifestyles. New ways of delivering integrated community services that support the new settlement will be explored.

v. Neighbourhoods and the town centre shall be connected by a legible pattern of active streets, footways, cycle ways and open spaces with maximum permeability and room for landscaping to mature.

vi. Road infrastructure should be designed for a low speed environment, with priority given to pedestrians and cyclists and the minimisation of grade separation, roundabouts and highway furniture.



Hawkinge Community Centre © 2017

# Creating an attractive town centre as the heart of the settlement

**A vibrant high street will be created at the heart of Otterpool Park that meets the needs of residents, workers and visitors with attractive cultural, community, shopping and leisure facilities.**

**i.** Food shopping shall be provided that allows choice and variety as well as reducing the need to travel for day to day shopping.

**ii.** A wider range of shopping floorspace should also be provided that creates a vibrant town centre without impacting on the vitality and viability of other town centres including Folkestone, Hythe and Ashford.

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**iii.** Higher density development with several stories of residential use above commercial premises will be appropriate in the town centre. The buildings should interact with the public realm. Streets should be of a generous width with provision made for walking, cycling and outdoor seating.

**iv.** The high street shall be planned so that it is within easy walking distance of the station and located within an area of higher intensity housing and other uses so as to increase footfall and support businesses.

**v.** The town centre will be a safe environment readily accessible by foot, bike, bus and car. It shall include the highest standards of accessibility for all members of the community.

**vi.** Buildings, recreational areas and landscaping shall interrelate so as to provide character, interest and a unique sense of space and place.

**vii.** Buildings at street level in the town centre shall have frontages that open up to public spaces. Indoor and outdoor eating and drinking places shall be provided and an adaptable town square shall be planned to accommodate temporary outdoor markets and events.

**viii.** The town centre should also include a mix of entertainment venues and sports activities that meet the needs of all age groups.



Fountains at Folkestone Harbour © 2017



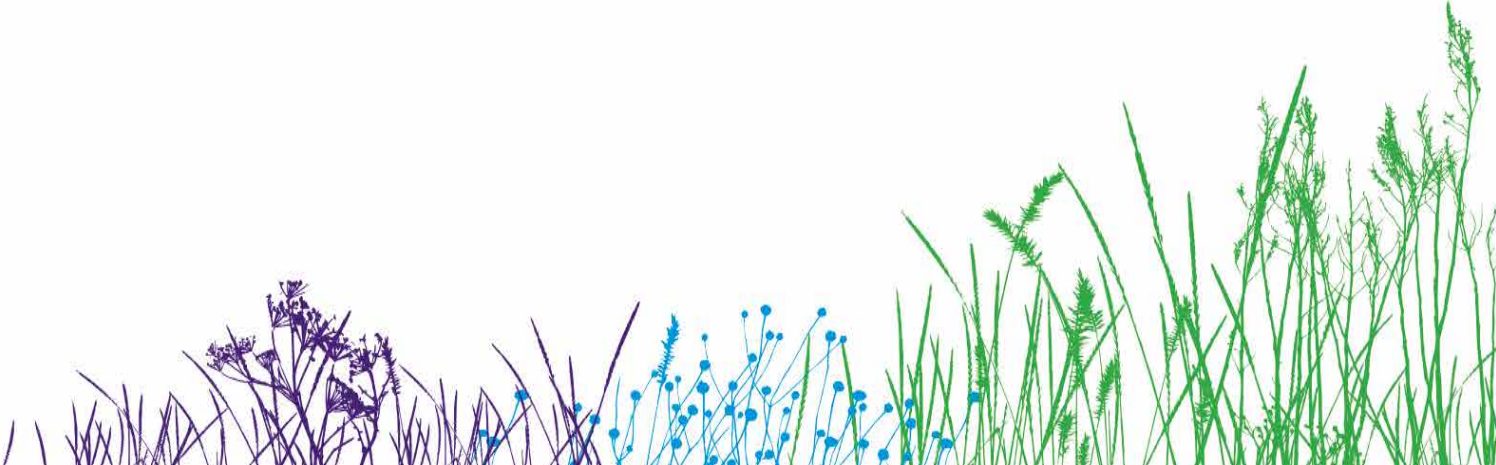
# Folkestone

Hythe & Romney Marsh

Shepway District Council



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