

Agenda

Policy and Resources Committee Meeting

Date: Wednesday, 18 October 2023

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT*

Membership:

Councillors Mike Baldock (Vice-Chair), Monique Bonney, Lloyd Bowen, Derek Carnell, Tim Gibson (Chair), Angela Harrison, Mike Henderson, James Hunt, Mark Last, Rich Lehmann, Richard Palmer, Julien Speed, Mike Whiting, Ashley Wise and Dolley Wooster.

Quorum = 5

Pages

Information about this meeting

*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website by 17 October 2023.

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- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Meeting held on 12 July 2023 (Minute Nos. 194 – 206) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPIs) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

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Issued on Tuesday, 10 October 2023

The reports included in Part I of this agenda can be made available in alternative formats. For further information about this service, or to arrange for special facilities to be provided at the meeting, please contact democraticservices@swale.gov.uk. To find out more about the work of this meeting, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Policy and Resources Meeting	
Meeting Date	18 October 2023
Report Title	Council Tax Reduction Scheme 2024/25
EMT Lead	Lisa Fillery, Director of Resources
Head of Service	Zoe Kent, Revenues and Benefits Manager
Lead Officer	Zoe Kent, Revenues and Benefits Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That the Policy and Resources Committee note the progress of the income banded Council Tax Reduction Scheme. 2. That the Policy and Resources Committee recommends to Council that the scheme is not changed for 2024/25, except to amend the income bands to align with DWP benefit changes. That this amendment is delegated to the Director of Resources.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to recommend the implementation of the Council's Council Tax Reduction Scheme with effect from 1st April 2024.
- 1.2 Each year the Council is required to review its Council Tax Reduction Scheme in accordance with the requirements of schedule 1A of the Local Government Finance Act 1992 and to either maintain the scheme or replace it.
- 1.3 Council Tax Reduction (CTR) was introduced from 1 April 2013 when it replaced the Central Government funded Council Tax Benefit regime. From its inception, the funding available to the Council from government has reduced year on year.
- 1.4 This report recommends that no changes are made to the format of the banded scheme for the financial year 2024/25. It is however recommended that the income amounts within the banded grid are increased to align with the DWP benefit changes.

2 Background

- 2.1 The CTR scheme was introduced in April 2013 as a replacement for Council Tax Benefit. It is a national scheme administered on behalf of the Department for Works and Pensions (DWP). In localising the scheme, the government reduced council funding by 10 per cent meaning that the scheme is in effect, paid for by all other Council taxpayers as the scheme reduces the taxbase. The cost of the scheme falls heavily on KCC as well as the Police and Fire authorities. As a

result, and to encourage each district to produce a scheme that was broadly consistent across the county, the major precepting authorities agreed to pay each district a grant towards the administration of the scheme. For Swale in 2022/23 the payment was £134,000.

2.2 In introducing the scheme in 2013, the Council made a number of changes to other exemptions and discounts so as to limit the impact of the change on the working age population (under the Council Tax Reduction provisions, the scheme for pensioners is determined by Central Government and the scheme for working-age applicants is determined by the Council.

2.3 Since its introduction in April 2013, the local scheme has been refreshed annually for general changes in applicable amounts (primarily in relation to disability premiums) and taking into account the introduction of Universal Credit. The scheme is consistent with most other councils in Kent.

2.4 CTR provides financial assistance in the form of a rebate on the Council Tax bill and this has generally increased over recent years since the Covid pandemic.

2017/18 £8,950,857

2018/19 £8,854,129

2019/20 £8,602,987

2020/21 £9,680,057

2021/22 £10,000,329

2022/23 £10,025,014

2023/24 £10,241,101

2.5 The introduction of Universal Credit Full Service (UCFS) in December 2017 brought challenges to both the administration of CTR and the collection of Council Tax.

2.6 The number of changes that customers have to Universal Credit meant there were constant amendments to Council Tax liability, meaning re-calculation of instalments, delays, and the re-issuing of Council Tax bills.

2.7 As a result, in 2020 the scheme was changed so that Universal Credit working age claims were only reviewed 3 times a year. This helped to reduce the amount of work however it was still felt that further improvements could be made by changing to a banded scheme.

2.8 In 2022, the Council consulted on a more significant change to the scheme which saw the introduction of a banded scheme which was largely supported by the consultation (which is consistent with other Kent authorities). The scheme has an in-built, simplified claiming process with wide income ranges. As with the previous scheme, working age applicants, irrespective of their financial circumstances, are required to pay a minimum of 20 per cent towards their Council Tax liability.

- 2.9 The new banded scheme meant that constant liability changes have been avoided, and revised bills are only issued where income crosses into another income band. This has made it less cumbersome for customers and has allowed us to convey a relatively simple eligibility and understanding of the income banded scheme.
- 2.10 There is now a better understanding by claimants of how much they are required to pay towards their Council Tax. It is also helping that their income can go up and down and unless it moves them to a different band the amount they need to pay will stay the same. There has also been a reduction in the number of entitlement letters and adjustment notices that are issued.
- 2.11 Table 1 shows the current income banded scheme for single claimants, couples, lone parents with one or two or more children and couples with one or two or more children. Passported in the table refers to legacy benefits (job seekers allowance, income support, and employment and support allowance) for customers who have not migrated to Universal Credit.

Table 1

Band	Discount	Single Person	Couple	Lone Parent with one child or young person	Couple with one child or young person	Lone Parent with two children or young persons	Couple with two children or young persons
1	80%	£0 to £95.00	£0 to £145.00	£0 to £150.00	£0 to £200.00	£0 to £220.00	£0 to £270.00
2	60%	£95.01 to £140.00	£145.01 to £190.00	£150.01 to £200.00	£200.01 to £250.00	£220.01 to £270.00	£270.01 to £320.00
3	40%	£140.01 to £190.00	£190.01 to £240.00	£200.01 to £250.00	£250.01 to £300.00	£270.01 to £320.00	£320.01 to £370.00
4	20%	£190.01 to £270.00	£240.01 to £320.00	£250.01 to £320.00	£300.01 to £370.00	£320.01 to £400.00	£370.01 to £450.00
5	0%	Over £270.00	Over £320.00	Over £320.00	Over £370.00	Over £400.00	Over £450.00

2 Proposals

- 2.1 This is the first year of the banded scheme, it is advisable to not make any major changes to the scheme at this time. The scheme is still bedding in, and claimants are getting used to the changes the banded scheme has brought. There is no evidence to show the scheme is having an adverse effect on claimants.

- 2.2 The automation of the Universal Credit information that is received from the DWP on a daily basis has significantly reduced the amount of work that has to be dealt with by the team. Around 100 notifications are received a day, of these between 60% to 70% are automated.
- 2.3 It is however proposed that the amounts within the grid are increased in line with the DWP benefit changes for 2024/25. This means that claimants stay with in their correct bands when their state benefits are increased. If the grid is not changed claimants may drop to a lower band meaning they are not receiving the correct level of support.

4 Alternative Options Considered and Rejected

- 4.1 The bands within the income-band grid could be changed, for example we could decide to combine the single and couple bands, change the number of bands or the percentage of the award for each band. This is not recommended because the bands are awarding the majority of claimants the same level of support they were receiving under the previous scheme. This ensures the council is providing a consistent amount of support in line with most other Kent authorities. Increasing the amount of support could have detrimental effect on the local taxpayers. Increasing the cost may mean other services would need to be reduced.
- 4.2 The scheme could return to the previous model not using a banded approach. This is not recommended because the current scheme is working well and it would increase the administration needed to assess claims.

5 Consultation Undertaken or Proposed

- 5.1 A consultation was carried out in autumn 2022, this showed that most respondents were in agreement with the changes to the scheme. Appendix I gives an overview of the consultation results.
- 5.2 If changes are not recommended to the scheme, we are not required to carry out a consultation. The percentage change to the grid figures would not change the amount of support claimants receive. It should be cost neutral in the majority of cases.

6 Implications

Issue	Implications
Corporate Plan	The objectives and priorities in the corporate plan. Performance is measured through BV9 Percentage of Council Tax collected in year.

Financial, Resource and Property	<p>The current Council Tax Reduction scheme costs approximately £10m which is borne by the Council's Collection Fund. Costs are shared between the Council and the Major Precepting Authorities in the following proportions:</p> <ul style="list-style-type: none"> • Borough Council (11%) • The County Council (73%) • Police and Crime Commissioner (12%) • Fire and Rescue Service (4%) <p>The approach and 'shape' of the scheme will remain the same as the current scheme, and the overall approach will be to target support to low income households although the maximum level of support remains in line with the current scheme.</p>
Legal, Statutory and Procurement	<p>Schedule 1A (3) of the Local Government Finance Act 1992, states:</p> <p>Before making a scheme, the authority must:</p> <ul style="list-style-type: none"> • consult any major precepting authority which has power to issue a precept to it, • publish a draft scheme in such manner as it thinks fit, and • consult such other persons as it considers are likely to have an interest in the operation of the scheme. <p>In addition, in order to set a new scheme, the Council is obliged to make a resolution by 11th March of the year prior to the scheme coming into place.</p> <p>The Council has followed the legal requirements throughout.</p>
Crime and Disorder	Not directly applicable
Environment and Climate/Ecological Emergency	<p>The recommended scheme provides a modern, efficient scheme which is more straightforward for staff to administer.</p> <p>By reducing the number of changes made to entitlement, the scheme minimises the effect on the environment.</p>
Health and Wellbeing	Council Tax Reduction is essential for low-income households. Ensuring that it is paid correctly to all applicants who may be entitled, will assist the health and wellbeing of working age low income households.
Safeguarding of Children, Young	The proposed scheme contains provisions for dealing with vulnerability and protects both families, applicants who are disabled and carers.

People and Vulnerable Adults	In all cases, where an applicant is of the opinion that they require additional support, they may apply to assistance under the Council's Exceptional Hardship Scheme.
Risk Management and Health and Safety	Not directly applicable
Equality and Diversity	<p>The public sector equality duty requires decision-makers to have due regard to the need to eliminate unlawful discrimination and advance equality of opportunity right throughout the decision-making process. A full Equality Impact Assessment was carried out prior to the changes that were brought in for the 2023/24 scheme, this is included within Appendix II.</p> <p>As we are not recommending changes to the 2024/25 scheme, an Equality Impact Assessment is not required.</p>
Privacy and Data Protection	All requirements have been adhered to.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Responses from the public consultation 2022
 - Appendix II: Equality Impact Assessment 2022



8 Background Papers

Council Tax Reduction Scheme 2023-24 – Teams site




Appendix I [Responses from Public Consultation]

Swale Borough Council - Council Tax Reduction Scheme 2023/24 Consultation

1. Background to the Consultation

1. I have read the background information about the Council Tax Reduction Scheme: This question must be answered before you can continue.			
Answer Choices		Response Percent	Response Total
1	Yes		99.28% 275
2	No		0.72% 2
		answered	277
		skipped	0

2. Part 1 – The introduction of an Income Grid scheme to replace the current scheme for all applicants of working age

2. Do you agree with introducing an income-based banded discount scheme?			
Answer Choices		Response Percent	Response Total
1	Yes		74.18% 135
2	No		7.69% 14
3	Don't Know		18.13% 33
		answered	182
		skipped	95




3. If you disagree with introducing an income-banded scheme please explain why and what alternative would you propose?			
Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	21
1	Whilst agree with principal of the banded approach, don't feel the content could be simpler or fairer for some people, eh hours worked and initial income disregard is likely to be more financially beneficial to part time workers		
2	It would help if the Swale website's Band classification lined up with the .Gov website classification. The .Gov website says I am band C, I have no clue what that is on the Swale website. The Council should take each household on a case by case basis. Such as in this household I am over 60, on Universal Credit and care for a disabled adult who lives in this house and a separate working adult. In the current set up I pay the majority of council tax out of my Universal Credit while the working adult only pays roughly 30% of the amount.		
3	You say there will be winners and losers, but it is not clear how individual circumstances will affect claims.		

3. If you disagree with introducing an income-banded scheme please explain why and what alternative would you propose?

4	it will depend as my daughters minimum wage went up with everyone elses but because of this her wages went up by £12 a week so we lost the £12 housing benefit we were receiving, if minimum wage goes up you should not lose housing benefit as it is still 'minimum wage'		
5	Should not include personal pension.		
6	Im unsure on how this would impact me		
7	I would like there to be more help for people in full time employment that already pay a large amount of tax		
8	I disagree with introducing an income banded scheme as it is even more open to fraud. Also it is an administrative nightmare. You should make thing simpler and not more convoluted.		
9	The explanation of which band you fall into is not clear. I looked on the web site and could not find any information. Without understanding that, I am unable to take a view as to whether it is fair or not.		
10	Those who work more are continually penalised and those who claim are rewarded by paying less.		
11	I work full-time and why would i want to pay more based on my income when those who not even trying to work will pay as less as.This is a bit unfair.		
12	Uniform payment across property types is more in keeping with equality.		
13	I currently receive 25% discount as a single person having to shoulder the extra expenditure the cost of living crisis is having on my disposable income your changes will be tipping me into poverty. I wouldn't be considered as vulnerable but I do have health conditions that don't qualify me for extra help I have worked for 45 years and don't believe anything I say will make a blind bit of difference to what you will do I just want you to know that those not on benefits are also struggling to manage and don't get anything or any consideration I am now one of the working poor due to the inept government we have Give up some of your expenses don't ask me to pay more		
14	Because people who are working don't get any support on their council tax or discount on their council tax and people who are working will have to pay more money for people who don't work		
15	The value of the property should dictate the amount of council tax not the income.		
16	People go to work and should be credited for going. I understand some people are unable to and these people need support. I work 48hours a week and strive to live comfortably, while I have a mate and his misses earning just as much as me and neitger worked since covid and neither plan to. Under the new scheme they would have a full deduction while I would pay more. It encourages people to live of benefits.		
17	It doesn't seem fair. There is a risk that some people currently receiving help would end up worse off		
18	Lone parent should be where the partner has passed away. Otherwise they should be paying towards the child. All benefits should be considered. If people want to live in a specific area they should be aware of the cost of living and not rely on tax payers		
19	I do not understand what information is being shown in table 1 What are the bands and how are they determined? How is the level of discount determined and by whom? How is the precise level of discount determined as there appears to be a substantial range given within each cell?		
20	Passported cases should be assessed on income too		
21	My wife and I have moved from New Zealand where land size and house value are the basis for council tax. Why would you tax my income twice, as a government council.		
		answered	21
		skipped	256

3. Part 2 - Changing the Non-Dependant deductions.

4. Do you agree with this change to the scheme?

Answer Choices			Response Percent	Response Total
1	Yes		69.14%	112
2	No		11.11%	18
3	Don't Know		19.75%	32
			answered	162
			skipped	115

5. If you disagree please explain why and what alternative would you propose?




Answer Choices			Response Percent	Response Total
1	Open-Ended Question		100.00%	15
1	<p>I agree with keeping deductions at £10 per week for non-dependent working individuals to incentivise work.</p> <p>On that basis I think the non-working non-dependents discount should be removed in order to further incentivise going to work.</p> <p>This way people know if they go to work they will help with earning the discount - rather than giving them a higher discount for staying off work than they already receive</p>			
2	Consider mirroring UC (no deduction if non-dependant is aged under 21).			
3	I do to a degree, however I do believe that an NDD who is disabled and claims PIP/DLA should be exempt - in line with NDD for UC.			
4	The amount from 3. 50 to 5.00 is not simplifying anything. So this is inacrate as a benefit to change.			
5	This is a broad stroke and does not take into considitdon the personal circumstances.			
6	Why encourage people not to work by upping their money			
7	There should always be an incentive for people to work			
8	Everyone should pay council tax - it is a tax on your property. Just lower the council tax in general so more people mange to pay it. Making all those dispensations and giving people Tax Credits is not solving the problem.			
9	Equality			
10	Poll tax comes to mind be prepared for the reaction			
11	Work class don't get anything reduce for them so again we aren't being supported			
12	Things are working well as they are now.			
13	My son is disabled,I am his full time career as everything is getting more expensive I can't see how I will afford yet another increase in my outgoings even if it is a small amount.			
14	Some people can't work due to disabilities.			
15	All I know is. I can't afford to pay the amount already required. With my new mortgage rate, gas and electric that's 80% of our wage. Now that's without food, council tax etc			
			answered	15

5. If you disagree please explain why and what alternative would you propose?

skipped	262
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4. To replace the current earnings disregards and replace them with a standard £25 per week disregard irrespective of the number of hours worked

6. Do you agree with this change to the scheme?




Answer Choices		Response Percent	Response Total
1	Yes		73.72% 115
2	No		8.33% 13
3	Don't Know		17.95% 28
		answered	156
		skipped	121

7. If you disagree please explain why and what alternative would you propose?

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	8
1	Whilst simplifying it is helpful for the council to administer and people to understand, the same amount irrespective of hours worked does seem unfair for workers and not necessarily encourage people to work full time hours as this may not increase their income when taking into account potential benefit income including council tax reduction scheme		
2	You say it incentivises "work", but pays little regard to those unable to increase their levels of work for a variety of reasons.		
3	Why should someone in work benefit more than now? Why should childcare disregards remain? if you have children you should be responsible for paying for childcare, I can't afford for my council tax to be increased to pay more for those in work or who have children. Why should any income be disregarded; HMRC doesn't disregard any of my income where tax is concerned.		
4	this may not take into account personal circumstance which may lead to more hardship practically in the current climate.		
5	For the same reasons as my precious answer.		
6	People who work full time arent getting anything reduce		
7	I don't think its fair for low earners		
8	Lone parents disregard should be higher, in line with universal credit rules regarding working with a child. Larger deductions the younger the child		
		answered	8
		skipped	269

5. Part 4 - To provide additional income disregards for the disabled and carers

8. Do you agree with this change to the scheme?




Answer Choices		Response Percent	Response Total
1	Yes		88.96% 137
2	No		4.55% 7
3	Don't Know		6.49% 10
		answered	154
		skipped	123

9. If you disagree please explain why and what alternative would you propose?

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	4
1	Those claiming P.I.P OR disability allowance should have a standard allowance deducted from council tax support the same as the working but at a lower rate. Reason being those claiming these benefits are better off than those who are working part time hours with extra universal credit income as much as £300 a month without any deductions at all. Part time workers working plus 16 hours or more than £350 per month have 60p deducted per pound earned plus a deduction in council tax support, so it would only seem fair that those who have extra income in disability allowance should have a slight deduction in their council tax support.		
2	More benefits is not the answer, it would be much better to move people with disabilities to homes for disable people where they can be looked after.		
3	Allowances are provided for disabled people. In some cases the income is significantly higher than minimum wage.		
4	People receive benefits as a 'wage' because they cannot work. I do not see why they should then become exempt from paying council tax, especially when benefits always increase with inflation and wages do not.		
		answered	4
		skipped	273

6. Part 5 - The scheme will disregard certain crisis payments paid to taxpayers (Local Welfare Provision)

10. Do you agree with this change to the scheme?

Answer Choices		Response Percent	Response Total
1	Yes		90.26% 139
2	No		1.30% 2
3	Don't Know		8.44% 13
		answered	154

10. Do you agree with this change to the scheme?




	skipped	123
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11. If you disagree please explain why and what alternative would you propose?

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	1
1	I don't see why additional income such as 'crisis payments' should be disregarded as it is still in income into the household. Otherwise people on benefits receive a higher income yet those working stay on the same wage, seems very unfair		
		answered	1
		skipped	276

7. Part 6 - Disregarding emergency increases in national welfare benefits

12. Do you agree with this change to the scheme?

Answer Choices		Response Percent	Response Total
1	Yes 	84.56%	126
2	No 	4.70%	7
3	Don't Know 	10.74%	16
		answered	149
		skipped	128

13. If you disagree please explain why and what alternative would you propose?

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	5
1	If their income is increased then this needs to be taken into account. It should not be down to the people working to have an increase in their taxes and NI to cover an increased income for people on benefits. This is simply making people on benefits more wealthy and actually makes applying for benefits more appealing than working		
2	How can this change ensure no adverse effect when it is at the council's discretion?		
3	Get people of benefits and tax credits by lowering the council tax so they can pay.		
4	increased payments should be considered as income		
5	It's income and should be classed as such		

13. If you disagree please explain why and what alternative would you propose?

answered	5
skipped	272

8. Alternatives to changing the Council Tax Reduction Scheme

14. Please use this space to make any other comments on the proposed scheme.

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	33
1	Apart from the non-dependents discount which I commented on previously the rest of scheme and proposed changes I agree with		
2	The scheme could be simplified further by looking at UC awards and which elements are ignored, only housing costs would appear to be the only applicable element, all others should be considered but be an automatic entitlement to the scheme.		
3	As per usual the terminology used in this consultation is not user friendly		
4	Any changes that reduces administration costs but still continues to support those on low-incomes is in my opinion welcomed.		
5	I am confused with the current scheme as being in band D and a new build our council tax support has constantly changed over the last year and has never been consistent		
6	Make it linked with UC as the constant changing for self employed people put huge strain on planning and paying bills. Emails come in before notification letters. Poor communication		
7	The proposed changes to the scheme appear to make sense.		
8	I believe that the welfare state should help more when people are in a position where they are struggling with their bills, Low earners the elderly and people on benefits require more assistance and its nice to see the council considering less fortunate		
9	Further clarity on individual circumstances would make it easier to make a clear decision one way or another. I don't find the expression "winners and losers" very informative or helpful.		
10	any household in receipt of minimum wage should get some support		
11	Will help personally to people who are disabled		
12	It is sometimes very hard to understand the forms, so any help on making it easier would be very welcome.		
13	Think it would be a good idea to automatically back date working age claims for 3 Months like we currently do for Pension age claims as some people may have never claimed before and would not be aware to put in a claim straight away.		
14	The new system is fairer and less complicated		
15	Surely the aim of any local or National government is to encourage people to work (if they can) and surely if you need more money you work more. Why should those who pay their council tax support people who could work more but choose not to because of a loss in benefits/council tax reduction. By continually supporting people more and more there is no incentive for them to support themselves.		
16	This scheme clearly is more targeted and effective in supporting those most vulnerable.		
17	in general I agree with the proposed scheme however this is in danger of affect some people who make have special circumstances and will need to be assessed separately.		
18	Every support should reach out everyone according everyone's needs		

14. Please use this space to make any other comments on the proposed scheme.

19	By giving people handouts and subsidies you take away their dignity.		
20	It is good to hear that changes would simplify the process of application And administration.		
21	I think there needs to be further investigations, as some people claiming benefits are clearly able to work. Especially if they are doing voluntary work as by doing this they could actually get a part time job and earn some of there own money		
22	These proposals seem to be fair, practical and well thought-through.		
23	Current council tax tariffs is unaffordable to most in the current economic crisis		
24	Simplifying the scheme benefits both claimants and the council: for claimants it is easier to understand and the payment processing time is reduced; for council it will reduce admin costs and reduce stressful work		
25	I agree with supporting lower incomes, however we need to encourage people to work and contribute I don't want the scheme abused - people need to work and contribute like all other working people		
26	I understand that lower income houses need support, however I don't understand how some of these houses on universal credit can afford to put up Christmas lights in November and run them while houses with a decent income are struggling to pay the fuel bills etc. it seems there is so much help out there for 'lower income' households where half of them have undeclared earnings and actually better off than a family with two working parents earning and honest days living!		
27	I think earning a should come into it rather than blanket for all in x situation. We all should contribute something as it pus for important services		
28	Should be changed and supported more people doesn't mean if someone is working more then 16 hours can pay and live on that kind of money,		
29	Benefits should be for those who have hit hard times. Too many people use benefits as a way of life. More people need to be working, benefits are supposed to be a short fix. Too many single parent familes.		
30	You should go ahead. It sounds very sensible.		
31	Increase support for working households and lone parents. Up the earnings threshold for council tax support.		
32	I understand that the scheme needs to be overhauled and made simpler for people to access but that is the job of the ridiculously high paid staff at the council. If their wages were capped then it would be more money to spend on services needed in this county.		
33	Please get a 'plain English' version next time! Much of the language here is Council Speak.		
		answered	33
		skipped	244

15. Please use the space below if you would like the Council to consider any other options (please state).

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	19
1	It would be helpful if it could be calculated for your take home pay. Often us who pay into a pension get no help. Can this be took into consideration		
2	Real Time sharing of data between council and dwp so eligible claimants get an automatic application processed, avoiding the need to make separate application assuming they are made aware of the need to do this at the time they apply for UC etc		

15. Please use the space below if you would like the Council to consider any other options (please state).



3	I would like to see the backdating rules for working age claims brought in line with the same backdating rules as pensioners. Many people that have always worked are not always aware of the Council Tax Scheme, by the time they make a claim for Council Tax Support they are often late and lose benefit through no fault of their own, especially when it takes the DWP at least 6 weeks to process a new claim for Universal Credit. This will help Council Tax payers at a difficult time when they are learning to adjust to being out of work, and will help the collection rate of Council Tax.		
4	I agree with the standard rate for working people as it is confusing on the current scheme.		
5	Check the banding of the property. Some are grossly out of line. I have a 4 bed end of terrace, no drive or garage and I'm on band E. The house I was trying to buy before this one was a five bed end of terrace with garage and was a B. Both in Faversham.		
6	The situation I am in is that I am unable to work due to caring for my 89 year old mother who is bed bound and unable to complete any basic tasks herself. My sister and I had to give up work at the beginning of the pandemic due to risks of transmission to our vulnerable mother, and since this time she has become for more dependant and needs 24 hour care. This is split between my sister and I, undertaking a 24hr on/24hr on system. We are both therefore in receipt of Universal Credit as unable to go out to work, but only I am in receipt of carers allowance as it can only be awarded to one carer, despite the need for a minimum of two. This means that our total house income is pensions for my mother and UC for my sister and I. I sincerely hope that the proposed changes take this into account and we do not lose any of the discount in Council Tax that we currently qualify for, and no increased payment is required.		
7	It would be nice if the council could reduce the council tax a little more for the elderly and people on benefits, particularly the ones who still fall foul of having illnesses but don't qualify for benefits such as PIP, but qualify for Limited capability for work and work-related activity		
8	minimum wage does not allow you to live without struggling so you should still get some housing benefit		
9	I hope these changes do not penalise those who work to help pay benefits to those who do not work		
10	- Lower the council tax, build accommodation for the elderly and the disabled. Do not give preference to single people with a child. Give people their dignity back. Build more affordable houses.		
11	Not enough allowance is given to disabled people or their careers, this needs to be addressed as some careers only receive the careers allowance and nothing else		
12	Reduce the tariff as a palliative		
13	The council should help more with food parcels for the vunarble as many times as they need		
14	Reduction if you have a disabled child		
15	If all household members are out of work, what will Swale do to encourage them back to work. We do not want those who work and don't get any support to have to pay for others, it is not fair		
16	Clamping down on benefit frauds when reported instead of ignoring them!		
17	Remove council tax reductions and make it fairer for all. Work the budget, define the cost per house and then charge it. IF a house has 4 people then a 25% for each is due. If I have single person then 100% is payable. The current model is discriminatory to those working in a family unit.		
18	Eligibility for council tax support outside of vulnerable groups could be provided only if someone has resided in Swale for a significant period of time		
19	I do not believe people should be exempt from paying council tax, a reduction yes but to contribute nothing is wrong.		
		answered	19
		skipped	258

16. If you have any further comments or questions to make regarding the Council Tax Reduction Scheme that you haven't had opportunity to raise elsewhere, please use the space below.

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	13
1	This test is a little wordy and may not be able to be understood by everyone		
2	Use words with meanings that the ordinary person can understand. If you want to keep your writing ' legal ' then add a passage at the end explaining its meaning		
3	Sort out your communication don't email a bill before the letter as to why changes to payments. It puts huge mental health stress on people		
4	Please see above.		
5	Keep up the good work		
6	So many other things the council should do than giving away money and turning people into dependencies of the state.		
7	This document is worded, that the reader knows all about the benefits system. I have no clue. A simple statement as to how it affects single working applicants would have been helpful.		
8	Not applicable		
9	Another stealth rise thanks		
10	It needs to be fair. Too many working families do not get any help at all and they cannot expect those not working to contribute at all		
11	By all means change the scheme, but be more vigilant of who the reduction is going to and whether they actually deserve it....and not add the cost to honest people making sure they pay their bills regardless		
12	It should be changed this as I am lone parent of two and do not qualify for reduce my council tax support as I earn too much but my wages do not cover everything, it should be supported people who work as well		
13	It would have given me more confidence if the opening comments on consultation responses had not given the closing date as Thursday 27 November 2022!!!!!!		
		answered	13
		skipped	264

9. About You

17. Are you completing this form on behalf of an organisation or group?


Answer Choices		Response Percent	Response Total
1	Yes 	2.82%	4
2	No 	97.18%	138
		answered	142
		skipped	135

If yes, please tell us the name of the organisation/group and add any other comments you wish to make.



Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	2
	1 Optivo		
	2 Optivo		
		answered	2
		skipped	275

10. Questions for Individuals



18. Do you live in the Swale Borough Council area?

Answer Choices		Response Percent	Response Total
1	Yes 	100.00%	135
2	No	0.00%	0
		answered	135
		skipped	142



19. Are you currently receiving Council Tax Reduction?

Answer Choices		Response Percent	Response Total
1	Yes 	50.74%	69
2	No 	49.26%	67
		answered	136
		skipped	141


20. Are you or your partner in work or self-employed?

Answer Choices		Response Percent	Response Total
1	Yes 	54.89%	73
2	No 	45.11%	60
		answered	133
		skipped	144




21. Are you liable to pay Council Tax?

Answer Choices		Response Percent	Response Total
1	Yes		94.85% 129
2	No		5.15% 7
		answered	136
		skipped	141





22. Are you currently serving in the Armed Forces?

Answer Choices		Response Percent	Response Total
1	Yes		0.00% 0
2	No		100.00% 134
		answered	134
		skipped	143




23. What is your gender?

Answer Choices		Response Percent	Response Total
1	Male		36.03% 49
2	Female		61.03% 83
3	Non-Binary		0.00% 0
4	Prefer not to say		2.94% 4
		answered	136
		skipped	141





24. What is your age?

Answer Choices		Response Percent	Response Total
1	18-24		0.00% 0
2	25-34		9.56% 13
3	35-44		30.15% 41
4	45-54		18.38% 25
5	55-64		27.21% 37




24. What is your age?

6	65-74		9.56%	13
7	75-84		1.47%	2
8	85+		0.00%	0
9	Prefer not to say		3.68%	5
			answered	136
			skipped	141

25. Disability: Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Answer Choices		Response Percent	Response Total	
1	Yes		28.57%	
2	No		66.92%	
3	Don't know		0.75%	
4	Prefer not to say		3.76%	
			answered	133
			skipped	144

26. Ethnic Origin: What is your ethnic group?

Answer Choices		Response Percent	Response Total
1	Prefer not to say		8.82%
2	White British		83.82%
3	White Irish		0.00%
4	White Gypsy or Irish Traveller		0.00%
5	Any other White background		5.88%
6	Mixed/Multiple ethnic groups - White & Black African		0.00%
7	Mixed/Multiple ethnic groups - White & Black Caribbean		0.00%
8	Mixed/Multiple ethnic groups - White & Asian		0.00%
9	Any other multi mixed background		0.00%

26. Ethnic Origin: What is your ethnic group?

10	Asian or Asian British Pakistani		0.00%	0
11	Asian or Asian British Indian		0.00%	0
12	Asian or Asian British Bangladeshi		0.00%	0
13	Asian or Asian British Chinese		0.00%	0
14	Any other Asian background		0.00%	0
15	Black African		0.74%	1
16	British Caribbean		0.00%	0
17	Black British		0.74%	1
18	Any other Black background		0.00%	0
			answered	136
			skipped	141

27. Other ethnic group?

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	2
1	White USA		
2	Why is White Irish identified as a separate group to White British?		
		answered	2
		skipped	275

Appendix II [Equality Impact Assessment]

Community Impact Assessment

A Community Impact Assessment (CIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making.

When to assess

A CIA should be carried out when you are changing, removing or introducing a new service, policy or function. The assessment should be proportionate; a major financial decision will need to be assessed more closely than a minor policy change.

Public sector equality duty

The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:

- 1) Eliminate discrimination, harassment and victimisation;
- 2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- 3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These are known as the three aims of the general equality duty.

Protected characteristics

The Equality Act 2010 sets out nine protected characteristics that apply to the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

We also ask you to consider other socially excluded groups, which could include people who are geographically isolated from services, with low literacy skills or living in poverty or low incomes; this may impact on aspirations, health or other areas of their life which are not protected by the Equality Act, but should be considered when delivering services.

Due regard

To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.

How much regard is 'due' will depend on the circumstances and in particular on the relevance of the aims in the general equality duty to the decision or function in question. The greater the relevance and potential impact, the higher the regard required by the duty. The three aims of the duty may be more relevant to some functions than others; or they may be more relevant to some protected characteristics than others.

Collecting and using equality information

The Equalities and Human Rights Commissions (EHRC) states that 'Having due regard to the aims of the general equality duty requires public authorities to have an adequate evidence base for their decision making'. We need to make sure that we understand the potential impact of

decisions on people with different protected characteristics. This will help us to reduce or remove unhelpful impacts. We need to consider this information before and as decisions are being made. There are a number of publications and websites that may be useful in understanding the profile of users of a service, or those who may be affected.

- The Office for National Statistics Neighbourhoods website <http://www.neighbourhood.statistics.gov.uk>
- Swale in 2011 http://issuu.com/swale-council/docs/key_data_for_swale
- Kent County Council Research and Intelligence Unit http://www.kent.gov.uk/your_council/kent_facts_and_figures.aspx
- Health and Social Care maps <http://www.kmpho.nhs.uk/health-and-social-care-maps/swale/>

At this stage you may find that you need further information and will need to undertake engagement or consultation. Identify the gaps in your knowledge and take steps to fill these.

Case law principles

A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- The general equality duty is not a duty to achieve a result, it is a duty to have due regard to the need achieve the aims of the duty.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

Examples of case law can be found here [EHRC relevant case law](#). They include examples of why assessing the impact **before** the decision is made is so important and case law around the need to have due regard to the duty

Lead officer:	Zoe Kent
Decision maker:	Council
People involved:	Zoe Kent
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	<ul style="list-style-type: none"> • This is a localised scheme that the Borough is required to put in place to give financial assistance towards Council Tax to those residents on a low income. • The Council is required to review this scheme each year and to either maintain or replace the scheme before 11 March of the any financial year.
Date of decision: The date when the final decision is made. The CIA must be complete before this point and inform the final decision.	18 January 2023
Summary of the decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>What are the aims and objectives?</p> <ol style="list-style-type: none"> 1. To provide support to low income working age households in respect of their Council Tax 2. In the case of pension age applicants, the scheme provides support in line with the Governments Prescribed Requirements as laid down by the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 as amended. <p>What are the key actions?</p> <ul style="list-style-type: none"> • Providing a scheme that supports those claimants on a low income • Putting into place a scheme that does place an onerous financial burden on the authority which could put other services provided by the Borough at risk. • Continuing to design and deliver services to meet the needs of vulnerable customers • Consider user feedback, engagement and consultation when designing the scheme <p>What are the expected outcomes?</p> <p>To put in place a scheme that balances the needs of low income applicants for Council Tax Reduction against the budget requirements of the Borough.</p> <p>Who will be affected?</p> <p>Working age residents who are on a low income who apply for help towards their Council Tax. This covers all areas of the Borough but particularly those who live in deprived areas.</p> <p>How many people will be affected?</p> <p>6,063 working age claimants will be affected by the changes to the scheme (9.21% of all Council Tax account holders).</p>

Information and research:

- Outline the information and research that has informed the decision.
- Include sources and key findings.
- Include information on how the decision will affect people with different protected characteristics.

The Council is required to review its Council Tax Reduction scheme for working age each year. The Council is keen to consider altering the current scheme for several reasons:

- The cost of administering the scheme is increasing. This is primarily due to inbuilt complexities in the current scheme – for example every time an applicant’s income changes, their case must be reassessed, and their award must be reprofiled.
- Universal Credit (UC) is undoubtedly a contributing factor to this, especially for claimants who are in employment. Applicant’s’ UC is recalculated every month which can generate new files for the council to process. For applicants receiving fluctuating wages, this means they receive a revised award every month and, therefore, a revised council tax bill, which is costly to administer and deliver.
- This reprofiling of payments also creates a high level of uncertainty for customers. Payments made by customers can be delayed because of the requirement to give 14 days’ notice, meaning customers do not have the opportunity to apportion their remaining council tax payments over as many instalments. On average 40% of UC claimants have between eight and twelve changes in entitlement each year. These changes result in amendments to council tax bills, the re-calculation of instalments, delays, and resetting of recovery arrangements.
- Universal Credit claimants often fail to claim Council Tax Reduction because of the belief that they have claimed it as part of the UC process, leading to a loss of financial support to those most in need.
- The administration of the current scheme is complex, with staff having to request significant amounts of information from applicants. This means the timescales for processing applications is lengthy, mainly due to the complexity and evidence required to support the applications. A simplified scheme will allow the possibilities of awards being automated, resulting in a prompt award of support, so meeting customers’ need for real-time changes to their bill according to changes in their circumstances.
- Above all, the cost of administering the scheme remains high, whilst customer satisfaction is reducing as customers are often confused by the nature and regularity of correspondence they receive and are less able to budget/manage their money based on fluctuating awards.

In view these issues, it is proposed that an alternative approach be adopted from 1 April 2023. The approach has been to fundamentally redesign the scheme to address the issues with the current scheme, in particular:

- The targeting of support available to the poorest households;
- The customer experience;
- The problems with the introduction of full-service Universal Credit;

- The significant increase in administration costs due to the high level of changes received in respect of Universal Credit.

Scope of the Community Impact Assessment

The following identifies the potential impact on working age applicants and particularly groups of applicants.

It should be noted that pension age applicants will continue to be protected under the rules prescribed by Central Government. These broadly replicate the council tax benefit scheme, which existed prior to 1 April 2013.

In relation to equalities, Central Government has not been prescriptive in how it does this, but points to the Council's existing responsibilities including the Child Poverty Act 2010, the Disabled Person Act 1986, and the Housing Act 1996, as well as the public sector equality duty in section 149 of the Equality Act 2010.

The Council has given consideration to the effects of the options on working age applicants, in particular, vulnerable groups.

Disability

Working age applicants with disabilities continue to make up a high proportion of the caseload at 11%. Working age applicants with disabilities will in the main be treated more favourably than other working age applicants on the basis that:

- Disability benefits will be disregarded in the assessment of weekly income; and
- Further disregards will be granted in line with the amounts that would have been granted as premiums under the current scheme.

Age

The proposed changes affect working age households only and pension age applicants will continue to receive support under the Government's prescribed scheme.

Carers

There is a higher proportion of applicants with a carer in the household, than the population generally overall (16%).

Working age applicants with a carer in the household will be treated more favourably within the scheme, on the basis that both they and any disabled persons being carers for will have amounts disregarded from their income when calculating the level of Council Tax Reduction.

Gender

Females continue to make up a high proportion of the caseload at 63%. Although, there is a difference between the average amounts females and males receive per week, this is due to factors relating to circumstances which directly affect the calculation of council tax reduction, and is not linked to a applicant's sex directly.

Ethnicity
The proposed scheme makes no reference to ethnicity and treats all working age applicants equally.

Other protected characteristics
The proposed scheme makes no reference to the following protected characteristics and treats all working age applicants equally.

- Religion or belief
- Sexual orientation
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity

Actions to mitigate any identified impacts
The Council has an Exceptional Hardship Scheme; the design of this allows any applicant to apply for additional support. It examines their overall circumstances, examining both income and expenditure with a view to determining whether exceptional hardship exists.
Under the scheme, applicants will potentially be able to receive additional support up to the full level of their Council Tax.

Consultation:

- Has there been specific consultation on this decision?
- What were the results of the consultation?

Yes, in line with statutory requirements.
The major preceptors were consulted on the changes to the scheme. No comments were received from any of the major preceptors against the changes to the scheme.

The results of the public consultation can be found in:

- Appendix I: Consultation with the public

A full analysis is provided in the appendices.
In the case of all consultees, there was an overwhelming agreement to change the scheme.
In relation to the public consultation the following results were achieved:

Question	Yes %	No %	Don't know %
The introduction of an Income Grid scheme to replace the current scheme for all applicants of working age?	74.18	7.69	18.13
Changing the Non-Dependant deductions.	69.14	11.11	19.75
To replace the current earnings disregards and replace them with a standard £25 per week disregard irrespective of the number of hours worked	73.72	8.33	17.95

		To provide additional income disregards for the disabled and carers	88.96	4.55	6.49
		The scheme will disregard certain crisis payments paid to taxpayers (Local Welfare Provision)	90.26	1.30	8.44
<ul style="list-style-type: none"> ▪ Did the consultation analysis reveal any difference in views across the protected characteristics? ▪ Can any conclusions be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Those with a protected characteristic continue to be protected under the scheme.</p> <p>The scheme will continue to protect working age applicants who are disabled, have disabled partners or children or who are carers.</p> <p>Other protected characteristics such as:</p> <ul style="list-style-type: none"> ▪ Religion or belief; ▪ Sexual orientation; ▪ Gender reassignment; ▪ Marital or civil partnership status; or ▪ Pregnancy or maternity <p>Are not affected by the changes or the scheme in general.</p>				

Is the decision relevant to the aims of the equality duty?	
Guidance on the aims can be found in the EHRC's PSED Technical Guidance .	
Aim	Yes/No
1) Eliminate discrimination, harassment and victimisation	Yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	No

Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.		
When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.		
Characteristic	Relevance to decision High/Medium/Low/None	Impact of decision Positive/Negative/Neutral
Age	Medium	Neutral
Disability	Medium	Neutral
Gender reassignment	None	Neutral

Marriage and civil partnership	None	Neutral
Pregnancy and maternity	None	Neutral
Race	None	Neutral
Religion or belief	None	Neutral
Sex	None	Neutral
Sexual orientation	None	Neutral
Other socially excluded groups ¹	Low	Negative

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see PSED Technical Guidance). <p>Advise on the overall equality implications that should be taken into account in the final decision, considering relevance and impact.</p>	<p>Summarise this conclusion in the body of your report</p> <p>We have considered how all groups with protected characteristics will be affected by the scheme. As part of our consultation, we asked responders their gender, age ethnicity, whether they considered themselves disabled and whether they claimed Council Tax Reduction.</p> <p>A breakdown of how they responded to the options is available in Appendix II</p> <p>As the Council continues to provide the same maximum level of support, notwithstanding the change in scheme design, the adverse impact on individuals is relatively small</p> <p>This position is clearly supported by a majority of consultation responses, including those from current Council Tax Reduction recipients.</p>
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Timing

- Having 'due regard' is a state of mind. It should be considered at the inception of any decision.
- Due regard should be considered throughout the development of the decision. Notes should be taken on how due regard to the equality duty has been considered through research, meetings, project teams, committees and consultations.
- The completion of the CIA is a way of effectively summarising the due regard shown to the equality duty throughout the development of the decision. The completed CIA must inform the final decision-making process. The decision-maker must be aware of the duty and the completed CIA.

Full technical guidance on the public sector equality duty can be found at:

http://www.equalityhumanrights.com/uploaded_files/PSD/technical_guidance_on_the_public_sector_equality_duty_england.pdf

This Community Impact Assessment should be attached to any committee or SMT report relating to the decision. This CIA should be sent to the Website Officer (Lindsay Oldfield) once completed, so that it can be published on the website.

¹ Other socially excluded groups could include those with literacy issues, people living in poverty or on low incomes or people who are geographically isolated from services

Action Plan

Issue	Action	Due date	Lead Officer	Manager	Lead Member
Review of new scheme	The Council will continue to review the scheme throughout 2023/24	2023/24	Zoe Kent	Lisa Fillery	Cllr. Baldock

Actions in this action plan will be reported to the CIA group once a quarter, so updates will be required quarterly.

Policy and Resources Committee	
Meeting Date	18 October 2023
Report Title	Constitution amendment: Various
EMT Lead	Robin Harris – Monitoring Officer
Head of Service	
Lead Officer	
Classification	Open
Recommendations	<p>Policy and Resources committee is asked to:</p> <ol style="list-style-type: none"> 1. Agree the amendments at Appendix I and recommend to council their incorporation into the constitution.

1 Purpose of Report and Executive Summary

- 1.1 This report introduces a number of changes to the constitution to correct errors, provide clarity and generally improve the document. The report asks to Policy and Resources committee to recommend the amendments to council for adoption.

2 Background

- 2.1 Council voted unanimously in October 2021 to move to a committee system of governance from the 2022/23 municipal year. At the same meeting, council requested the cross-party working group which had been established to consider this governance change to continue its work in overseeing the detail of the new constitution. Following the election in May 2023 there are changes in membership of the working group, which now comprises Cllrs Baldock (chair), Palmer, Gibson, Harrison, Bowen, Whiting, Perkin and Lehmann.
- 2.2 Since May 2023, the group had not met, but a number of issues with the constitution had been raised with the Monitoring Officer, which were logged. The working group then met at the beginning of October 2023 to review the issues log. The group proposes to meet monthly for the rest of the year to consider the issues log and any other pertinent matters.
- 2.3 It is inevitable when setting out to draft a new constitution that once adopted, over time, errors will be noted and the opportunity arises to put in place improvements and learnings. The amendments proposed, as set out in Appendix I have been raised as issues because they are either in error, could have greater clarity, make decisions more robust and improve efficiency.

3 Proposals

- 3.1 The constitution working group reviewed the proposals in appendix I and were satisfied that the amendments to the constitution should be made.
- 3.2 Appendix 1 details the proposals and the reasons for the proposal.
- 3.3 The Policy and Resources committee is now **recommended** to agree the proposed amendments at Appendix I and recommend them to council for adoption into the constitution.

4 Alternative Options Considered and Rejected

- 4.1 The Committee could not make the proposed amendments, but this is not recommended as errors would remain and improvements would not be made.

5 Consultation Undertaken or Proposed

- 5.1 The cross-party constitution working group has given detailed consideration to the proposed amendments set out at Appendix I. Specific points discussed and agreed by the group are highlighted in Section 3 above. Consultation has also taken place with the officers, who are responsible for administering the work in the areas affected.

6 Implications

Issue	Implications
Corporate Plan	Adoption of improvements to the constitution and the removal of errors support the fourth corporate priority of renewing local democracy and making the council fit for the future.
Financial, Resource and Property	No direct implications identified at this stage.
Legal, Statutory and Procurement	The Council is required to have a constitution.

Crime and Disorder	No direct implications identified at this stage.
Environment and Climate/Ecological Emergency	
Health and Wellbeing	
Safeguarding of Children, Young People and Vulnerable Adults	
Risk Management and Health and Safety	
Equality and Diversity	
Privacy and Data Protection	

7 Appendices

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

- Appendix I: Proposed amendments

8 Background Papers

8.1 There are no background papers

Amendment 1

Finance procedure rules (relates to member expenses) Proposed amendments in red and underlined

Part 5 Member's allowances scheme

4. Travel Allowances

4.1 Councillors will be entitled to claim reasonable travel costs in respect of approved duties specified in Schedule 2 to this scheme and approved attendance at conferences/seminars. Where mileage or expenses are claimed this must be by the shortest available route or on the most economic fare. Distances and fares may be checked. Excessive claims can be rejected. Where a route which is not the shortest route is taken this must be justified within the claim and supported with evidence for example where a road was closed. Councillors cannot claim for expenses that they might alternatively claim from their business or employer. Claims for travel expenses outside of the borough will be only be considered for travel on council business and with reference to Schedule 2.

SCHEDULE 2 (~~Executive Minute No. 722/2/06 and Council Minute No. 765(iii)/3/06 refer~~)

1. Councillors are entitled to claim for the attendance at meetings properly called to transact any functions or duties of the Council of which the Councillor is a member or to which he/she is required to attend in order to assist the Committee/Panel/Working Group in its deliberations. (This would include for example, if invited to the Service Committee as a witness). (~~Minute No. 860/1/93 refers~~).
2. Allowances will also be paid for site visits arranged by the Service Committees, a Committee, Panel, or Working Group of the Council. (~~Minute No. 880(3)/1/99 refers~~)
3. Also as an approved duty for payment of travel and subsistence allowances, is the attendance of meetings on the Approved Duties List. (~~Minute No. 709/12/94 refers~~). The approved list comprises of the list of outside body appointments.
4. Chairmen and Spokespersons may claim for attending Chairman's Briefings, or meetings with Officers in connection with a matter relating to their Committee, subject to them being pre-arranged.
5. Members may claim for attendance at meetings with Management Team and Heads of Service, which have been pre-arranged.
6. Members may claim for attendance at Member Briefings or training events organised by the Council, or at Conferences, if their attendance has been approved by the Chief Executive in consultation with their Group Leader.
7. In the case of meetings that are not covered under this scheme, the Chief Executive and the Head of Legal Partnership have delegated authority to determine whether it is an approved duty. Members are asked to seek advice before attending such events.
8. Councillors are not eligible to claim for attendance at political group meetings or for attending parish council meetings in their ward.
9. Councillors are not able to claim for home to work mileage or commuting to work. (This is due to HMRC rules.) Where a Councillor attends a meeting which is on their way home from work, the additional mileage incurred in attending ~~Swale House~~ may be claimed.

Reason: To provide greater clarity as to what can be claimed for travel.

Amendment 2

Licensing Issue: (Section to be removed in red and underlined)

Within

PART 2 – RESPONSIBILITY FOR FUNCTIONS

Part 2.4 “Other Committees”

Part 2.4.3 “Licensing Committee”

Under the heading “General Licensing Matters”

Paragraph xiii , on page 16

Description of proposed change:

To remove the following paragraph

To consider enforcement action against Hackney Carriage and Private Hire Vehicle Operators under the Local Government Miscellaneous Provisions Act 1976 and Town Police Clauses Act 1984;

Reason, including referenced documents/acts, for proposed change:

1. The paragraph incorrectly refers to a piece of legislation (the Town Police Clauses Act is from 1847 not 1984)
2. The paragraph references a non-existent concept “a hackney carriage operator”
3. The ability to consider enforcement action against Private Hire Vehicle Operators is dealt with later in the constitution at para 2.4.3.2 which delegates individual licensing decisions to the Licensing Sub Committee.
4. The Council’s Licensing Policy indicates that enforcement against operators will be dealt with by the Licensing Sub Committee, so this paragraph should be removed for consistency

Amendment 3

Homelessness issue: (Proposed amendment in red and underlined)

Delegations to the Head of Housing and Community Services

2.8.18.20 To adopt the power given in the Localism Act 2011 to discharge Homelessness Duty into the Private Rented Sector.

2.8.18.21 To implement the provisions of Part VII of the Housing Act 1996 (as amended) in relation to processing and determining all homeless applications.

2.8.18.22 To implement the provisions contained in the Homeless Reduction Act 2017 in relation to the prevention and relief of homelessness

2.8.18.23 To contract out the homelessness review functions under Section 202 of the Housing Act 1996 (as amended)

Reason: More robust decision making.

Amendment 4

Head of Policy Delegations (~~Deleted post – remove~~)

Customer Services

2.8.13.1 To provide the frontline service for all residents contacting the Council using varying methods of communication and multiple locations.

2.8.13.2 The development of the Council’s Customer Charter, Complaints Strategy and procedures.

~~Move to next available delegations for Director of Regeneration and Neighbourhoods~~

Corporate Strategy and Communications

2.8.13.3 To produce and publish publicity and information material.

2.8.13.4 To manage and co-ordinate press and media relations.

2.8.13.5 To issue press statements following discussion with the relevant Committee Chair, and where appropriate other involved Members.

2.8.13.6 To co-ordinate consultation on behalf of the Council.

~~Move to next available delegations for Chief Executive~~

Reason: Deleted post and reallocation of delegations

Amendment 5

Quasi-Judicial issue: (~~Proposed amendments in red and underlined~~)

3.1.39 Planning Committee Procedure Opening the meeting

3.1.39.1. The Chair will introduce themselves and explain that this is a Planning Committee meeting to be conducted in accordance with the Council’s Constitution (including the Procedure Rules) which is available on the Council’s Website.

3.1.39.2. The Chair will remind those present that the meeting ~~has a quasi-judicial role and~~ determines the rights and obligations of the applicant.

Also:

Social Media policy:

Bias and pre-determination. Members of ~~quasi-judicial regulatory~~ committees should avoid publishing anything that might suggest you don’t have an open mind about a matter you may be involved in determining.

Reason: Quasi-judicial isn’t the correct term, in the strict legal sense.

Amendment 7

Head of Planning delegations: (to add)

What we are looking to introduce under the Head of Planning Delegations is :-

“To authorise the Head of Legal Partnership to delegate all Legal work in exercising all functions relating to public rights of ways (including the creation, stopping up and diversion of footpaths, bridleways and restricted byways).”

Reason: To allow legal services to deal with instructions from SBC Planning on all Public Footpath matters, including stopping up/extinguishment Orders under s.118 & S.119 of the Highways Act 1980. This improves the robustness and efficiency of decision making.

Amendment 8

Audit issue: (Proposed addition in red and underlined)

Update Part 1 of the constitution to state whether the council have resolved to have an overview and scrutiny committee and make clear how scrutiny is embedded in the committee system model.

1.4 The Committee System

1.4.1 The Council operates a ‘committee system’ form of governance. This means that decisions are made by Full Council or delegated to Committees, Subcommittees and Officers. Full Council is the meeting of all 47 Councillors and Full Council is ultimately responsible for the exercise of all functions and certain matters are expressly reserved to be taken by a meeting of the Full Council.

1.4.2 The Council does not have an overview and scrutiny committee. In the committee system a cross section of administration and opposition members are involved in the decision-making process and therefore hold the administration to account on their policies as they proceed through the committee system.

Reason: Audit request.

Policy and Resources Committee	
Meeting Date	18 October 2023
Report Title	Local Plan Review – Next Steps
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
SMT Lead	Joanne Johnson Head of Regeneration, Economic Development and Property and Interim Head of Planning
Lead Officer	Jill Peet Planning Policy Manager
Recommendation	1. That Council defer a decision as to a timescale for the future stages of the Local Plan Review until such time as the national planning landscape is clearer, but independent of this process, proceed to develop the evidence base regarding local development need and potential, with this process to be wholly reflective of local circumstance rather than central targets.

1 Introduction

- 1.1 The purpose of this report is to take stock of the options for moving forward with the Local Plan Review (LPR). An earlier version of this report has been presented to the Planning and Transportation Policy Working Group and a summary of their discussion is contained within section 5. Each of the identified options have pros and cons and these are set out in this report. Setting the direction of travel for the LPR is important to determine next steps and members of the Working Group were asked to indicate their preferred option so that a recommendation could be made to this committee.
- 1.2 The decision will form the basis for determining next steps for the LPR and whether a revised Local Development Scheme (LDS) should be prepared.
- 1.3 Officers sought to identify a full range of potential options for review, within the constraint that Local Plans, if they are to be given any weight in determining planning applications, must be prepared within the statutory and regulatory framework of the English planning system.

2 Background

Plan-led system

- 2.1 Local Plans are part of the development plan for an area. The development plan is the system of statutory planning documents against which planning applications will be determined. The government sets out that Local Plans are the key to delivering sustainable development that reflects the vision and

aspirations of local communities. The Swale Borough Council LPR will be the most important planning document for the borough, setting out the vision and overall strategy for the area and how it will be achieved.

- 2.2 Local Plans are the main vehicle for delivering the spatial elements of a corporate plan and secure delivery of development needs, including the broad range of infrastructure with both a strategic and local nature. Some infrastructure provision sits outside of the planning system, e.g. the servicing of new homes with water, sewerage and power. The companies that provide these utilities are statutorily obliged to provide that infrastructure in their capacity as statutory undertakers. Direct arrangements are made by the developer with the providers under separate legislation.
- 2.3 Recent events have demonstrated the vulnerability of water supply and quality in the borough. Although the provision of safe, clean water is a matter for the relevant providers, the south east is an area of water stress and the Council is already engaged in doing all it can to ensure water infrastructure is fit to serve both existing and future communities. Along with Water Cycle Study evidence that will be prepared, the Council will continue to explore activities to secure the water quality and supply to meet local needs.
- 2.4 The current Local Plan for Swale is Bearing Fruits 2031, adopted in July 2017. It was resolved that the Council would start the LPR right away, with the expectation it would be adopted by July 2022. A change of political administration in May 2019 brought a change of direction for the LPR. Good progress has been made since this time with a series of formal consultation stages, and the evidence needed to support the LPR is largely up-to-date (i.e. less than 2 years old). Appendix I of this report contains a list of evidence completed and underway since July 2017.

How local plans are prepared

- 2.5 Local Plans can only be adopted if there is a minimum of 15 years of the plan period left to run. For this reason, the plan period for the LPR should be to 2040 because it is unlikely a plan could be progressed to examination stage and found sound and adopted before the end of 2025. 2022 is the base date because that is the fifth year from adoption of Bearing Fruits. Local plans should be reviewed every five years and they are deemed out-of-date once they hit the fifth anniversary of their adoption.
- 2.6 All Local Plans must have regard to national policy and guidance, and compliance with national policy is a key test of soundness for local plans. Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. As such, planning law gives great importance to up-to-date adopted Local Plans because England has a plan-led system.
- 2.7 Despite having a plan-led system, it is notoriously complex and slow to progress a local plan to adoption. The average amount of time to prepare a local plan from

start to finish is seven years. Successive governments have tried to streamline and speed up the process. The current government are seeking to do this through the Levelling Up and Regeneration Bill and through changes to existing policy and regulation, for example the National Planning Policy Framework (NPPF).

2.8 The costs associated with the preparation of the Local Plan vary from year to year depending on the stage of the process. As a result, the Council commits an annual budget of £120,000. Any underspend is placed into the Local Plan reserve fund. If the Local Plan costs for that year exceed the annual budget, resources from the reserves can be drawn down to cover those costs. The costs of the specialist evidence needed does vary depending on the topic area covered and in some years the quantity of evidence that needs to be prepared would result in needing to increase the annual budget with funds from reserves. The Examination Stage is also a time of greater spend, with fees to cover the Planning Inspector typically costing £80,000.

2.9 The table below sets out the process and broad timelines for preparing a Local Plan. In practice, evidence gathering, and engagement tends to be ongoing throughout the process. Examination Stage begins once a plan is submitted to the Secretary of State. The Sustainability Appraisal (SA) sits alongside the plan, and both informs and assesses the content of the Local Plan.

Evidence gathering and engagement	→	Issues and Options (Regulation 18)	→	Preferred Option/ Draft Plan (Regulation 19)	→	Examination	→	Adoption
Ongoing and varies depending on the specifics of the evidence being prepared		No minimum statutory consultation period but usually 6 weeks		Statutory consultation period minimum 6 weeks		Approx. 12 months from submission of Plan to Secretary of State to receiving final inspector's report		If main modifications are required, further consultation (6 weeks minimum) is needed before the Council can adopt the Local Plan
		Including time needed to prepare documents for consultation, 4 to 5 months minimum		Including time needed to prepare documents for consultation and other key items, 9 months minimum		Examination formally starts on the day of submission. Depending on the issues, examination takes around 12 months		Depending on main modifications, 3 months minimum needed for this final stage.

2.10 Once the Planning Inspectorate (PINS) is satisfied a Local Plan has been prepared in accordance with the legal and procedural requirements, the submitted plan is assessed against the four soundness tests set out in paragraph 35 of the NPPF. These are:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

Infrastructure Delivery Plan (IDP)

- 2.11 A key component of a Local Plan is the Infrastructure Delivery Plan (IDP) although this is more of a 'living' document because of the need to draw in information from third parties such as the education authority and the Integrated Care Board. It also needs to be updated throughout the process to ensure the most up-to-date position is recorded. Through the development management process, the Council collects developer contributions for health, education, open space provision, libraries, social care, etc as well as for transport and travel improvements.
- 2.12 The IDP shows where the strategic infrastructure is needed and how, where and when it will be delivered. Using the example of school provision, the Local Plan enables new schools to be provided in the right locations with appropriate phasing to serve new (and existing) communities. Infrastructure delivery outside of the Local Plan is more likely to be piecemeal. As noted in 2.2 above, some infrastructure is delivered outside of the planning system.
- 2.13 Healthcare provision is the responsibility of the Integrated Care Board (ICB) and NHS England. Through a planning application, primary care health provision capacity is considered by the ICB and they will identify nearby projects. The developer contribution for that healthcare provision is then provided to the ICB to deliver that additional provision. In the same way as education, the planning system is an enabler to provision, but it is ultimately for the ICB and NHS England to ensure delivery. A collaborative and strategic approach through the LPR enables more robust delivery of healthcare facilities.

Swale Borough Local Plan Review

- 2.14 The Council resolved ([minute 44](#)) to commence a review of the adopted Local Plan (Bearing Fruits), in July 2017.
- 2.15 Work has been ongoing since that point with the last formal consultation taking place in October 2021 with a further [Regulation 18 consultation](#). A subsequent Regulation 19 consultation had been planned to take place in October - December 2022. In the lead up to this time, the future of planning policy, at national level, was being greatly debated, and in particular the much-anticipated NPPF consultation promised in the summer of 2022 had not been forthcoming. This created considerable uncertainty to the degree that there was a risk of abortive work and the Council missing out on being able to tap into emerging new policy that could be beneficial to Swale. As a result, the Council took stock and Policy and Resources Committee decided on 19 October 2022 that it would postpone formal consultation stages until after the NPPF consultation.

- 2.16 The NPPF consultation was eventually published in December 2022 for twelve weeks with the final version due to be published in “spring 2023”. At the time of writing this report, the revised NPPF is still not forthcoming. The proposed changes, if they are included within the final version, will have an impact on how the Council might consider identifying its target housing number. The final version may also include what might constitute “exceptional circumstances” for not meeting the full national government-set Local Housing Need (LHN) within an area. At the July 2023 LGA conference, Michael Gove confirmed that the NPPF would be published at the same time the Levelling-Up and Regeneration Bill (LURB) gains Royal Assent. There is no confirmed date for this, although estimates suggest November this year.
- 2.17 Should members decide to proceed with a Local Plan review, the Planning and Transportation Policy Working Group will be the vehicle that discusses and reviews relevant items and will make recommendations to Policy and Resources committee. Policy and Resources Committee will be the decision-making body.
- 2.18 Local Plan evidence prepared / in production is provided in Appendix I. The current focus is the Housing and Employment Land Availability Assessment (HELAA). This is a significant piece of work which involves both a high level and more detailed assessment of all available land promoted for development. Local Planning Authorities also have a duty to identify land and there are over 300 sites currently being assessed. This work will identify the deliverable capacity for development for the period to 2040. As with all evidence, officers will present reports to the Working Group who will have the opportunity to question and discuss the findings.

Local Housing Need for Swale

- 2.19 Applying the Standard Method to calculate Local Housing Need (LHN) results in an annual figure of 1,086 dwellings. The current standard method for calculating LHN includes an affordability uplift capped at 40%. As Swale figures now include the maximum affordability cap, the number of 1,086 is only likely to increase if the standard method itself is changed. The NPPF requires Local Plans to have a minimum of 15 years left to run from their adoption date. Depending on the steer from members, adoption would be likely in 2025. Consequently, it would be prudent to extend the plan period to 2040. The start date is already fixed at 2022 (since this was the designated end date of the current Local Plan). This means the LPR will cover 18 years and this timeframe will be used when reviewing and preparing evidence. Calculating the LHN is a different matter because we will be required to calculate for the remaining years of the plan period from when the plan is submitted for examination. This would mean a plan figure of approximately 17,376 dwellings (16 x 1,086). On top of that, LPAs are expected to apply a “buffer” usually between 10% to 20%. A 10% buffer would take that figure up to 19,114 dwellings. We would then subtract the number of unimplemented allocations within the adopted Local Plan along with unimplemented planning permissions where it can be demonstrated that these sites are deliverable. This is difficult to predict because the situation depends on planning activity over coming months and years.

- 2.20 If the council decides to progress with the LPR, it is likely to be under the Levelling Up and Regeneration Bill (LURB) transitional arrangements. This means that the LPR would progress under the current system but would need to address many of the new requirements set out in the awaited version of the NPPF. Where plans are prepared under transitional arrangements, these are usually set out in specific regulations.
- 2.21 Whilst the proposed changes in the consultation version of the NPPF may appear to give Swale Borough Council some flexibility to reduce the housing numbers, it is clear that any unmet need would remain our responsibility and we would need to demonstrate we had done everything possible to accommodate that need within the borough, and failing that, to get neighbouring authorities to take our unmet need. The mechanism for agreeing to share unmet need is through Duty to Cooperate (DtC). Demonstrating meaningful DtC on strategic and cross-boundary issues is a significant requirement and will be assessed in the initial stages of Examination. To date, there are no examples of sound plans where unmet need is not addressed by the local authority.

Options for consideration

- 2.22 Given the number of new members on Full Council, the change of administration and the situation with the Levelling-Up and Regeneration Bill (LURB), a discussion around options for the Local Plan Review is intended to reaffirm or to adjust the October 2022 decision. This report sets out options and the advantages and disadvantages of each.
- 2.23 Within the context of a plan-led system, and the need to work within that system, the options available are set out as follows:
- i. **Actively choose not to proceed with the Local Plan Review until such time as greater clarity is available regarding the national policy framework.** Many LPAs across the country have called time on or delayed their local plans. The planning reforms first set out in the Planning White Paper in August 2020 have been delayed repeatedly. A case could be made for not progressing with an LPR at Swale.
 - ii. **Choose not to proceed with any formal stages of the Local Plan Review until the government publishes a national policy framework members can support but continue to develop the evidence base.** Work on the LPR would continue in a technical sense but it would not be the main priority for the Planning Policy team, focussing on other areas such as supporting Development Management or producing a Design Code for the borough.
 - iii. **Actively proceed with the Local Plan Review, aiming to meet the Local Housing Need (LHN) figure in full.** Continue with preparations for the LPR aiming to meet the full housing needs quantum currently set by government.

- iv. **Actively proceed with the Local Plan Review, aiming to meet a lower, evidenced number.** An alternative but evidenced number could be lower than the government target. The rationale for a lower figure would need to be evidenced to make this a workable option in light of the legislative and regulatory framework within which local plans are prepared and adopted.
- v. **Explore options to produce a joint plan with neighbouring authority/ authorities.** This would be along similar lines to the structure plans produced by county councils until the late 1990s. The housing numbers would be the same but shared across the partner authority areas.

2.24 The table below identifies the pros and cons of each option within the context of the legislative and regulatory framework within which Local Plans are prepared and adopted.

Option	Advantages	Disadvantages
<p>i. Actively choose not to proceed with the Local Plan review until such time as greater clarity is available regarding the national policy framework</p>	<ul style="list-style-type: none"> • Avoids costs associated with preparing and reviewing evidence • Avoids challenges around trying to create consensus, particularly in relation to housing numbers and locations for development • De-risks developing a Local Plan without being fully cognisant of the national policy context • Could focus resources to other areas such as producing Design Codes or assisting Development Management with cases. • Create more capacity within the policy team to assist colleagues with speculative planning applications and appeals 	<ul style="list-style-type: none"> • A Local Plan is the statutory tool for assessing planning applications and without it, there is a policy void • Runs the risk of intervention whereby DLUHC will take over plan making duties for Swale • Invites speculative development because local policies such as settlement boundaries have no weight where the Local Plan is out of date • Potential reputational damage to the Council because it is not discharging its duties • Speculative development adds considerable pressure to officer resource (in terms of appeals, and places financial pressure on the authority in terms of related appeals costs). • Unplanned development delivers piecemeal infrastructure missing opportunities to deliver more comprehensive and strategic infrastructure provision.

ii. Choose not to proceed with any formal stages of the Local Plan Review until the government publishes a national policy framework we can support but continue to develop the evidence base	<ul style="list-style-type: none">• Reduces the risk of DLUHC intervention because work is continuing• Avoids some costs associated with preparing evidence (as we could develop only the evidence we see as adding the most value rather than the full suite that would be needed to progress the LPR at full tilt)	<ul style="list-style-type: none">• A Local Plan is the statutory tool for assessing planning applications and without it, there is a policy void• Runs the risk of intervention whereby DLUHC will take over plan making duties for Swale• Invites speculative development because local policies such as settlement boundaries have no weight where the local plan is out of date• Potential reputational damage to the Council because it is not discharging its duties• Speculative development adds considerable pressure to officer resource (in terms of appeals, and places financial pressure on the authority in terms of related appeals costs).• Unplanned development delivers piecemeal infrastructure missing opportunities to deliver more comprehensive and strategic infrastructure provision.
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iii. Actively proceed with the Local Plan Review, aiming to meet the LHN figure in full	<ul style="list-style-type: none">• Greatest potential for delivering a sound Local Plan as this aligns with central government expectations• As an up-to-date plan has primacy in determining planning applications, the Council would be in the strongest position to reject speculative development applications• Avoids the risk of abortive work around a lower housing target (if a change of government or policy reverses the potential increased discretion around local target-setting mooted in the LURB)	<ul style="list-style-type: none">• National policy picture is a constantly moving feast. Recent consultations have been plentiful but the timescales for introducing final versions remain unknown. As such, there is uncertainty around how any changes would impact the LPR approach.• Considerable objection from our communities around the quantum of development• Concerns about the ability to deliver the required quantum of development and the negative impacts that will have on treasured assets• Viability issues and existing infrastructure deficits (particularly regarding health care infrastructure) means there is lack of confidence from our communities that new development will yield the infrastructure needed
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<p>iv. Actively proceed with the LPR, aiming to meet a lower, evidenced number</p>	<ul style="list-style-type: none"> • Existing infrastructure less likely to be further overstretched by a lower number at both the local level and regarding acute healthcare that is provided outside of the borough (e.g. hospital treatment and waiting times) • Potentially a more palatable housing number for our communities • Robust evidence that demonstrates an alternative number will provide certainty for communities and developers • Supports good placemaking by ensuring the LPR does not become ‘a numbers game’ • The emerging HELAA could provide the robust evidence as it looks at development capacity within the Borough and could be a more appropriate starting point than the Standard Method for calculating Local Housing Needs • Offers an improved ability to reflect and deliver new Corporate Plan objectives 	<ul style="list-style-type: none"> • Risks around abortive costs as lower targets will increase the risk of the plan being found ‘unsound’ – whilst the door is opened to lower targets, this would need to be stringently evidenced. • Risk of challenge from developer community, including judicial review • Any lower housing target would need to be stringently evidenced. (Officers could not be asked to develop a Local Plan which was not evidenced, as this would conflict with the RTP1 code of conduct) • Reduced ability to deliver significant infrastructure, with less evidence of a critical mass of demand • Would need to secure agreement with neighbouring authorities to take our unmet need (and this is likely to be challenging).
<p>v. Explore options to produce a joint plan with neighbouring authority/ authorities</p>	<ul style="list-style-type: none"> • Could deliver more cohesive development for the north Kent area • Potential to deliver significant local and sub-regional infrastructure • Could enable a reduction in Swale-specific housing target if neighbouring authorities can accommodate commensurate growth 	<ul style="list-style-type: none"> • Appetite across Kent unlikely • Needs complete buy-in across all authorities involved • Political or circumstantial changes during Plan development could affect any interim agreements.

3. Proposals

- 3.1 Members of the Planning and Transportation Policy Working Group discussed the options set out above. The consensus of the group was to recommend to Policy and Resources Committee a hybrid work programme of options, deferring any decision as to a timescale for the future stages of the Local Plan Review until such time as the national planning landscape is clearer, but independent of this process, proceeding to develop the evidence base regarding local development need and potential, with this process to be wholly reflective of local circumstance rather than central targets.
- 3.2 This decision will form the basis for determining next steps for the LPR and whether a revised Local Development Scheme (LDS) should be prepared.

4 Alternative Options Considered and Rejected

- 4.1 There are five options overall in relation to next steps for the LPR and these have been fully discussed by the PTPWG. The proposed option is considered a pragmatic approach most likely to deliver a sound Local Plan.

5 Consultation Undertaken or Proposed

- 5.1 The Local Plan Review itself will continue to be subject to public consultation. The timescales for Local Plan production are a matter for the Local Development Scheme (LDS) which is prepared by officers and agreed by members before publication.
- 5.2 The Planning and Transportation Policy Working Group discussed an earlier version of this report and considered the options. Points raised include:
- Support progressing with the Local Plan Review because of the advantages an up-to-date local plan brings
 - Pro-active and ongoing engagement with infrastructure providers is necessary and supported, especially where this ensures the timely provision of utilities and other infrastructure as part of the work of the Infrastructure Delivery Plan (IDP) that is prepared alongside and is integral to the LPR
 - We should engage more fully with local communities to take them with us regarding potential allocations. Housing numbers and allocations (whatever they are) are unlikely to be embraced and there are difficult decisions to be made
 - Concerns that national policy goalposts will continue to move and the certainty needed will not be forthcoming
 - Intervention from DLUHC is unlikely given the number of delayed local plans across the country
 - Given the constraints within the planning system, the preferred options for now should be to actively progress with the LPR, aiming to meet an *evidenced* number.

- The Housing and Employment Land Availability Assessment (HELAA) will identify capacity for development in the borough and will be key to determining an evidenced housing number
- Option v (for a joint plan with neighbouring authorities) should be left on the table but is unlikely given where other LPAs are with their own plans
- Resources are tight in the planning policy team with vacancies and diversion of staff to support planning appeals

5.3 Members of the PTPWG concluded that a hybrid of options should be recommended to Policy and Resources Committee. The approach would defer any decisions as to a timescale for future stages of the Local Plan Review until such time as the national planning landscape is clearer, but independent of this process, proceeding to develop the evidence base regarding local development need and potential, with this process to be wholly reflective of local circumstance rather than central targets. The remaining options were unlikely to be in the best interests of the Borough or represent good value for money and so were discounted.

6. Implications

Issue	Implications
Corporate Plan	The LPR is responsible for delivering the spatial elements of the corporate plan, i.e. Objectives 1, 2 and 3.
Financial, Resource and Property	The LPR is prepared in line with existing resources
Legal, Statutory and Procurement	Preparation of a Local Plan is carried out under a national legislative and regulatory framework.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making
Health and Wellbeing	None identified at this stage
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.

Privacy and Data Protection	None identified at this stage.
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7. **Appendices**

7.1 Appendix I: Evidence for the LPR

8. **Background Papers**

8.1 None

Appendix i: Evidence for the Local Plan Review

Doc ref	Document Title	Date	Purpose	Web link
039	Housing and Employment Land Availability Assessment	TBC	<ul style="list-style-type: none"> Identify available land for development within the borough to meet future development needs 	
038	Whole Plan Viability Assessment	TBC	<ul style="list-style-type: none"> Update of the 2020 Viability evidence to determine the value in land across the borough and determine the viability of policy options and choices for the LPR 	
037	Employment Land Review	TBC	<ul style="list-style-type: none"> Update of 2018 study to determine the future economic land needs of the borough 	
036	GTAA	TBC	<ul style="list-style-type: none"> Update of future Gypsy and Traveller accommodation needs and also needs of Travelling Show People 	
035	Water Cycle Study	TBC	<ul style="list-style-type: none"> Assessment of sustainable water quality and resources across the borough 	
034	Strategic Housing Market Area Assessment	TBC	<ul style="list-style-type: none"> Update of 2020 study to determine future housing needs for the borough in terms of type, size and tenure 	
033	Sustainability Appraisal (scoping report)	TBC	<ul style="list-style-type: none"> Provide an update of the sustainability criteria against which the LPR should be measured 	

Doc ref	Document Title	Date	Purpose	Web link
032	Strategic Flood Risk Assessment	TBC	<ul style="list-style-type: none"> Update of previous study to take into account latest data and information 	
031	Built Sports Facilities Study	TBC	<ul style="list-style-type: none"> Update of the requirements of Built Sports Facilities in the future across the borough 	
030	Swale Retail & Leisure Needs Assessment - 2023 Retail Capacity Update	December 2022	<ul style="list-style-type: none"> Update of retail needs assessment published in 2018/19 	Swale_Retail_Leisure_Needs_Assessment_2023_WEB.pdf
029	Local Green Spaces	February 2021	<ul style="list-style-type: none"> Assessment of proposed and designated LGS 	Local Green Spaces.pdf (swale.gov.uk)
028	Sustainable Design and Construction Standards	January 2021	<ul style="list-style-type: none"> Recommendations to inform policy to deliver sustainability standards in buildings and deliver zero carbon by 2030 	Square Gain Policy Recommendations table FINAL January 2021.pdf (swale.gov.uk)
027	Swale Important Local Countryside Gap Study	January 2021	<ul style="list-style-type: none"> Review of land around Faversham and Teynham to identify 'gap' designations to safeguard the open and undeveloped character and to guard against coalescence 	McAfee Web Gateway - Notification (swale.gov.uk)
026	Local Plan viability study	December 2020	<ul style="list-style-type: none"> To determine the value in land in the borough and the viability of development To set out the costs of policy choices in relation to viability for new developments and the 	180504 Report Template V24 (swale.gov.uk)

Doc ref	Document Title	Date	Purpose	Web link
			delivery of new infrastructure such as affordable housing, BNG etc.	
025	Air Quality Monitoring Report	December 2020	<ul style="list-style-type: none"> Assess impacts of potential local plan site allocations on air quality in the borough 	Final Air Quality Modelling Report for Swale LP December 2020.pdf
024	Swale Biodiversity Baseline Report	October 2020	<ul style="list-style-type: none"> Baseline assessment of the biodiversity in Swale in relation to meeting our duties under the Environment Act 	Biodiversity Baseline Study.pdf (swale.gov.uk)
023	Swale Green and Blue Infrastructure Strategy	September 2020	<ul style="list-style-type: none"> identify and guide opportunities for a greener, healthier, more biodiverse and prosperous Swale. 	Swale GBI Strategy
022	Swale Borough Settlement Hierarchy	August 2020	<ul style="list-style-type: none"> Analysis of the centres across the borough to identify their place in the settlement hierarchy 	Settlement Hierarchy Study 2020.pdf (swale.gov.uk)
021	Sequential Test (flooding)	May 2020	<ul style="list-style-type: none"> Analysis of sites that are at risk of flooding Ranking of sites in terms of flood risk 	Sequential Test 2020.pdf (swale.gov.uk)
020	Swale Borough Local Plan Review: Transport Modelling Evidence	June 2020	<ul style="list-style-type: none"> Assessment of development impacts on traffic and transport across the borough 	Appendix I Swale Local Plan Model Rerun Summary Report_draft .pdf
019	Swale Housing Market	June 2020	<ul style="list-style-type: none"> Analysis of housing needs in the borough and what future needs 	Housing Market Assessment for Swale.pdf

Doc ref	Document Title	Date	Purpose	Web link
	Assessment (SHMA)		should be addressed in policies and proposals in the LPR	
018	Strategic Housing Land Availability Assessment (SHLAA)	May 2020	<ul style="list-style-type: none"> Assessment of land availability within the borough to meet future development needs 	McAfee Web Gateway - Notification (swale.gov.uk)
017	Strategic Flood Risk Assessment	March 2020	<ul style="list-style-type: none"> Assessment of flood risk from all sources across the borough 	Planning and Regeneration – Strategic Flood Risk Assessment Completed (swale.gov.uk)
016	Swale Heritage Strategy	January 2020	<ul style="list-style-type: none"> Heritage Strategy to inform policies in the LPR 	Heritage and landscape – Swale’s Heritage Strategy
015	Swale Landscape Sensitivity	November 2019	<ul style="list-style-type: none"> Analysis of land parcels most vulnerable to development pressure for their sensitivity to change in landscape terms Informs suitability of potential development sites in terms of the impact development would have on the landscape 	Swale Landscape Sensitivity Assessment
014	Open Space and Built Facilities Strategic Needs Report	February 2019 (reported November 2019)	<ul style="list-style-type: none"> Specialist technical report to identify future needs for open space and built facilities at a strategic level Informs open space and built facilities standards to support future development (policy requirement) 	ADD CLIENT ORGANISATION (swale.gov.uk)
013	Strategic Flood Risk Assessment Level 1 (SFRA)	November 2019	<ul style="list-style-type: none"> Specialist technical assessment of flood risk from all sources at a strategic level 	JBA Consulting Report Template 2015 (swale.gov.uk)

Doc ref	Document Title	Date	Purpose	Web link
			<ul style="list-style-type: none"> Informs whether or not more detailed flood risk assessment work is needed at a site specific level (sequential test) 	
012	New Garden Communities Assessment of Stage 2 submissions	October 2019	<ul style="list-style-type: none"> Specialist technical assessment of the risks, opportunities and uncertainties associated with the four submitted garden communities in Swale Informs strategic development options and allocations to deliver sustainable development 	Appendix I – PBA REPORT 2nd stage assessment Sept 2019.pdf (swale.gov.uk)
011	Swale Highway Model: Local Plan future testing scenario report	May 2019	<ul style="list-style-type: none"> Specialist technical report to assess the capacity within Swale of the road network and the potential impacts of new development. Informs strategic development options and allocations to deliver sustainable development 	Appdx 1 Local Plan Scenario Testing 20may19.pdf (swale.gov.uk) Appdx II Swale LMVR v9.14 4jul18.pdf
010	New Garden Communities Assessment of Submissions	February 2019	<ul style="list-style-type: none"> Specialist technical report to assess the submissions received in response to a 'call for sites' for potential NGCs. Informs strategic development options and allocations to deliver sustainable development. 	Meeting Title: (swale.gov.uk)

Doc ref	Document Title	Date	Purpose	Web link
009	Strategic Future Needs Assessment	February 2019	<ul style="list-style-type: none"> Assessment of future needs for open space and Built Leisure Facilities 	ADD CLIENT ORGANISATION (swale.gov.uk)
008	Retail and Leisure Needs Assessment	December 2018	<ul style="list-style-type: none"> Specialist technical report to identify future retail and commercial leisure needs Informs allocations and policy to support our town centres and to deliver retail and leisure floorspace needs and to deliver sustainable development. 	Microsoft Word – Retail Leisure Needs Assessment – Rev 3 – 01.03.19 (swale.gov.uk) Retail Leisure Needs Assessment – Appendix 2- Final Issue 22.2.19 A.pdf (swale.gov.uk)
007	Gypsy and Traveller and Travelling Show People Accommodation Needs Assessment	November 2018	<ul style="list-style-type: none"> Specialist technical report to identify future accommodations needs for Gypsies, Travellers and Travelling Show People Informs allocations and policy to deliver this specialist accommodation, ensure statutory obligations are met and to deliver sustainable development 	Appendix I – Gypsy and Traveller Accommodation Assessment.pdf (swale.gov.uk)
006	Open Space and Play Strategy (2018 – 2022)	2018	<ul style="list-style-type: none"> Assessment of the future needs of the borough for open space and play to inform standards for future provision in LPR policies and proposals 	untitled (swale.gov.uk) ADD CLIENT ORGANISATION (swale.gov.uk)
005	Landscape Designation Review	November 2018	<ul style="list-style-type: none"> Technical assessment of landscape across the borough to 	Swale Local Landscape Designations

Doc ref	Document Title	Date	Purpose	Web link
			identify landscape of highest local value	
004	Employment Land Review	August 2018	<ul style="list-style-type: none"> Specialist technical report identifying future needs for employment land in the borough Informs allocations for employment land and policies to deliver sustainable development and support job creation 	Swale ELR v3 28Aug18 format.pdf
003	Scoping Report for the Swale Borough Local Plan Sustainability Appraisal	July 2018	<ul style="list-style-type: none"> Suggested scope for the SA that considers and communicates likely effects of a draft plan and alternatives Provides the checks and balances to the whole process to ensure sustainable development is delivered 	Chris McNulty Report Sustainability Appraisal for the Swale Borough Local Plan 2018-05-31
002	Strategic Development Options prospectus	Spring 2018	<ul style="list-style-type: none"> Call for submission of strategic sites for consideration as a way to deliver the future development needs of the borough 	Local Plans - Strategic Development Options (formerly known as New Garden Communities) (swale.gov.uk)
001	Swale Borough Council: Choices for Housing Growth	February 2018	<ul style="list-style-type: none"> Report on high level strategic options for housing growth for Swale Local Plan Review. General evidence report to identify potential development options based on capacity 	Swale Borough Council Choices for housing growth

Policy and Resources Committee	
Meeting Date	18 October 2023
Report Title	Partnership working with the Environment Agency on the delivery of the Medway Estuary and Swale Coastal Flood Risk Management (MEAS) Programme
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Regeneration, Economic Development and Property, Interim Head of Planning
Lead Officer	Anna Stonor, Senior Planner
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the proposed approach regarding partnership working on the MEAS; and 2. To agree that the Council join the Partnership

1 Purpose of Report and Executive Summary

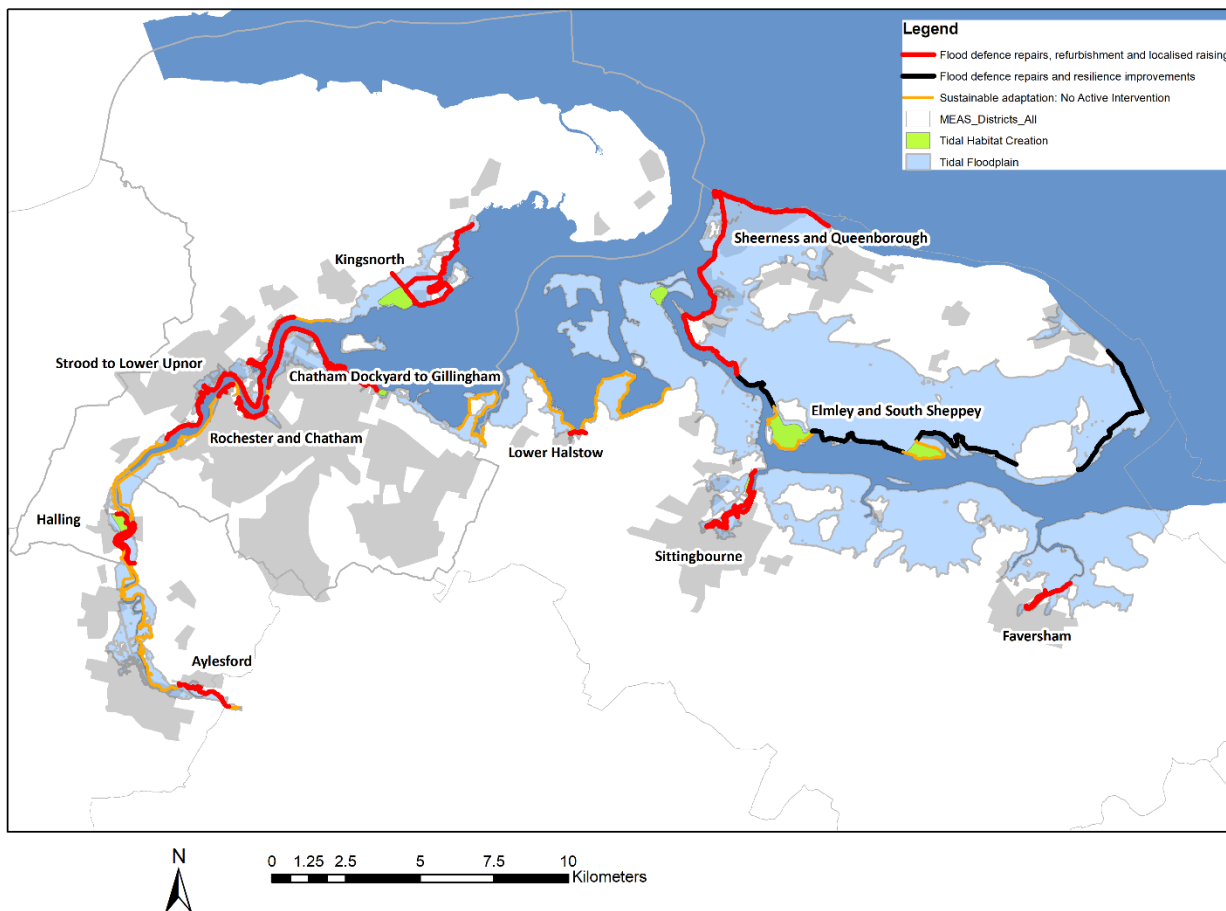
- 1.1 The Medway Estuary and Swale Strategy (MEAS) was approved by Defra in 2019. As a strategy it seeks to: reduce flood and erosion risk to properties and infrastructure around the Swale and Medway Estuaries; maintain the integrity of the Natura 2000 sites (Special Areas of Conservation and Special Protection Areas) sites and contribute to wider sustainability objectives.
- 1.2 The purpose of this report is to set out the proposal for partnership working between the Environment Agency and Swale Borough Council on the delivery of the first 10 years of the Medway Estuary and Swale Strategy.
- 1.3 The proposed Partnership with the Environment Agency will also include Medway Council and Tonbridge & Malling Borough Council as well as Kent County Council and Natural England.
- 1.4 Planning and Transportation Policy Working Group members reviewed an earlier version of this report on 19th September 2023 and supported the recommendations.

2 Background

- 2.1 Many areas around the Medway Estuary and Swale are low-lying and at significant risk of flooding. Due to ageing flood defences, rising sea-levels and climate change, this risk will increase over the next 100 years, putting approximately 18,000 properties, over 10,000 hectares of agricultural land and key infrastructure at an increased risk of tidal flooding. Furthermore, much of the area is also nationally and internationally designated habitat, which will be lost as

sea levels rise and ‘squeeze’ it against the existing defences. In addition, where new sustainable flood defence lines are created through the MEAS schemes, existing habitat designations will need to be carefully managed and compensated for within the strategic area. The MEAS seeks to address these risks in a sustainable way by implementing the recommendations set out in the MEAS Strategy.

- 2.2 The Environment Agency are now working on the delivery programme for the first 10 years of the Strategy and are seeking partnership with organisations such as Swale Borough Council, Medway Council and Tonbridge and Malling Council, Kent County Council, and Natural England to ensure a comprehensive and collaborative approach is taken.
- 2.3 The Environment Agency have business case approval for £14.5m for 18 projects (see Appendix I) across the Partnership area and are now working on developing detailed options.
- 2.4 The map below shows the projects to be progressed within the first 10 years of MEAS implementation. This work will reduce risk to 7,200 properties and create 224 hectares of compensatory intertidal habitat.



- 2.5 Within Swale the first projects of the 10 year plan are schemes for Sheerness & Queenborough and Elmley & South Sheppey. Following on from these initial

projects will be schemes for Sittingbourne, Faversham, Lower Halstow and Tailness.

- 2.6 The Environment Agency are at the Developing Partnership Stage of the MEAS and are seeking to work with Swale Borough Council. The Planning Policy and Engineering teams at Swale Borough Council have held initial meetings with the Environment Agency and recommend continuing this engagement.
- 2.7 The Environment Agency and the Planning Policy team are keen to integrate the MEAS programme aims with the local plan to ensure a joined-up policy approach to coastal and estuary flood and erosion risk. Additionally, working with Medway Council and Tonbridge and Malling Council as well as others will enable the development of agreed principles and approaches to development, and ensure consistency and fairness across the strategy area. Furthermore, working in partnership will also lead to efficiencies by sharing resources and information.
- 2.8 The costs of the MEAS are not yet fully established (this work is ongoing). Funding for the MEAS is likely to come from a variety of sources including from national Government but also potentially from development contributions. It is thus vital that the Planning Policy team is engaged in this project.
- 2.9 There will be a resource implication (officer time) in engaging in this partnership with the EA, but it is considered that the benefits in terms of supporting sustainable development and partnership working outweigh the costs.
- 2.10 The Terms of Reference with the Environment Agency are not yet agreed but the Planning Policy team can expect to have an input. For instance, it is likely to include an agreed mechanism for the Environment Agency to secure developer contributions. Also, it is envisaged that an appropriate policy should be included in the Local Plan which requires new development in relevant locations to contribute to MEAS. The justification will be that such developments will benefit from flood protection to utility infrastructure and local services upon which they will depend.

3 Proposals

- 3.1 To note the proposed approach regarding partnership working on the MEAS
- 3.2 To agree that the Council join the Partnership.

4 Alternative Options

- 4.1 The alternative to supporting this partnership with the EA would be to 'do nothing' i.e. not support the EA. This would negatively impact not only sustainable development across the Medway Estuary and Swale but also the reputation of the Council and is not recommended.

5 Consultation Undertaken or Proposed

- 5.1 No formal consultation has taken place, but internal officer discussions within Planning Services and with the Engineering Teams and external officer meetings with the Environment Agency and Medway Council have taken place.
- 5.2 Planning and Transportation Policy Working Group members reviewed an earlier version of this report on 19th September 2023 and supported the recommendations.

6 Implications

Issue	Implications
Corporate Plan	The proposals will help to deliver Objective 2 of the Corporate Plan: Investing in our environment and responding positively to global challenges.
Financial, Resource and Property	The proposals will require officer input from time to time as the work progresses and this can be met within existing resources. This is likely to include developing a consistent mechanism for how Section 106 monies may be identified and used as contribution to relevant MEAS schemes.
Legal, Statutory and Procurement	None identified at this stage
Crime and Disorder	None identified at this stage
Environment and Climate/Ecological Emergency	Collaborative working will help to secure delivery of the key projects identified in the MEAS and deliver the environmental benefits identified in the report.
Health and Wellbeing	Collaborative working to secure delivery of the key projects identified in the MEAS will reduce flood risk to homes and communities within the identified area. This will yield wellbeing benefits
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage
Risk Management and Health and Safety	Improves the safety of the homes currently identified at risk in the MEAS and provides flood protection to local services, utilities and transport infrastructure, upon which the whole community, including new development, will be reliant.
Equality and Diversity	None identified at this stage

Privacy and Data Protection	None identified at this stage
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7 Appendices

Appendix I – List of 18 projects mentioned in 2.3 above

- MEAS North Medway – Kingsnorth Tidal Defences
- MEAS North Medway – Abbots Court Tidal Habitat Creation
- MEAS Medway Towns – Strood to Lower Upnor Tidal Defences
- MEAS Medway Towns – Rochester and Chatham Tidal Defences
- MEAS Medway Towns – Chatham Dockyard to Gillingham Tidal Defences
- MEAS Upper Medway – Halling Tidal Defences
- MEAS Upper Medway – Aylesford to Wouldham Tidal Defences
- MEAS Medway Towns – Danes Hill Tidal Habitat Creation
- MEAS Medway Marshes – Riverside Country Park Tidal Defences
- MEAS Medway Marshes – Lower Halstow Tidal Defences
- MEAS Medway Marshes – Tailness Tidal Habitat Creation
- MEAS Milton Creek – Kemsley Tidal Habitat Creation
- MEAS Milton Creek – Sittingbourne Tidal Defences
- MEAS Faversham Creek – Faversham Tidal Defences
- MEAS South Sheppey – Spitend Tidal Habitat Creation
- MEAS South Sheppey – South Sheppey Tidal Defences
- MEAS South Sheppey – Roundfields Tidal Habitat Creation
- MEAS Sheerness – Sheerness and Queenborough Coastal Defences

8 Background Papers

None

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Policy and Resources Committee	
Meeting Date	18 October 2023
Report Title	Kent County Council's Enhanced Partnership, Local Focus Group
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Regeneration, Economic Development and Property and Interim Head of Planning
Lead Officer	Emma Wiggins, Director of Regeneration and Neighbourhoods
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To agree the setting up of a Local Focus Group (LFG) as part of KCC's Enhanced Partnership hierarchy 2. To agree that the LFG reports to the Planning and Transportation Working Group (PTWG) with the Chair and Vice Chair of PTPWG attending the LFG, and representatives from each of the four Area Committees.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out details of the KCC Enhanced Partnership (EP) and the ask from KCC to set up a Local Focus Group (LFG) as part of its hierarchy (Appendix I).

2 Background

- 2.1 KCC used to manage and run Quality Bus Partnerships (QBPs) in each district. These consisted of KCC and Swale Borough Council (SBC) members, KCC and SBC officer reps, and the commercial bus operators in Swale. They were used to raise local issues, discuss planning applications that may have impact and any highway and / or parking related items. Whilst it was not a statutory requirement, it was resourced and administered by KCC. These meetings ceased to exist when Government started development of its National Bus Strategy.
- 2.2 In March 2021, Government launched its National Bus Strategy which was the blueprint nationally to help improve infrastructure, bus travel, air quality and so forth. £3 billion of funding was allocated and each area had to respond very quickly by developing a Bus Service Improvement Plan (BSIP). KCC sought input from districts (Swale did respond) and submitted its plan to Government with an ask of £230 million across the county for various scheme improvements.
- 2.3 In April 2022, KCC received an indicative allocation of £35 million from the Department of Transport (DfT). This was very prescriptive and mainly for capital schemes. There was no revenue funding allowed to keep existing projects going.

The influence that districts can have over the BSIP and any spend of the funding is limited. Projects have already been identified by KCC in the BSIP.

- 2.4 KCC received £19m at the end of March 2023 to deliver a reduced set of initiatives within its BSIP. This included £100k of fare initiatives that were delivered over the summer county wide (e.g. Big Kent Weekend) and also £2.5m of network improvements.
- 2.5 In July 2023, KCC were told they had received a further £16m to deliver BSIP initiatives for 2024/25. At the time of writing DfT had not released the Terms and conditions and as such KCC have not been able to accept the grant.
- 2.6 As part of the funding, Government requires that each area (KCC) set up an Enhanced Partnership (EP). This is a statutory Board, without which KCC will not receive their funding. KCC have established their EP Board which is chaired by the Cabinet Member for Highways and Infrastructure at KCC. It is an officer-led meeting, high level and strategic. There are no representatives from districts. The bus operators do have representatives (including Chalkwell).
- 2.7 There are also EP Scheme Monitoring Groups set up for East Kent, West Kent and Kent Thameside. Swale is part of East Kent and has one place at that meeting. They are still developing and haven't met consistently as yet. KCC run and manage these meetings and it is anticipated these will run twice a year. They will be the group that monitors the schemes in that area linked to the BSIP.
- 2.8 EP Scheme Monitoring Groups will be high level and as such will not cover any local district issues. KCC feel that this will leave a gap. To fill that gap, KCC are suggesting EP Local Focus Group (EP LFGs) meetings be set up in each district. They are happy to send representatives but cannot resource it like they used to for the QBP and so are asking districts to set up and resource them. These are not a statutory requirement of the hierarchy.
- 2.9 KCC envisage that the EP LFGs are a replacement for the previous QBP meetings in that they are a way of local issues from the bus companies being raised. The idea would be that they are held every six months and be informal. A standard agenda would include local bus network issues and aspirations, planning and development updates, parking enforcement issues and any other items for Swale such as active travel and air quality. Representatives at these meetings will be district councils (leading and chairing the meetings), KCC Public Transport, KCC Planning and Transport Development, Primary Bus Operators, and district council officers from planning, parking, active travel, environmental health. They would be operational, and officer-led.
- 2.10 To date, the set-up of LFGs across districts has been mixed. Maidstone, Canterbury and Tunbridge Wells have set up EP LFGs, whilst others have not.
- 2.11 The work so far to develop the Corporate Plan has included asking Area Committees their priorities. One such issue raised is bus infrastructure in the borough and the need for it to be improved. Should the Administration choose to

include lobbying for infrastructure in its Corporate Plan, the LFGs could be a way to raise issues to KCC, and lobby for investment in Swale.

- 2.12 Having an LFG also allows the bus operators the opportunity to raise local issues, particularly with regard to planning applications and improving infrastructure in the borough.
- 2.13 As it stands, Swale Borough Council (SBC) does not have an obvious resource that has 'buses' in its remit, so agreeing to set up the EP LFG would need to be considered in that context. A recent example was the bus consultation the Eastern Area Committee requested and an officer in the ED team has been tasked to do this as a 'one off'. This report is being discussed at the September meeting.
- 2.14 Should the setup of LFG be agreed, it is proposed that this is kept high level, twice a year and managed by the Director of Regeneration and Neighbourhoods chairing and coordinating the group. KCC would lead on the updates on the BSIP at the forum. SBC would be a conduit, or enabler bringing partners together as opposed to leading or delivering any work directly. Then the resource pressure it is believed would be manageable. All attendees would be actively made aware, and reminded, of SBC's restricted role.
- 2.15 Given the interest locally in bus infrastructure, it is proposed that issues to be raised are requested from each Area Committee prior to the LFG, with feedback at each Area Committee after the LFG has met (twice-yearly).
- 2.16 Given the focus on infrastructure in the BSIP, it is proposed that the PTWG is the conduit for any feedback into the council. It is proposed that the Chair and Vice Chair of the PTWG attend the LFG as member representation, as well as representatives from each Area Committee who can provide local voice.
- 2.17 It should be recognised that there may be other links into other committees given the wider agenda e.g. environmental improvements, community bus schemes etc. these issues will be monitored and linked in accordingly.

3 Proposals

- 3.1 To agree the setting up of a Local Focus Group (LFG) as part of KCC's Enhanced Partnership hierarchy.
- 3.2 To agree that the LFG reports to the Planning and Transportation Working Group (PTWG) with the Chair and Vice Chair of PTWG attending the LFG, and representatives from each of the four Area Committees.

4 Alternative Options

- 4.1 Not to set up an EP LFG. This is not recommended as whilst this is an addition to current workload, given it is a meeting twice a year it is felt that this can be

accommodated. Having a local group in the hierarchy will show our willingness to work with KCC and the BSIP, even if this is limited.

5 Consultation Undertaken or Proposed

- 5.1 Discussions have taken place with KCC about these proposals.
- 5.2 A conversation has taken place with the CEX of Chalkwell who is keen that a LFG is established in Swale. He sits on the EP Board.
- 5.3 Planning and Transportation Policy Working Group members reviewed an earlier version of this report on 19th September 2023 and supported the recommendations.

6 Implications

Issue	Implications
Corporate Plan	Links to Priority Two, investing in our environment and responding positively to global challenges by encourage active travel and reduced car use, including through the permeability of new developments, and work with partners to address air quality issues.
Financial, Resource and Property	KCC have £35m for their BSIP across the county. It is not clear how much of that will benefit scheme in Swale specifically as funding is high level eg new EV fleet across the county. Officer resource/ time every 6 months to manage and attend meetings.
Legal, Statutory and Procurement	There is not statutory requirement to set up EP LFGs, but the EP at KCC level is a statutory requirement No other implications identified at this stage.
Crime and Disorder	None identified at this stage
Environment and Climate/Ecological Emergency	Environmental improvements from electric fleet introductions will help with reducing carbon emissions. This would be county wide. Improving air quality seen as a requirement in the BSIP.
Health and Wellbeing	The knock on effects from improved air quality impacts on health and wellbeing.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage

Risk Management and Health and Safety	None identified at this stage
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

7 Appendices

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

- Appendix I: EP Structure

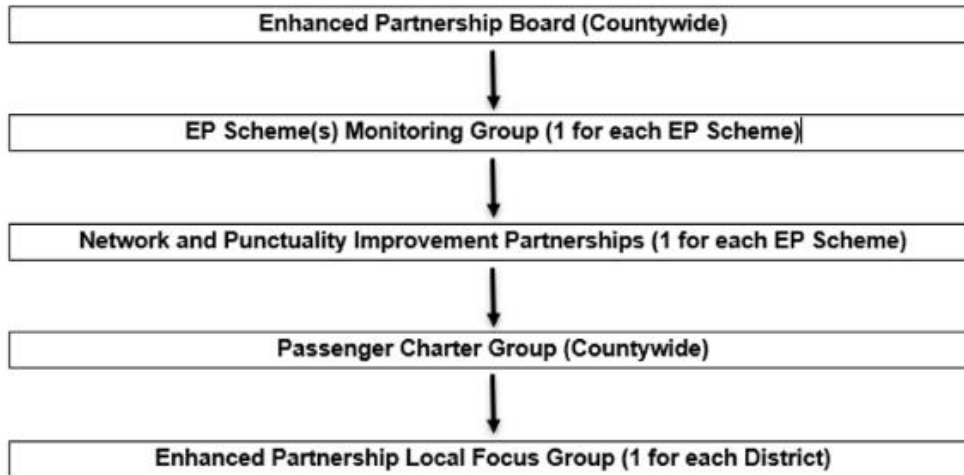
8 Background Papers

None

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Appendix I: Kent's Enhanced Partnership Structure

Meeting Hierarchy



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Policy and Resources Committee	
Meeting Date	18 October 2023
Report Title	Bredgar Conservation Area review
EMT Lead	Emma Wiggins - Director of Regeneration & Neighbourhoods
Head of Service	Joanne Johnson – Head of Regeneration, Economic Development and Property and Interim Head of Planning
Lead Officer	Jhilmil Kishore - Senior Conservation & Design Officer (Projects)
Classification	Open
Recommendations	1. Members are asked to agree the recommendation of the Planning and Transportation Policy Working Group - that the changes to the Conservation Area review document proposed in response to the representations are agreed.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Policy and Resources Committee aware of proposed boundary changes to the Bredgar Conservation Area and to recommend that the conservation area be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The proposals include a detailed character appraisal and associated management strategy in line with current good practice for the management of conservation areas. The Planning and Transportation Policy Working Group reviewed and recommended the changes to the review document set out in **Appendix i** (and as reflected in **Appendix ii**) at its meeting on 19th September 2023.

2 Background

- 2.1 Bredgar Conservation Area was first designated in November 1973. It was reviewed by Swale Borough Council in 2000 as well as on the 2 February 2006 when it was extended and formally re-designated. A brief character appraisal accompanied the re-designation in 2006. There is a formal requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 for Conservation Areas to be reviewed from ‘time to time’.
- 2.2 This review work is part of a wider range of conservation area review work requested by the Western Area Committee. As the existing level of officer resource did not allow for this review work to be carried out in-house, the Western Area Committee agreed to fund the use of an external consultant to carry out the work. The same consultant (Peter Bell) who carried out the review of Rodmersham Church Street, Rodmersham Green and Tunstall conservation areas last year was re-appointed to undertake the review of Bredgar and Hartlip Conservation Areas.

3 Proposals

- 3.1 The proposal is to re-designate and amend the boundary of the conservation area and to equip it with a detailed character appraisal and a complementary management strategy which will assist with development management and heritage conservation purposes over the next decade or more. It is a matter for the Policy & Resources Committee to decide whether to formally adopt the Bredgar Conservation Area Character Appraisal and Management Strategy (as recommended and set out in **Appendix ii**, following consultation feedback).
- 3.2 Part of the review process involved an assessment of whether the area should be extended or reduced in size. In this regard particular consideration was given to extending the conservation area west to include parts of Silver Street and north to include more of The Street. However, these areas are separated from the historic core of the village by modern development which means that there would be no spatial or visual continuity to the area of special architectural or historic interest. Consequently, it is recommended that the boundary should not be extended or revised.
- 3.3 Of all the outlying areas reviewed during the visit to Bredgar, Bexon was the most characterful, coherent and comprises 8 statutory listed heritage assets. Officers recommend that Bexon is reviewed as a possible new conservation area in its own right - to include properties along Hawks Hill Lane and cluster of properties on Bexon Lane to northeast of Hawks Hill Lane.
- 3.4 Planning and Transportation Policy Working Group members have reviewed an earlier version of this report, and recommend to the Policy and Resources Committee the changes to the Conservation Area review document as set out in **Appendix ii**.

4 Alternative Options Considered and Rejected

- 4.1 One option would be to not take this review work any further. This is not recommended because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the conservation area and its wider setting moving forward.
- 4.2 A second possible option would be to disregard some elements, or all of the feedback received, in terms of the suggested boundary change(s). However, whilst it is considered that the appraisal and management plan (to support the redesignation of the conservation area) is essentially sound, the feedback provided from the local community is valuable and to ignore any of this feedback without sound reasons would call the value of the consultation process into question and potentially deliver reputational damage to the Council.

4.3 A third possible option would be to suspend the work on this review until some point in the future. Whilst this option would not result in wasted officer time, it could still lead to (a) the designation being challenged, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the Bredgar Conservation Area.

5 Consultation Undertaken or Proposed

5.1 A 6-week public consultation ran from Monday 3rd July 2023 until Monday 14th August 2023.

5.2 All those parties with property within or overlapping the current conservation area boundary were notified in writing of the review and were invited to comment on it, as were key relevant organisations including Kent County Council and Historic England.

5.3 The previous normal practice of providing hard copies of the review document at Swale House has now been discontinued, but the review document was available to view/download on-line via the Council's website for the duration of the 6-week public consultation period.

5.4 A total of 3 consultation responses have been received. One from the Bredgar Parish Council, one from a local resident of Bredgar and one from Historic England. The officer's response to these responses (as summarised) is attached as appendix i.

5.5 Historic England has responded advising that it has no substantive comments to make.

5.6 Kent County Council in its function as the Highway Authority was consulted on the conservation area review but provided no feedback.

5.7 A presentation was done to Western Area Committee on 31st August 2023, highlighting the main aspects of the Bredgar Conservation Area Review.

6 Implications

Issue	Implications
Corporate Plan	<p>Priority 2 of the Plan is: 'Investing in our environment and responding positively to global challenges'. Objectives 2.1, 2.4 and 2.5 of this priority are respectively to:</p> <p>(2.1) 'Develop a coherent strategy to address the climate and ecological emergencies, aiming for carbon neutrality in the council's own operations by 2025 and in the whole borough by</p>

	<p>2020, and pursue all opportunities to enhance biodiversity across the borough’.</p> <p>(2.4) ‘Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.</p> <p>(2.5) ‘Work towards a cleaner borough where recycling remains a focus and ensure that the council acts as an exemplar environmental steward, making space for nature wherever possible’.</p> <p>The character appraisal and management strategy document, once amended as appropriate and subsequently adopted would support all 3 of the above-stated objectives from the Corporate Plan.</p>
Financial, Resource and Property	<p>Implementing some aspects of the proposed Management Plan may have financial and resource implications for the council, particularly if it is decided to proceed with an Article 4 Direction review or/and signage review. These costs are not yet budgeted for and may need to be considered within any future Heritage Strategy Action Plans.</p> <p>Assessment of Bexon as a possible new conservation area will have financial and resource implications for the council.</p>
Legal, Statutory and Procurement	<p>The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on every local planning authority to “<i>determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance</i>” and, from time to time, to review the functioning existing conservation areas.</p>
Crime and Disorder	<p>None identified at this stage.</p>
Environment and Climate/Ecological Emergency	<p>One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment.</p>
Health and Wellbeing	<p>The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Heritage Strategy which underpins this review work.</p>
Safeguarding of Children, Young People and Vulnerable Adults	<p>None identified at this stage.</p>
Risk Management and Health and Safety	<p>None identified at this stage.</p>
Equality and Diversity	<p>None identified at this stage.</p>

Privacy and Data Protection	None identified at this stage.
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7 Appendices

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

- Appendix I: Public consultation – table of representations (in summary form), and the council’s response to them.
- Appendix II: Public consultation version of the 2023 draft Bredgar character appraisal and management plan document.

8 Background Papers

A Heritage Strategy for Swale 2020-2032 Adopted March 2020

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APPENDIX i: TABLE OF REPRESENTATIONS, AND THE COUNCIL'S RESPONSE AND RECOMMENDATIONS FOR ANY CHANGES TO THE ASSESSMENT DOCUMENT IN RELATION TO THEM – FOR RE-DESIGNATING BREDGAR. C.A.

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
1	Local resident	Pleased to see the special character of Bredgar described and recognised in this Review. In particular, we welcome the connection shown between the heritage buildings in the village setting with the rural landscape, noting how important the notable trees and hedgerows, and the views outwards, are to this setting. We support this Conservation Area review and its management plan	Noted & welcomed	No change to the assessment document needed.
2	Bredgar Parish Council	<p>The Parish Council (PC) supports the continued re-designation.</p> <p>A schedule of corrections has been provided.</p> <p>Schedule of correction: Page 40, please add “working” to the title or description. Perhaps “K6 TELEPHONE KIOSK (WORKING) TO THE NORTHWEST</p>	<p>Noted and welcomed.</p> <p>Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.</p> <p>Noted, however it is recommended to adhere strictly to the address used in the statutory list description.</p>	<p>No change to the assessment document needed.</p> <p>To make changes to the assessment document as per the schedule of corrections.</p> <p>No change to the assessment document needed.</p>
		Points of uncertainty, requiring checking	Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.	To make changes to the assessment document as per points raised.

PROPOSED BREDGAR. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
2	Bredgar Parish Council (contd.)	<p>Page 33 et seq. "Appendix 1, Map regression". The Appraisal includes a useful collection of early maps, from 1575 to 1946. Please check that the legend "Ordnance Survey First Series 1816" on the fifth map is correct. It appears to be a map from about 1860-1870.</p> <p>Page 4. "Map 1. Bredgar Conservation Area". The map used for the 2006 Appraisal, on SBC's website is more detailed than the one used here. Presumably this is standardised across all the Conservation Area Appraisals, but it would be good to have the detailed version somewhere in the document, perhaps as an appendix. The current map does not properly resolve the buildings discussed.</p> <p><u>2.0 Character Appraisal</u> This section provides an excellent overview of the various elements making up the character of the village and is the better for the occasional more subjective opinions, sometimes negative.</p> <p>Character Appraisal -Minor corrections</p>	<p>It has not been possible to verify the map referred to as Ordnance Survey First Series 1816 on page 36. As it is virtually the same as the 1970 version -it is recommended to be deleted.</p> <p>Agreed that the building outlines are shown a little clearer on the SBC website version. Map to be substituted.</p> <p>Noted & welcomed.</p> <p>Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.</p>	<p>To make changes to the assessment document.</p> <p>To make changes to the assessment document</p> <p>No change to the assessment document needed.</p> <p>To make changes to the assessment document as per points raised.</p>

PROPOSED BREDGAR. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
2.	Bredgar Parish Council (contd.)	<p>Page 20. "Map 3: Significant Trees". Perhaps a legend explaining why the green dots are different sizes would be useful. Is it just individual size of the trees? If so, seems odd that the big horse chestnut by the pond (for example) does not show as large as some of the trees of Parsonage Farm.</p> <p>Page 24. "Map 4: Significant views". The Appraisal includes a good number of views, both from external points looking towards the conservation area and from the conservation looking out. It would be helpful if the images were numbered and corresponded in a more one-to-one fashion with the numbers in the map.</p> <p>Page 25. "2.10 Setting" Bredgar Parish Council are keen to emphasize the importance of the links between the central village of Bredgar and the hamlets. Perhaps the last paragraph could be adjusted a little, to something like: "....and later the shops and school. Whilst there is little visual link between Bredgar and the small hamlets, the significance of the historical connection is demonstrated by the extensive network of lanes and footpaths, formed long before the advent of motor transport."</p> <p>Page 27. Bredgar Parish Council also agrees with the list of "Key negative characteristics". However, we would like it noted that several derelict houses, e.g., Ides House</p>	<p>A legend would imply that the green dots are anything other than indicative of tree positions. Recommended to leave as is.</p> <p>This may just create unnecessary complexity as there is not a direct correlation between the significant views 1 to 4 and all the blue arrows on the map.</p> <p>Noted and the proposed corrections can be largely accommodated without fundamentally altering the shape of the document.</p> <p>Noted. However, referencing these two</p>	<p>No change to the document.</p> <p>No change to the document.</p> <p>To make changes to the assessment document as per points raised.</p> <p>No change to the document.</p>

PROPOSED BREDGAR. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
2.	Bredgar Parish Council (Contd.)	<p>and Wigmore House have been rebuilt to a high standard since the last review.</p> <p>Page 27. In “3.0 Summary and Conclusion” , the Appraisal discusses the boundaries of Conservation Area, with regard to whether they are correctly drawn and whether the area should be extended or reduced in size. Particular consideration is given to the possibility of including parts of Silver Street, to the west of the current Conservation Area. However, because there is modern development between the areas, interrupting the visual continuity, the recommendation is that the boundary should not be extended or revised.</p> <p>The Parish Council accepts this analysis and conclusion, which springs from the requirement (see “1.2 The Purpose of conservation areas”, p.5, final paragraph) that conservation areas should be “cohesive”. However, this requirement, while understandable, does lead to inconsistencies. The Airey houses south of the pond, for example, are readily included in the Conservation Area, whereas significant houses, or groups of houses, such as those making up the hamlets of Bexon or Silver Street, are excluded because they are separated by a field or a short section of road with some modern development. If the larger aim of conservation areas is to “protect historic</p>	<p>houses would be a little too detailed under the heading of summary and conclusion on p27. Wigmore House already has a positive reference on page 13 and Ides falls well outside of the conservation area.</p> <p>There isn't an available system for ‘satellite’ conservation areas. If Bexon merits designation in its own right consideration be given to a separate designation rather than a ‘satellite’ designation. Of all the outlying areas reviewed during the visit to Bredgar, Bexon was the most characterful and coherent.</p> <p>Recommended to review Bexon as a conservation area in its own right - to include properties along Hawks Hill Lane and cluster of properties on Bexon Lane to northeast of Hawks Hill Lane.</p>	<p>No change to the document.</p>

PROPOSED BREDGAR. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
2.	Bredgar Parish Council (contd.)	<p>places....so that their special character is safeguarded and sustained” (see “1.2 The Purpose of conservation areas”, p.5, second paragraph) then this problem needs to be addressed. Either a greater willingness to create very small Conservation Areas, perhaps only comprising a few buildings, or – preferable – a system recognising “satellite” Conservation Areas, subsidiary to the main Conservation Area but linked by history as well as by lanes and footpaths needs to be considered. In particular, Bredgar Parish Council believes that the hamlet of Bexon, to the east of the Conservation Area of Bredgar, should be recognised as an important area deserving of the protection that Conservation Area status could give to it.</p> <p>While we recognize that the determination has been fairly and reasonably made in this instance, we would recommend that it is noted, either in the document itself or in associated material held by Swale Borough Council, that the option for further Conservation Areas or similar entities within the larger parish of Bredgar is still open for consideration in the future.</p> <p><u>Concerning 4.0 Bredgar Conservation Area Management Strategy</u></p> <p>Bredgar Parish Council fully endorses all the conservation-related aims of the Swale Borough Local Plan in the bullet-point list.</p>	<p>Noted & welcomed.</p> <p>Noted and welcomed. However, consideration</p>	<p>No change to the document.</p>

PROPOSED BREDGAR. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
2.	Bredgar Parish Council (contd.)	<p>Noting that the Local Heritage List can also include structures other than buildings, as well as green spaces etc., Bredgar Parish Council would like to put forward the following to add to the list:</p> <ul style="list-style-type: none"> • Gore Pond, at the junction of Gore Road and The Street. The Pond has been in its present form since at least the 18th century, probably much longer. • The Recreation Ground, Gore Road. This was opened in 1897 and had been in continuous use. • The Village Sign. On the corner of Gore Road and Primrose Lane. Made of wrought iron, showing a view across the pond to the gable end of Chantry House, this was designed by Norman Hepple R.A. and installed in 1972. It was given by Bredgar Women’s Institute to celebrate their golden jubilee. 	needs to be given to whether they meet SBC’s selection criteria for the Local Heritage List to avoid arbitrary inclusions.	No change to the document.

Bredgar Conservation Area Character Appraisal and Management Strategy

PUBLIC CONSULTATION DRAFT May 2023

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FOREWORD

“Historic buildings and places add to the quality of people’s lives and help to create a sense of place that we all identify with.

As a community and as a local authority, we have a responsibility to safeguard our historic assets for future generations and to make sure that they are not compromised by unsympathetic alterations or poor-quality developments. Conservation area designation and subsequent management is one way in which this can be achieved.

Conservation areas are not intended to halt progress or to prevent change. Rather, they give the local community and the Borough Council the means to positively manage change and to protect what is special about the area from being harmed or lost altogether.

Swale Borough is fortunate in having such a rich and varied mix of built and natural heritage. The Borough Council wants to see it used positively as a catalyst for sustainable, sensitive regeneration and development, and for creating places where people want to live, work, and make the most of their leisure time. To that end, we have reviewed the Bredgar Conservation Area and the results of that review are set out in this document, which the Borough Council is now seeking constructive feedback on.

This is one of a series of conservation area reviews which the Borough Council is committed to undertaking, following the adoption of the Swale Heritage Strategy 2020 - 2032.”



Councillor Mike Baldock,
Deputy Leader and Heritage
Champion for Swale Borough
Council

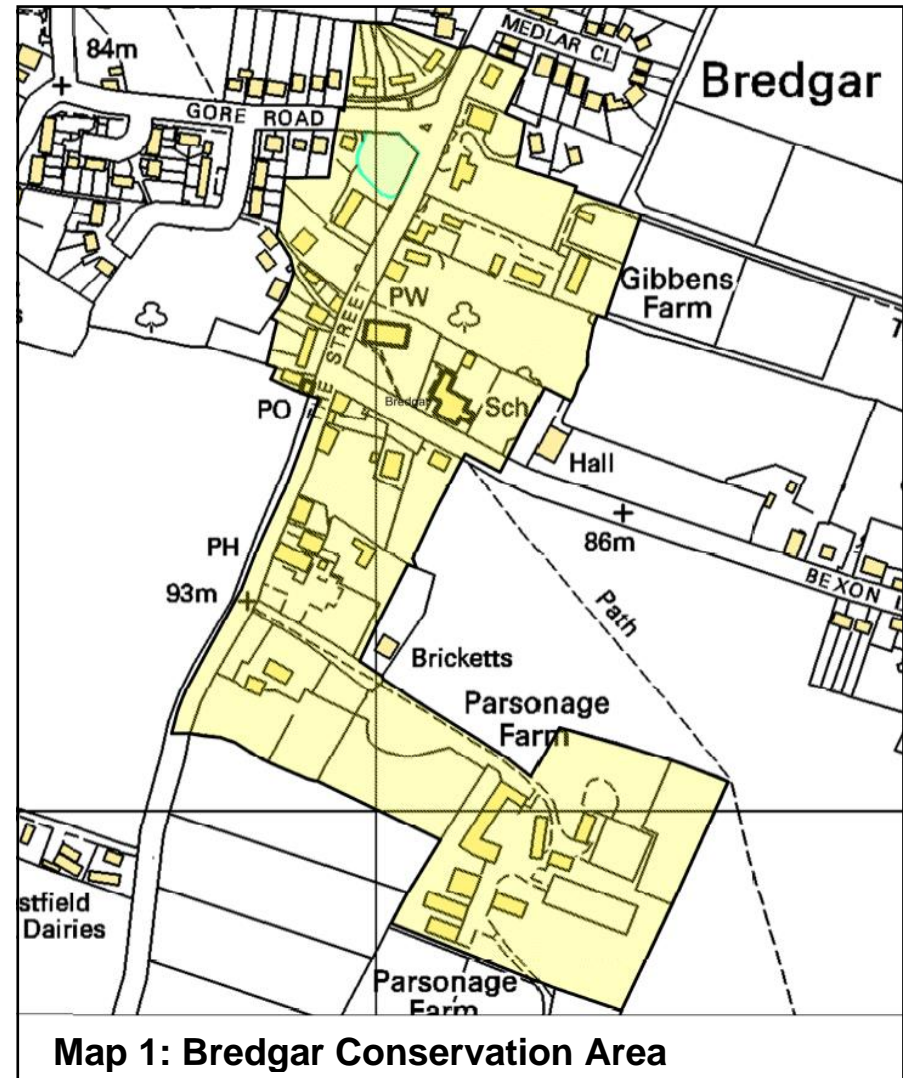
Mike Baldock

1.0 INTRODUCTION

1.1 Bredgar Conservation Area

Bredgar Conservation Area was originally designated by Kent County Council on 2 November 1973. It was reviewed by Swale Borough Council in 2000 as well as on the 2 February 2006 when it was extended and formally re-designated. A brief character appraisal accompanied the re-designation in 2006.

Map 1 opposite shows the current extent of the conservation area as it was designated in 2006.



1.2 The Purpose of conservation areas

Conservation Areas were first introduced in the Civic Amenities Act of 1967. A conservation area is defined as “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”¹.

It is the responsibility of individual local planning authorities to designate and review conservation areas from time to time using local criteria to determine and assess their special qualities and local distinctiveness².

The aim of conservation area designation is to protect historic places and to assist in positively managing change, so that their special character is safeguarded and sustained. Areas may be designated for their architecture, historic layout and use of characteristic or local materials, style or landscaping. In practice it is normally a combination of some or all of these special characteristics which merits designation.

Above all, conservation areas should be cohesive areas in which buildings and spaces create unique environments that are of special architectural or historic interest.

Conservation area designation provides protection in the following ways:

- Local planning authorities have control over most demolition of buildings.
- Local planning authorities have extra control over householder development.
- All trees in conservation areas are protected.
- When assessing planning applications, the local planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area and its setting.
- Policies in the Local Development Plan positively encourage development which preserves or enhances the character or appearance of conservation areas.

¹ Section 69 (1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

² Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

1.3 The purpose and status of this Character Appraisal and Management Strategy

The purpose of this Conservation Area Character Appraisal and Management Strategy is:

- To identify the significance of the heritage asset – i.e. the value that the conservation area has to this and future generations because of its heritage interest – which may be archaeological, architectural, artistic or historic interest.
- To increase public awareness and involvement in the preservation and enhancement of the area.
- To provide a framework for making planning decisions, to guide positive change and regeneration.
- To review the conservation area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- To highlight particular issues and features which detract from the character or appearance of the conservation area which offer potential for enhancement or improvement through positive change.

A Conservation Area Character Appraisal is an assessment and a record of the special architectural or historic interest which gives rise to the character and appearance of a place. The appraisal is a factual and objective analysis, which seeks to identify the distinctiveness of a place by defining the attributes that contribute to its special character. It should be noted, however, that the appraisal cannot be all-inclusive, and that the omission of any particular building, feature or space should not be taken to imply that it is not of interest. In some cases, significance may only be fully identified at such time as a

feature, a building or site is subject to the more rigorous assessment that an individual planning application necessitates.

An important part of this review of Bredgar Conservation Area is to assess whether the area still possesses the special architectural and historic interest which merits its continued designation. It also provides an opportunity to review the effectiveness of the designation over the last 50 years and whether the boundary of the conservation area should be either extended or reduced.

The appraisal includes a management strategy to help the Borough Council and other stakeholders positively manage the conservation area in the future. A management strategy may include action points, design guidance and site specific guidance where appropriate: It can identify potential threats to the character of the area and can, where appropriate, identify buildings at risk or the potential for Article 4 Directions or local heritage listing.

An appraisal may serve as the basis for the formulation and evaluation of policies in the Development Plan. It is a material consideration in development management decisions by the local planning authority and by the Planning Inspectorate in determining planning appeals. It can also heighten awareness of the special character of the place to help inform local Parish Councils in the formulation of Neighbourhood Plans, Village Design Statements and individuals in their design choices.

This Conservation Area Character Appraisal has been compiled in consultation with local organisations, elected representatives and council officials. It is to be the subject of public consultation and is prepared with a view to being formally adopted for development management purposes.

The author would like to thank all those who contributed to the production of this character appraisal.

2.0 CHARACTER APPRAISAL

2.1 The history and development of Bredgar

The origin of the name Bredgar is said to refer to a broad strip of land or a broad triangular piece of land.

There is archaeological evidence of pre-historic, Iron Age and Roman settlement in the area and in the village itself. However, it is unlikely that there was any continuity of settlement after the Roman occupation and population numbers are thought to have dropped throughout the North Downs area, allowing woodlands to re-establish.

No specific mention was made of Bredgar in the Domesday Book (1085) more than likely because it fell under the control of the Manor of Milton. The Parish Church, dedicated to John the Baptist, was certainly in existence by 1066. However, it was in 1392 that Richard II granted Robert de Bradegare a **licence** to found a chantry college in the village dedicated to the Holy Trinity. The college, one of several across Kent, resulted in considerable enlargement and rebuilding of the church and the construction of a chantry, now **Chantry House a dedicated building**, to provide living quarters for a chaplain and two clerk scholars.

Bredgar sits astride the road from Sittingbourne to Hollingbourne which has early origins. It crosses the North Downs and is one of a series of sometimes sunken lanes that strike across the grain of the county towards to the south-west. These lanes were used as droeways for moving livestock back and forth from the pastures on the north side of the Downs to summer grazing in the Kentish Weald and Romney Marsh.



Edward Hasted, writing in 1798, commented on the significance then of the road through Bredgar “it has a tolerable thoroughfare and considerable traffic is carried on through it by carriages of various descriptions from below the hill to the keys of Milton and Sittingbourne loaded with corn, hops, wood etc. for London and other parts, and coals, ashes, coke and other material are conveyed back again in them to the different villages below Hollingbourne Hill”.

Historically, much of the wealth of Bredgar derived from prosperous agriculture in the surrounding countryside. During the 15th, 16th and 17th centuries the village was relatively small, compared to today. As it had in medieval times, it acted as a hub for an agglomeration of farmsteads or lesser manors spread throughout the parish, including Silver Street, Bexon, Swanton, Deans Hill and Manns Place.

Farming would have been mixed arable/pastoral, as evidenced by surviving farm buildings, although hop gardens and orchards became

increasingly prevalent during the 19th and 20th centuries. Until quite recently farming was still relatively mixed in character, with orchards predominating around the edges of Bredgar itself. In recent decades, however, land devoted to fruit and hops has been much reduced and larger fields required for modern intensive crop production have appeared in their place.

By the 18th century there was a marked concentration of brick and timber-framed houses in the vicinity of the parish church and a distinctly separate settlement to the west at Silver Street.

The village grew steadily during the 19th and 20th century to accommodate an expanding population. The census of 1801, shows a population of 401 in the civil parish of Bredgar, rising to 498 in 1901 and 682 in 2021.

Today, Bredgar comprises a small but vibrant community served by a public house, a primary school, a village hall, a village shop and the parish church.

It is a linear village on a roughly north/south axis, comprised almost entirely of buildings which face onto both sides of The Street and the roads which radiate from it. Post-war infill development has extended **Bredgar's** the village to the north where it is now defined by the M2 motorway. The effect has been to extend and consolidate the village bringing a number of once isolated properties within the expanded village confines. This shape of the village has been further modified by other 20th century housing which has largely filled the gap between the western edge of Bredgar and the hamlet of Silver Street. Consequently the extent of C20 development now considerably exceeds that of the historic village.

Houses are typically detached and for the most part, spaced well apart and set back from the road to varying degrees. Consequently, most of the village has a fairly loosely-knit character.

2.2 Topography, geology and landscape

Bredgar is a small rural settlement situated some six **kilometres** south west of Sittingbourne on the dip slope of the North Downs. It lies approximately 80m above sea level on land which rises gently towards the south.

The village sits astride the Sittingbourne-Hollingbourne road (here **referred** to as Primrose Lane and The Street) where Gore Road joins from the west and Bexon Lane from the east.

The village and its surroundings fall within the Kent Downs Area of Outstanding Natural Beauty. The area is identified in the Swale Local Landscape Designation as the Tunstall Farmlands³, part of the gently undulating chalk downs which extend across the southern part of the Borough. The underlying geology is upper chalk overlain by clay with flint and stone.

Agricultural land in the vicinity is of high quality, and includes orchards to the east of the village and pockets of ancient woodland throughout the parish.

³ Swale Local Landscape Designation LUC October 2018 and the Swale Landscape Character and Biodiversity Appraisal, Jacobs 2011

2.3 Buildings

The historic area of Bredgar lies towards the southern end of the present-day settlement and embraces the village pond, the parish church, a couple of former farmsteads and an array of traditional houses. More than anything else, it is Bredgar's buildings which contribute to its special character. The mix of building styles, dates, materials and types combine to create a very distinct place which speaks of its locality and its history. A map indicating the location of significant buildings is included at page 14.

The village pond and the War Memorial mark the centre of the village where Gore Road meets The Street. They are a defining feature of the conservation area.

The war memorial dates from 1920 and consists of a Celtic cross on a square shaft. The island on which it sits is flanked by a number of concrete WW2 anti-tank buoys which no-doubt may illustrate that the junction played a role in defensive arrangements in the event of German invasion.



War memorial

In the vicinity of the village pond, houses are well spaced, typically detached or semi-detached and set behind front gardens often contained by railings, walls or fences.

Bredgar House is prominently located to the east of the pond. It is the only fully three-storied building in the village, however, its curiously proportioned stuccoed elevations were originally constructed with only two storeys during the 18th century. The third storey was added by the renowned ironmonger Comyn Ching who lived in the house

during the late-19th century. The sturdy cast iron railings fronting the road are a noteworthy feature.



Bredgar House



Primrose House

Toward the north boundary of the conservation area is Primrose House with its symmetrical white-painted brick elevation. The steeply pitched peg tile roof and the exposed timber framing on its left flank provide clues to the earlier timber-framed building which lies behind the Georgian facade.

Semi-detached 'Airey houses' define the north edge of the Gore Road junction. Prefabricated concrete houses designed by Sir Edwin Airey to fulfill the post-war housing needs appear all over England. These examples have been over-clad in either brick or weatherboarding.



Airey Houses facing the pond

To the south of Bredgar House a driveway leads from The Street to Gibbens Farm, barn and other former farm buildings. The Farm Shop, Tea Room, ~~and Post Office~~, together with a barbers shop and hair salon, now occupy some of the black painted weatherboarded farm buildings. They provide an important facility for the community whilst adding life and vitality to the centre of the village.

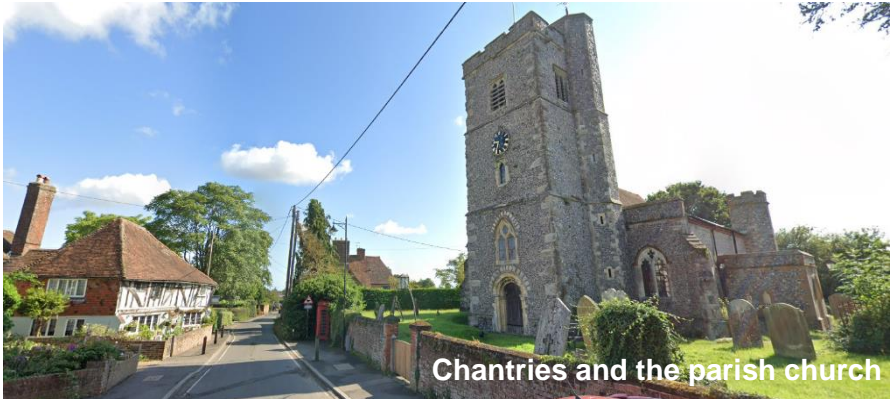
Before reaching the parish church there is a group of highly significant historic buildings. Chantry House dates from the founding of the college in 1392 and is, as such, the earliest residential building in the village. Visible across the pond it is built of local flint with brick and stone dressings under a Kent peg tile roof. The former dovecote (located to the west of the pond) is a rare survival of a particularly unusual building type.



Other buildings in the group include Burnham House, notable amongst other things for its use of mathematical tiles on its front elevation and fine 17th century brickwork on its south elevation, and Brewers House.



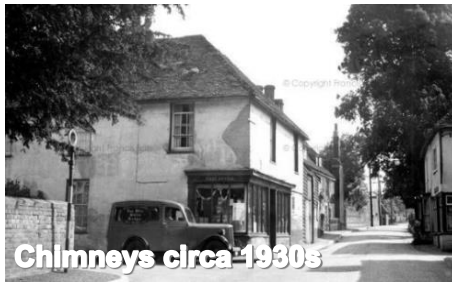
The tower of the parish church is visible from some distance on approach from all directions. The church was considerably rebuilt and enlarged after the establishment of the chantry and college in 1392 but parts of the earlier church survive, most notably the round-arched Norman west door with zig-zag voussoirs supported on colonettes.



The church is elevated a little above street level, further enhancing its scale and presence.

Opposite the church Channies is a pleasing vernacular cottage which sits at an angle creating a narrowing in The Street.

A second narrowing occurs between The Old Post Office House and Chimneys, both of which sit close to the highway. The Old Post Office House, once the village butchers, is notable for its distinctive timber framing and interesting architectural narrative, whereas Chimneys, once the village grocers, is simpler with rendered elevations and regularly placed sash windows.



South of The Old Post Office House, The Street becomes one-sided and views of the countryside open up to the west towards Silver Street and Deans Hill.

South of The Chimneys is Park House, a pleasing 19th century weatherboarded cottage set behind decorative cast iron railings. Early photographs of the house indicate that its elevations were originally rendered, rather than weatherboarded (see the postcard on page 4).

The next is Brickwall which, despite its name (that refers to the old adjoining wall), has block-marked rendered walls which conceal a timber-framed building at the rear. It too has good cast iron railings. The rusticated Gibbs door surround is particularly fine. A 17th century garden wall provides visual continuity between Brickwall and two 20th century infill houses to its south.



The Sun Inn visually marks the southern edge of Bredgar; the first licence for premises on the site was granted in 1704 but the current building is **Victorianearly 19th century**, with later extensions. Tile hanging on the upper section of the public house, red brick beneath, and a roof covering of peg tiles all contribute to its Kentish character. Like the village shop, the life and vitality generated by the public house make an important contribution to the character of Bredgar. The large macadam-surfaced parking area alongside is, however, a less welcome feature.



The Sun Inn



The Old Vicarage

However, it is The Old Vicarage, hidden behind a line of conifer trees on the south side of Parsonage Lane, which actually defines the southern extremity of the settlement. The Old Vicarage is an appealing C17 timber-framed house clad in the C18 with local red and blue wood-fired brickwork. It is special, amongst other things for its uncluttered forecourt with an open grassy garden without fences and walls. This pleasing simplicity of setting has largely vanished from dwellings in the Kentish countryside as domestic garages, secure boundaries and hard paved driveways have become more commonplace.

Parsonage Lane leads to Parsonage Farm which was once owned by the Dering family of Pluckley, occupies a slightly detached position on the southern edge of Bredgar. The farmstead is visible from the footpath which crosses the field opposite the village hall. The farmhouse was built in the first half of the C19 (an earlier house having been destroyed by fire) the red bricks are said to have been

manufactured from clay dug from a nearby site. The cluster of farm buildings to the south-west is partly modern but close to the farmhouse is a 17th century red brick cart lodge. Its approach, along Parsonage Lane, continues to be quite distinctive in appearance being flanked by the remnants of a once-impressive avenue of lime trees; the lane now terminates at a modern security gate which marks the entrance to the farm complex.



Parsonage Farm



19th century photograph of Parsonage Farm

The village school sits alongside the parish church on the north side of Bexon Lane. It was built as a National School in 1868 on part of the former Playstool (land given for the upkeep of the church). The Gothic revival design of the building makes it instantly recognisable as a village school, whilst the yellow brick with contrasting red brick detailing is entirely characteristic of its period. Extensions have been added to west and east.

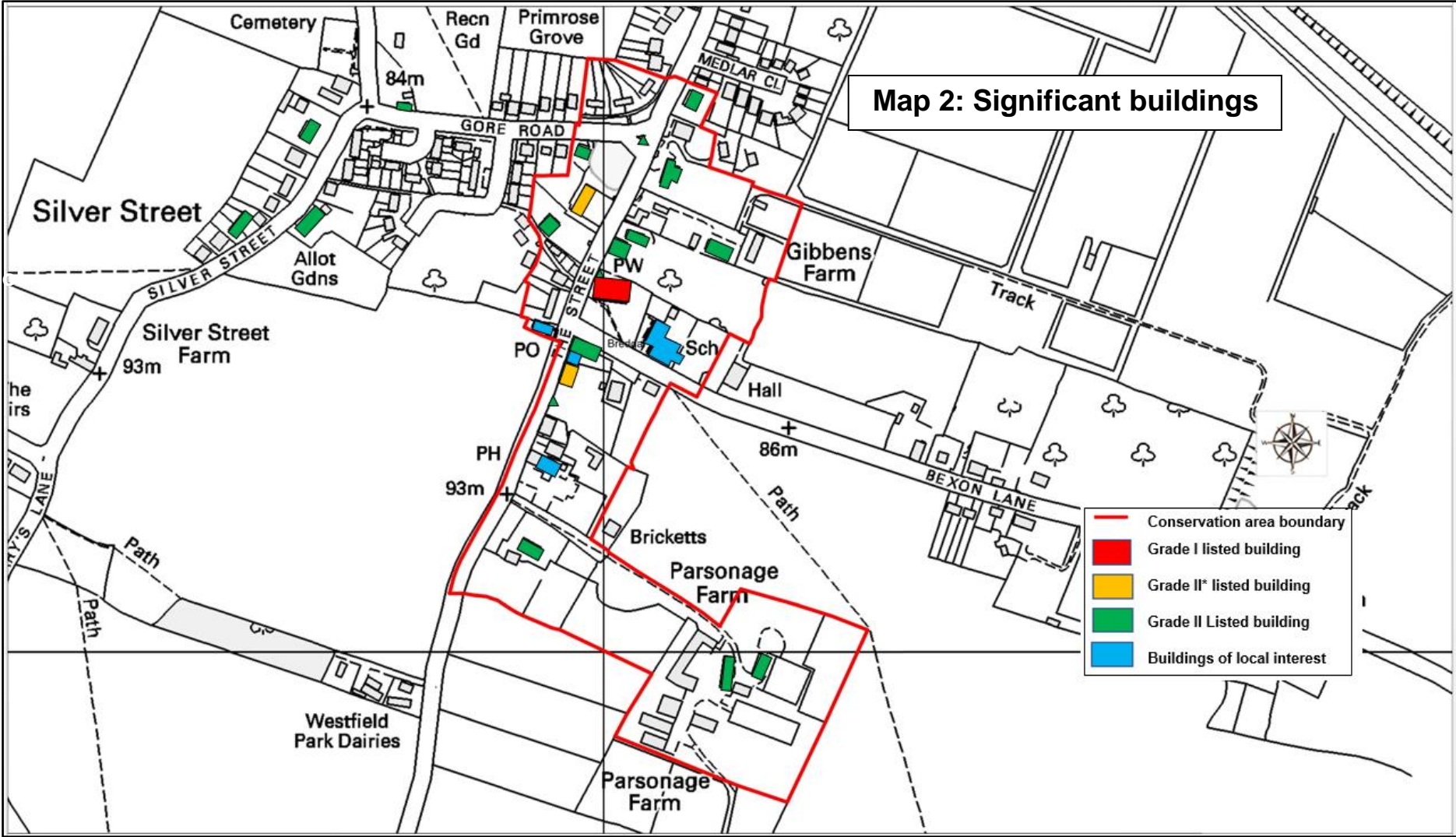


A small number of houses, mostly detached, have been built in the village during the last 60 years. Beech House, The Hollies, Wigmore House and Millstone House all contribute in their own way to the character of the village.

The four housing association bungalows facing the parish church relate less well to the vernacular architecture of the conservation area although their use of reclaimed Kent peg tiles on the roof **helpeds** to assimilate them into their historic context. **the kent peg tiles have now**

been replaced with modern tiles. They replaced a row of artisans' cottages dating from the late 18th or early 19th century.





2.4 Building Materials

The distinct character of Bredgar owes much to its variety of architectural styles, often expressed through building materials. Typically building materials were used because they were readily available from local sources. Until the transport revolution of the mid-19th century, virtually all building materials would have been locally sourced or made. Consequently, they are often a true expression of the locality and its natural resources. They were also used to express architectural aspirations and changing fashions. Even materials that were in common use at the time make a valuable contribution to local character and distinctiveness.

In the medieval period the parish was largely covered by ancient woodland so it is no surprise that many of the earlier domestic buildings were constructed of timber-frames. As good oak for building became harder to source during the 17th century, brick became universally fashionable. Brick was used extensively for new buildings and to over-clad older buildings to give them a more up-to-date appearance. With the exception of flint, good building stone had to be imported from afar so it was reserved for higher status buildings.

Kent peg tiles were the preferred choice for roofing but slate became an option during the early 19th century, particularly once the railway came to Sittingbourne in 1848. Thatch was used historically, particularly on farm buildings and cottages but no examples survive in the conservation area today.

Modern concrete roof tiles and uPVC windows are less sympathetic materials introduced during the mid to late 20th century.

Timber frame: Oak, elm and chestnut framing were commonly used in building construction during the medieval period when local woodlands offered an ample supply of durable timber for building. Several historic buildings in Bredgar are constructed of timber framing and others have had their frames concealed behind later facades or cladding such as brick, weatherboarding or mathematical tiling. The timber-framed tradition continued in softwood framing well into the Georgian period and even later in some farm and utility buildings.



Stone: Good building stone was not readily available in this part of Kent so it had to be imported from west Kent or further afield. Consequently, it was reserved for higher status buildings such as the parish church and Chantry House where Kentish rag and other types of imported stone are used as a dressing to flint walls. Flint was the only naturally available building stone available within the parish. Flints occur in seams within the chalk bedrock and are brought to the surface naturally by farming, or uncovered as a by-product of lime quarrying which took place locally. Flints were either laid as field flints in lesser buildings or knapped (that is split and dressed with a hammer) in order to reveal the dark shiny inner surface in finer examples. Both types are widely used in buildings and boundary walls throughout Bredgar.



Brick: Brickearth was in plentiful supply in North Kent so, not surprisingly, brickwork is a familiar building material in Bredgar. There is a wide variety in the size, colour, bond and character of brickwork, depending on its age, style or function.

Earlier examples are irregular clamp-fired red bricks used during the 17th century, such as in the south elevation of Burnham House. 17th century bricks tend to be relatively narrow, with larger joints. In the centuries that followed, the shape, size and coursing of brickwork became more regularised and uniform. Yellow stock brickwork was commonly used from the Regency period onwards and the combination of yellow and red brick achieved the polychromatic effect that was associated with the High Victorian era and the Arts and Crafts Movement. The yellow and red bricks of Bredgar School were manufactured at the Smeed Dean works in Murston and provided by George Smeed for the sum of £25.



Mathematical tile: Mathematical tiles are flanged tiles made from fired clay. They are made so that when hung on a wall, their vertical face is almost indistinguishable from a brickwork. They were used in parts of the south-east to provide fashionable elevations to timber-framed buildings during the 18th and 19th centuries. The front elevation of Burnham House is a good example.



Kent peg tiles: The name 'peg tile' refers to a plain clay tile suspended from the top edge of a tiling lath by a peg. Traditionally peg tiles were held in place by a small wooden peg or latterly an aluminium 'drop', wedged into, or passed through one of the two holes in the head of the tile. Simple firing methods and local clays produced strong, durable and light peg tiles in warm orange/red terracotta colours. Imperfections in the raw clay, combined with the hand manufacturing process, resulted in a richness and variety in colour and shape. They are renowned for their warm and varied

colours and rich texture which cannot be replicated in modern machine-made tiles.

Until the 19th century, locally produced hand-made clay peg tiles were the preferred roof covering for buildings throughout Kent. Tiles continued to be handmade from local clays well into the 20th century and there are still a handful of manufacturers today. They are a characteristic roofing material in the south-east of England and prominent in the roofs of Bredgar. Kent peg tile roofs are visually prominent because of their steep pitch (typically steeper than 35 degrees). Tiles are also used as vertical cladding to external walls, sometimes with decorative banding.



Slate: Slate roofs rarely appear before the turn of the 19th century and hardly at all in Bredgar Conservation Area. They became more common after rail transport made Welsh slate more easily accessible. Slate gave rise to shallower roof pitches of between 30 and 35 degrees. Sometimes, the shallow pitch of a roof gives a good indication of the original roof covering, such as at Park House, which is now roofed in concrete tiles.



Weatherboarding: Painted feather-edged weatherboarding is a traditional walling material in the south-east of England. When used on agricultural buildings weatherboarding was either left natural or tared black, whereas domestic examples tended to be painted white or off white.



Modern building materials: In recent decades mass produced building materials such as concrete roof tiles, machine made bricks and uPVC windows have been used within Bredgar but they do not typically enhance the character of the historic village.

2.5 Boundary fences, railings and walls

Boundary treatments are an important aspect of the character of Bredgar. Railings, picket fences, walls and hedges of differing types and dates all help to define boundaries and differentiate between private and public space. Some walls and railings are of special architectural or historic interest in their own right due to the quality of their craftsmanship, their age or their materials.



2.6 Archaeology

The North Downs landscape in which Bredgar lies is emerging from recent investigations and studies as being rich in prehistoric, Iron Age and Roman remains. In the past, the Kent Historic Environment Record has been influenced by the focus of previous archaeological activity being to the north, along the A2 corridor and around the larger towns. However, recent geophysical surveys, detectorist findings and cropmarks suggest that the picture for early settlement in the North Downs is equally rich as the areas to the north. Iron Age findings in the fields near Bredgar have been particularly prominent and suggest an important focus in the Iron Age.

There is a known site at the Primary School in Bexon Lane. Excavations during the extension of the school in 2004 identified a late Iron Age enclosure dating from the mid-to-late 1st century BC. There may also have been a very early Roman building on the site which was returned to agriculture by the end of the 1st century AD. In the 2nd century a rectangular building had been constructed. The flint foundations for this Roman building lie beneath the primary school site and potentially adjacent sites. The building was likely demolished in the 2nd century though later Roman materials suggest activity in the surrounding area continued.

In 1957 a hoard of gold coins was found during excavations for a new bungalow 'Treasure Trove' in Gore Road. This is one of the earliest gold coin hoards found in Roman Britain. The Early Roman presence in the area of the village is significant.

Another hoard of gold coins was found in 1940 in the garden of no 1 Chantry Cottages, now part of Chantry House. 120 gold coins of Edward III and Richard II were deposited in a pot, most likely in the late 14th century. The pot has survived and is on show in the Milton Regis Court Hall Museum.

In 2013 another find of significance made in the village was a copper coin punch known as "The Bredgar Die", believed to be the earliest coin die found in Britain, dating to around 150 B.C

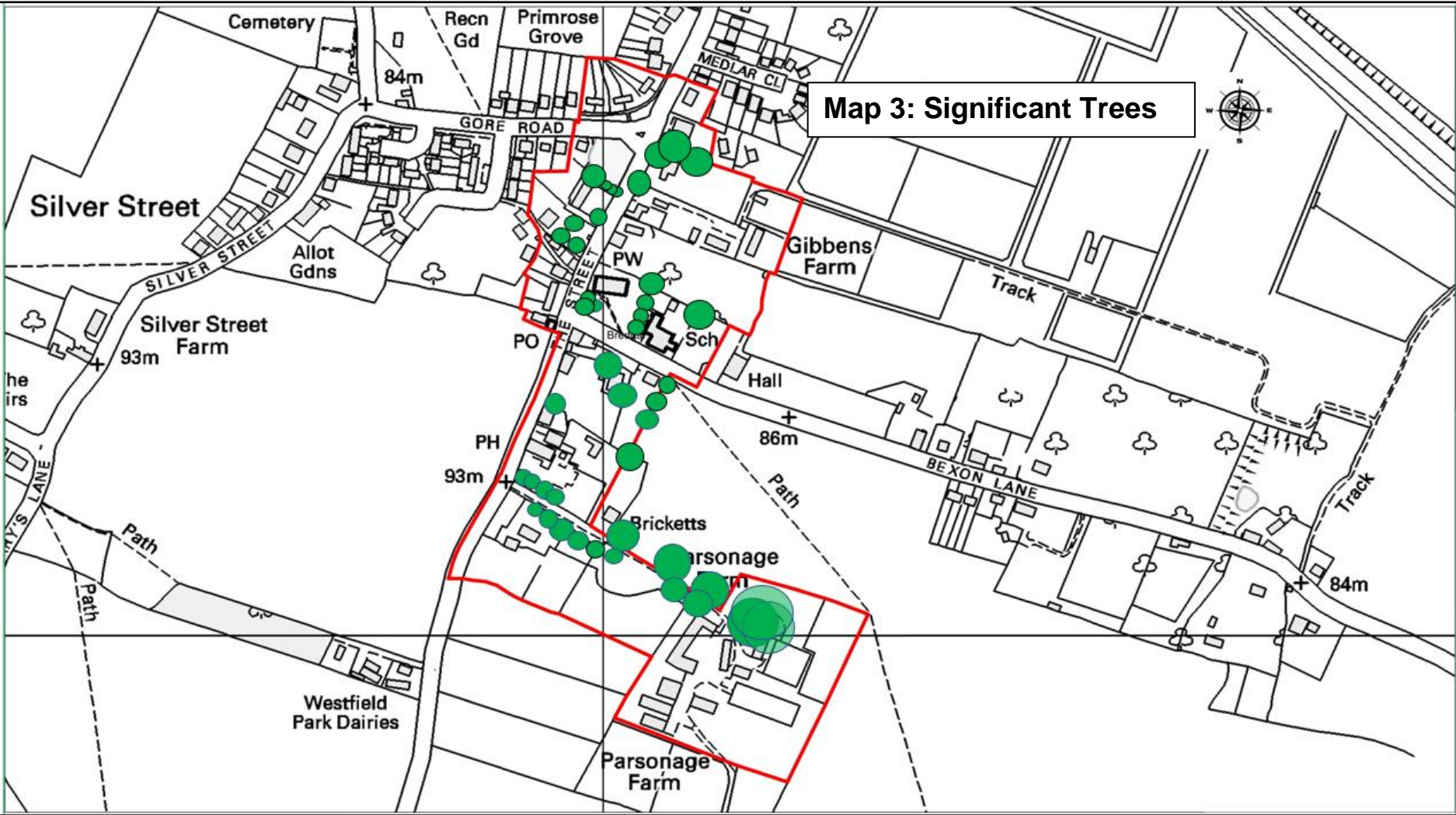
2.7 Trees

Trees make a valuable contribution to the character of Bredgar Conservation Area. They enhance most views within and from outside the conservation area and often create the backdrop or the foreground to significant buildings or spaces. They enhance biodiversity and wildlife opportunities as well as visual amenity within the village.

The predominance of native tree species brings a strong feeling of the surrounding countryside into the village.

Indigenous tree species which feature significantly within the conservation area include yew, beech, sycamore, oak, holm oak, holly, ash, silver birch, field maple and chestnut. Significant trees are plotted on the map on page 21.





2.8 The public realm and the highway

The Street, Bexon Lane and Gore Road are important public spaces. They are where most people experience and enjoy the conservation area from.

The Street is essentially rural in character. There is no formality to its geometry, to the footway or to the buildings which front onto it. In places it is tightly confined by buildings, such as at Chancies or the Old **Post House**. In contrast, other places are less confined, such as around the village pond or the graveyard around the parish church which provide opportunities for peace and tranquillity.

Slight changes in the alignment and geometry of The Street give rise to changing views and vistas as one passes through the village. Buildings or places of interest are constantly revealed.

Indigenous trees close to the carriageway edge are always visible and bring a distinct sense of the countryside into the heart of the village. The countryside always feels close at hand.

Footways are present in parts of the village and for the most part are narrow. The general absence of street lighting also contributes positively to the rural character of the village. Fortunately, highway signs are also few in number.

Telegraph poles and overhead cables are more prolific. Poles that appear in views of the church tower are particularly unfortunate and visually distracting.

On balance the public spaces are generally well maintained and have a relatively uncluttered appearance which contributes positively to the rural character of the place.



Bexon Lane



The Street

2.9 Significant views

Views contribute to the way in which the character or appearance of a place is experienced, enjoyed and appreciated. Identifying significant views allows the contribution they make to be protected and enables the effective management of development in and around those views. Significant views are annotated on the aerial photograph on page 25 and described below.

View 1: Views along and from the public highway

Most people experience Bredgar from the public highway. Views and vistas as one progresses through the village change with the seasons, with the time of day and with the prevailing weather conditions. They also change as a result of the geometry of the roads which gives rise to new and changing views.

Views and vistas from the public highways in Bredgar are important to the special character of the village.



View 2: Views from the village to the surrounding countryside

Panoramic views towards the countryside are always pleasing. They reveal the topography of the surrounding landscape and help to reinforce the historical connection between the village and its surroundings. The contrast between the enclosed visual experience of The Street and the wide open landscape views adds to the experience. As such they contribute significantly to the special character of the village.



Looking west from The Street towards Silver Street



Looking south-west from Bexon Lane

View 3: Views from the public footpath towards the village

Views from the public footpath towards the village also help to reinforce the strong relationship between the landscape and the village. The church tower occasionally appears through trees as one progresses along the footpath.



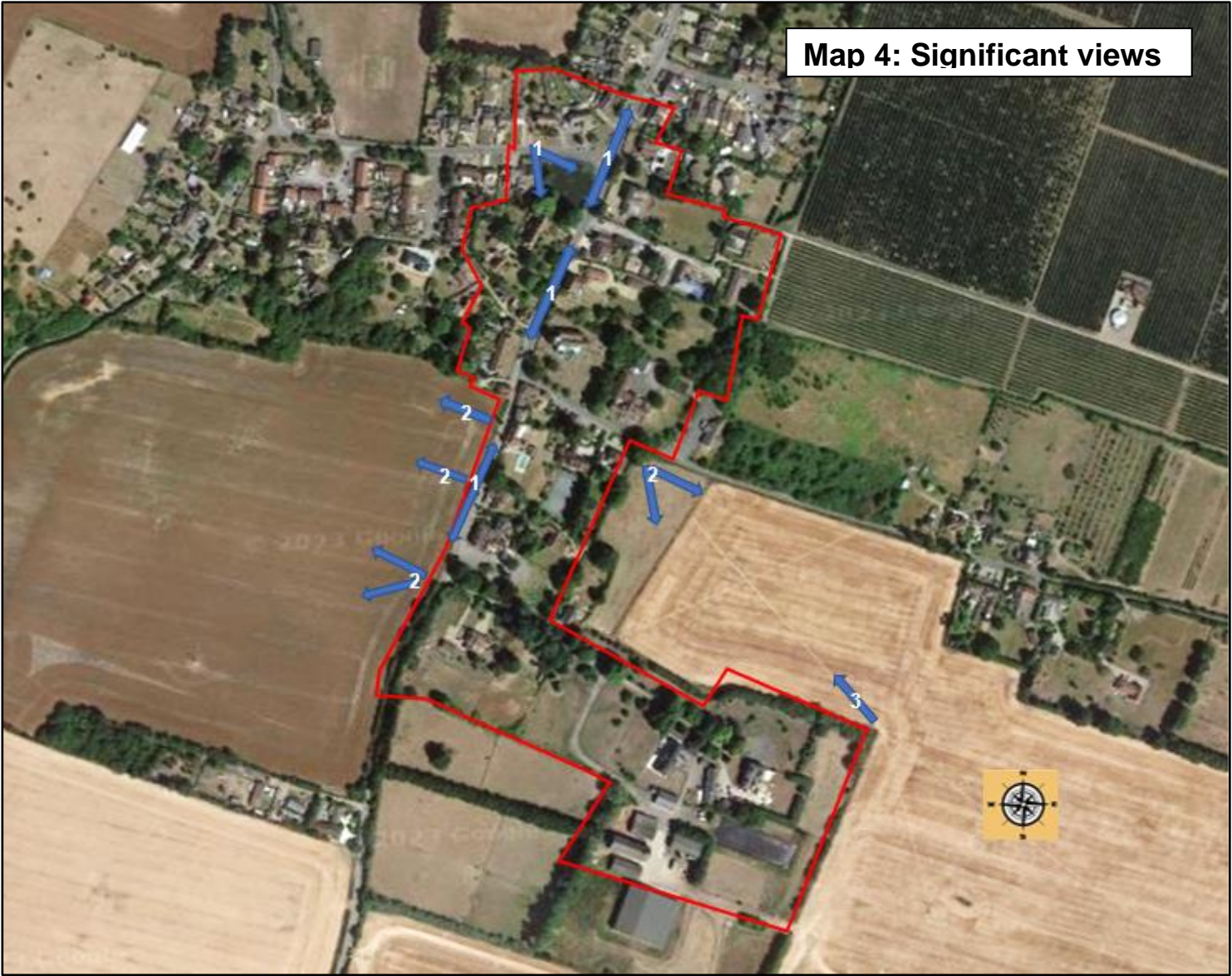
View towards Bredgar from the public footpath

View 4: Distant views from surrounding areas

Glimpsed distant views of the village rooftops and particularly the church tower, occur only occasionally from the surrounding landscape. The ancient church tower acts as a visual reference point and landmark. All such views are of high significance.



View towards Bredgar from Silver Street Farm



2.10 Setting

The setting of a conservation area frequently contributes to the way in which its significance is enjoyed and appreciated. Even areas that fall outside of the designated conservation area often contribute to its special character and significance.

Bredgar's agricultural landscape setting serves to reinforce the village's functional and historic connection to its surrounding landscape. In particular the field between The Street and Silver Street and the open fields to the south of Bexon Lane are important to the setting of the conservation area. They bring the countryside right into the village, they reinforce rural character and they provide the setting for several designated and non-designated heritage assets. Both are illustrated in photographs on page 24.

However, Bredgar also has a strong historical connection with several smaller hamlets which surround it and fall within the wider civil parish. Helen Allison⁴ describes that the manorial records for Milton refer to 'yolks' in the civil parish during the 13th century. 'Yolks' 'yolklands' or 'subsidiary manors' were landholdings, often remote from the manor, in which the occupiers paid rent to their lord but had a greater degree of autonomy. They were never manors in the historic sense of the term but they heavily influenced land tenure in the centuries that followed.

Historically significant but small hamlets at Bexon, Manns Place, Swanton and Deans Hill all developed from subsidiary manors which had their origins in early farmstead settlements. They are all located within a small radius of the village of Bredgar (approximately 2km) which would have provided the hub for much of their activity such as the wheelwrights, the forge, the church, and later the shops and school. Whilst there is little visual link between Bredgar and the small

hamlets, the significance of the historical connection is demonstrated by the extensive network of lanes and footpaths, formed long before the advent of motor transport. The footpath network reflects those connections which were made long before the advent of motor transport.

Whilst visual connections between Bredgar and the smaller hamlets are not significant, the strong historical connections are.

⁴ Bredgar *The History of a Kentish Parish*, 2013

3.0 SUMMARY AND CONCLUSION

Bredgar is a place with a strong and distinctive identity based on its long history and its development over many centuries. The rich variety in building styles and types and their strong visual and historic connection to the surrounding countryside are a defining feature of the village.

Local building materials are strongly in evidence, including timber framing, brickwork, flint, ragstone, feather-edged weatherboarding, slate and Kent peg tiles. The variety and juxtaposition of these locally distinct materials contributes to the special character and appearance of Bredgar.

The history of the village, its ecclesiastical connection to the **Ghantry College**, its rich mix of buildings and the quality of its public domain results in a special place which merits protection.

As such Bredgar continues to be an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. There is no doubt that it should continue to be a designated conservation area.

The conservation area has served its purpose well since it was first designated 50 years ago. The key characteristics that gave rise to its designation in 1973 appear to have been well managed by local owners, the Parish Council and the Local Planning Authority. That is not to say that there have not been changes, because there have, but most of them have been made with respect to the distinct character of the place and have integrated well into their context.

Key positive characteristics:

The special character of Bredgar Conservation Area may be summarised as follows:

- Bredgar is a small rural settlement which developed from a medieval manorial farming community.
- It has a strong visual identity centred around the pond, the war memorial, the parish church and The Street
- The medieval parish church, the Victorian village school and the farm shop provide a visual focus to the village contributing to its life and vitality.
- The architectural contribution made by several listed buildings and by many non-designated buildings and structures.
- The eclectic mix of traditional building styles, forms and vernacular building materials all expressing the history and development of the village.
- Trees make a significant contribution to character and help to reinforce the rural character of the village.
- Boundary walls, fences and railings make a distinct contribution to the special character of the place.
- The strong relationship between the village and the surrounding landscape, experienced through views and vistas to and from the village and through the public footpath network.
- Buildings and the public domain are generally well cared for and in good condition.

All conservation areas have some negative as well as positive characteristics. Identifying negative characteristics allows those responsible for managing change to focus on positive enhancement.

Key negative characteristics:

- The occasional use of mass-produced non-indigenous building materials such as uPVC windows or concrete roof tiles which tend to dilute local character and distinctiveness.
- The number of telegraph poles and overhead cables some of which are visually intrusive.
- The extensive use of concrete highway kerbs.
- A small number of significant buildings or structures are showing signs of poor maintenance.
- **Increased light pollution from security and street lighting.**

Part of the review process involved an assessment of whether the conservation area boundaries are correctly drawn and whether the area should be extended or reduced in size. In this regard particular consideration was given to extending the conservation area west to include parts of Silver Street and north to include more of The Street. However, these areas are separated from the historic core of the village by modern development which means that there would be no spatial or visual continuity to the area of special architectural or historic interest. Consequently it is recommended that the boundary should not be extended or revised.



4.0 BREDGAR CONSERVATION AREA MANAGEMENT STRATEGY

Conservation Area designation is not an end in itself. It is a way of recognising the special architectural or historic character of an area so that appropriate steps can be taken to preserve or enhance it.

Conservation is not about preventing change: Bredgar Conservation Area is part of a living community and change is needed to sustain and meet its future needs. It is about positively managing change so that what the community cherishes today can be properly looked after and passed on to future generations in good condition.

This management strategy is intended to encourage active involvement in the future management of Bredgar Conservation Area. It provides an opportunity for the Borough Council, the Parish Council, local amenity groups, Kent Highways, Kent County Council, individual householders and local businesses to take part in positively managing the area.

4.1 Statutes and policies

When a conservation area is designated there are statutes, planning policies and regulations which govern which types of development require planning permission and the way that the local planning authority undertakes plan making and decision taking. The statutes and policies that directly affect designated conservation areas are outlined in appendix 3 below.

It is these statutes and policies that provide the formal framework for managing change in conservation areas. Most significantly, the local planning authority is required to pay special attention to the

desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of all its planning functions.

The Swale Borough Local Plan aims to ensure that the significance of Bredgar Conservation Area is sustained and enhanced through:

- Preserving or enhancing the area's special character or appearance.
- Preserving or enhancing the setting of the conservation area and of other designated heritage assets.
- Safeguarding and better revealing the significance of any archaeology.
- Protection and enhancement of landmarks and significant views or vistas within and without the conservation area.
- Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area.
- Safeguarding significant spaces.
- Safeguarding significant trees.
- Promoting high quality design in new development which responds positively to context and to the distinct character of the conservation area.
- Continued sensitive management of the public realm.
- Requiring new development to respond positively to the Conservation Area Character Appraisal,

4.2 Published guidance

There is a wealth of published guidance on positively managing change in conservation areas. Swale Borough Council has adopted supplementary planning documents (SPDs) which are listed in

appendix 3. Historic England has also published a range of guidance and advice notes which are listed in the bibliography at appendix 4.

4.3 Householder alterations

Where householder alterations are proposed which require planning permission the Council will typically seek to ensure that those alterations enhance the special character and appearance of the conservation area.

Opportunities to reinstate missing architectural features (such as sash windows, panelled doors or original roof coverings) and traditional boundary treatments will be encouraged by the Council and, where appropriate, may be requested in relation to planning applications for extensions and/or alterations,.

Even in conservation areas, some householder alterations to unlisted buildings may be undertaken without the need for planning permission. The Conservation Area Character Appraisal has identified some householder alterations which have in the past involved the removal of historic features such as period windows, doors, roof coverings and chimney stacks. The cumulative impact of ill-considered alterations to traditional properties can have a harmful effect on their significance and on the character and appearance of a conservation area. Such alterations have, and could continue to erode the character of Bredgar Conservation Area over time.

In light of the above, Swale Borough Council may consider the use of an Article 4 Direction in order to bring some householder alterations (which are currently classed as permitted development) under planning control, to ensure that alterations are positively managed through the planning system.

Householder alterations which could be brought under control by an Article 4 Direction at Bredgar Conservation Area include the following:

- Replacement windows and doors.
- Changes to roof coverings.
- Removal of traditional chimney stacks.
- The installation of solar photovoltaic panels on the front wall or roof slope of buildings.
- Installing rooflights in the front roof slope.
- Alterations to or demolition of fences, railings and boundary walls.
- Adding a front porch.
- Replacing a front garden with a hard surface.

4.4 Swale local heritage list

Arising from Swale's adopted Heritage Strategy 2020-2032, the Borough Council is compiling a Local Heritage List in order to identify heritage assets which are not formally designated.

The Local Heritage List:

- raises awareness of an area's local heritage assets and their importance to local distinctiveness;
- informs developers, owners, council officers and members about buildings within the local authority boundary that are desirable to retain and protect;
- provides guidance and specialist advice to owners to help protect the character and setting of those buildings, structures, sites and landscapes;
- helps the council in its decision making when discussing proposals and determining planning applications; and

- records the nature of the local historic environment more accurately.

The impact of any development on a building or site included within the Local Heritage List will be a material consideration when the council considers an application for planning permission.

Several buildings in Bredgar Conservation Area would be eligible for inclusion within the Swale Local Heritage List. They are listed below and indicated on Map 2 on page 15.

- Bredgar Church of England Primary School, Bexon Lane
- The Sun Inn, The Street
- The Old Post Office House, The Street
- Park House, The Street
- The Farm Shop and Tea Rooms
- Three WW2 concrete anti-tank buoys around Bredgar War Memorial

Buildings which are already protected because they fall within the curtilage of a listed building are excluded from the list.

4.5 Public realm

The public realm (that is those areas which fall between the buildings and are accessible to and enjoyed by the public) makes a significant positive contribution to the special character of Bredgar Conservation Area. The highway, public footpaths, the village pond and the churchyard all fall within the public realm.

In rural conservation areas, it is especially necessary to guard against standard highway ‘improvements’ which do not necessarily respect the special character of the place. The injudicious use of concrete

kerbs, street lighting, off-the-shelf road signs and traffic calming measures frequently detract from the special character of rural village conservation areas.



The retention of soft verges (without concrete kerbs) and roadside banks and hedges is fundamental to the future sensitive management of parts of Bexon Lane and The Street. Restrained use of highway signing and road markings is also critically important. Where signs, road markings, street furniture, salt bins, rubbish bins or utility boxes are deemed necessary, they should be located and designed sensitively and in consultation with the local community.

Future highway maintenance, improvements and alterations should be carried out in accordance with *Streets for All*, Historic England (2018) and *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets*, KCC and KCOG (2011). Both provide advice on good practice for highway and public realm works in historic places. Early consultation with all stakeholders (including Swale Borough Council’s Conservation and Design Team and Bredgar Parish Council) will be fundamental to achieving appropriate standards in any future proposed changes.

Bredgar has a good number of overhead cables and telegraph poles. Where possible, opportunities should be taken to investigate removal

of redundant overhead cables, reducing the number of poles and potential undergrounding of services. The two telegraph poles next to the telephone kiosk, one of which appears to be redundant, are particularly obtrusive.



- An audit of overhead supply lines and poles with the statutory undertakers to establish whether there is scope to remove any overhead cables or poles or to relocate services underground.
- The replacement of concrete highway kerbs with more traditional kerbs.
- Ongoing 'light touch' management of the village pond.

4.6 Trees and planting

Trees and hedgerows play a vital role in the special character of Bredgar and also contribute significantly to wildlife habitat and biodiversity.

The retention and active management of trees and hedgerows should be encouraged and opportunities for new planting should be



The village pond provides valuable visual amenity as well as obvious wildlife and biodiversity benefits. The pond appears to be well managed and has a good amount of edge vegetation. Future management is likely to involve a light touch but may require occasional removal of leaf litter (during the winter to avoid hibernation times). It would also be good to reduce/limit water runoff from the highway into the pond if possible.

The Parish Council, Swale Borough Council and Kent County Council will seek to ensure that the public realm continues to be sensitively managed.

Public realm: Opportunities for enhancement

- An audit of public signage (including highway signage) to establish whether all current signage and road markings are necessary, well designed and appropriately located.
- An audit of street furniture (bollards, benches, bins, salt bins, bus stops etc.) to establish whether street furniture is necessary, well designed and appropriately located.

(continued)

considered when appropriate. Planting which contributes to the rural character of Bredgar should normally be comprised of native species, although other species now assimilated into the Kentish rural scene may also be appropriate.

All trees within the conservation area are protected. Six weeks' notice must be given to the Borough Council in writing before any works are undertaken to trees within conservation areas.

Trees and planting: Opportunities for enhancement

- An audit of trees and hedgerows may be undertaken to establish whether there is any scope for better management, additional protection through tree preservation orders, or for further planting.
- Positive management may occasionally involve the removal of trees to preserve, restore or open up significant views or vistas.

4.7 New development opportunities

Potential for new development within Bredgar Conservation Area is extremely limited. If proposals for development come forward they will be considered against local and national planning policies which attach great weight to the conservation of designated heritage assets.

Development affecting the setting of the conservation area or other heritage asset may also affect their heritage significance. The local planning authority is required to pay special attention to preserving the setting of the conservation area (or the setting of any listed buildings) in any plan making or decision taking.

4.8 Heritage at risk

There are currently no designated heritage assets in Bredgar on Historic England's Heritage at Risk Register or on Swale Borough Council's Heritage at Risk Register. This appraisal has identified three buildings/structures which appear to be in poor condition as follows:

Boundary wall between churchyard and the village school
Bredgar House
Gibben's Farm Barn



These buildings may be eligible for inclusion in the Swale Heritage at Risk Register.

In such circumstances the Council will notify respective owners and, where appropriate work with them and other stakeholders to investigate opportunities for removing the risk and securing the asset's future.

APPENDIX 1 Map regression

Page 125



Saxton's map of Kent 1575



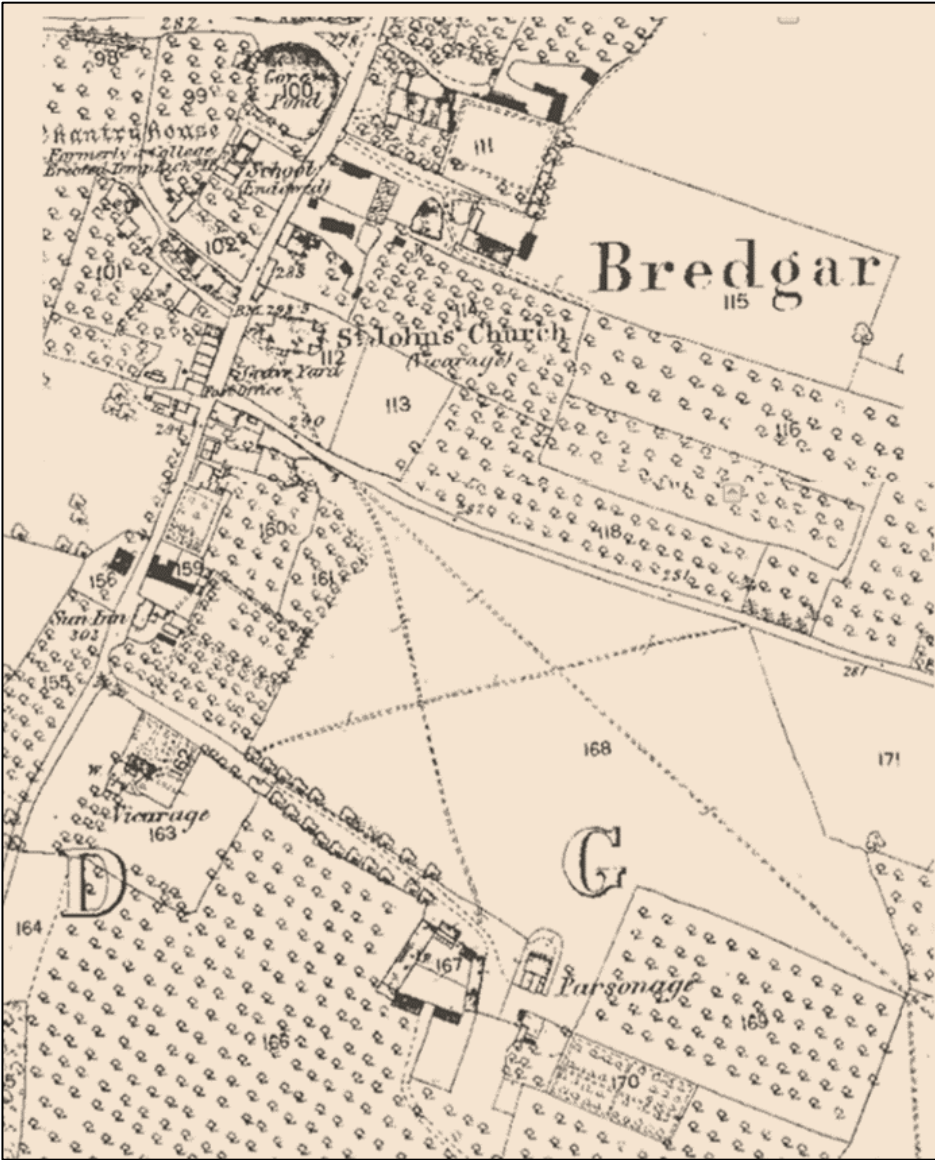
Captain William Mudge's map of Kent c.1801



Andrews, Dury and Herbert
topographical map of the county
of Kent 1796



Tithe Commissioners' map 1838



[This map to be removed - duplicate of 1870s map](#)

[Ordnance Survey First Series 1816](#)



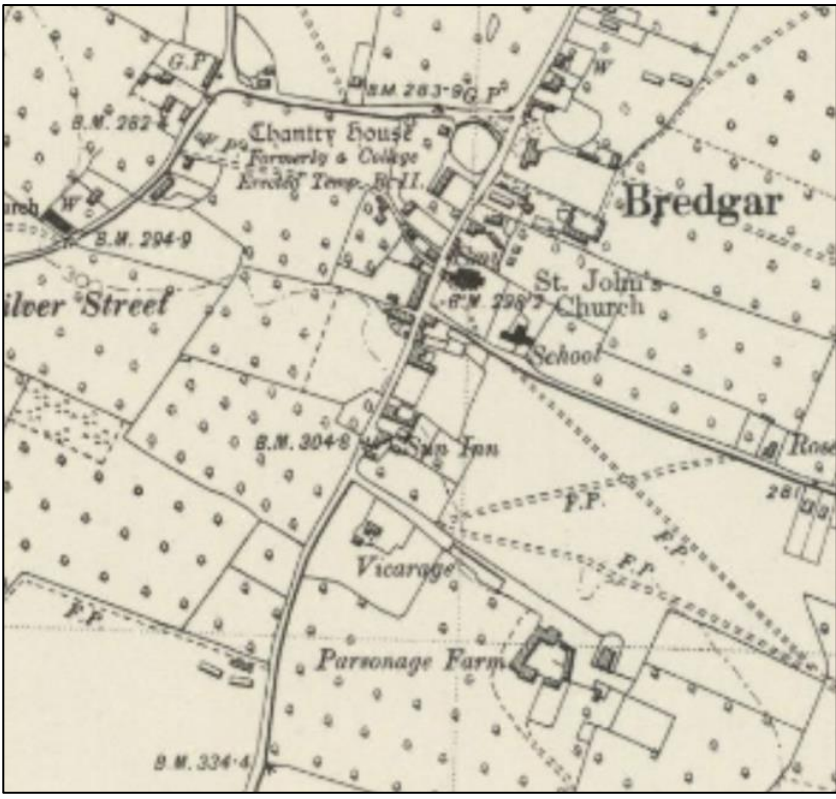
1871 Ordnance Survey Extract



1896 Ordnance Survey Extract



1906 Ordnance Survey Extract



1946 Ordnance Survey Extract

APPENDIX 2

Extracts from the National Heritage List for England (the Statutory List of Buildings of Special Architectural or Historic Interest)

The statutory list for Bredgar is compiled by the Secretary of State for Digital, Culture, Media and Sport and is altered and amended from time to time as buildings are added or removed from the list. The list descriptions below are taken from the statutory list and were current in May 2023. For more detailed and up to date information please refer to the National Heritage List for England at www.historicengland.org.uk/listing/the-list.

Features and structures which are not specifically mentioned in the statutory list are not necessarily excluded from statutory protection which extends to the listed building as well as to any object or structure fixed to the building and to any object or structure within the curtilage of the building which predates July 1948.

The omission of a building from this list should not necessarily be taken to indicate that it is not listed, without first referring to the National Heritage List.

PRIMROSE HOUSE, PRIMROSE LANE Grade II

House. C17 and clad C18. Timber framed, clad with painted brick with plain tiled roof. Two storeys on plinth with plat band, box eaves and projecting stacks left and right. Five C19 glazing bar sash windows on first floor, 4 on ground floor with gauged heads, the inner 2 windows with rubbed brickwork. Central door of 6 fielded panels with flat hood on brackets.



BREDGAR HOUSE, THE STREET Grade II

House. C18, altered C19. Channelled render and plain tiled roof. Three storeys flanked with giant pilasters, with hipped roof and stacks left and right. Two C19 oriel windows on brackets separated by a niche on second floor, 3 glazing bar sashes with iron balconies to left and right on first floor, and 2 wood casements on ground floor. Central half glazed door in porch with Doric columns supporting entablature.

BARN 20 YARDS SOUTH WEST OF GIBBEN'S FARM BUNGALOW, THE STREET Grade II

Barn. C16. Timber framed on red brick plinth and clad with weather board and asbestos, hipped roof with flat roofed mid-stray, and 2 wood casement windows to left. Interior: 5½ bays with aisles. Passing shores to arcade posts, heavy arch-braced tie beams, solid spandrels to collar beams, clasped purlins with diminished principles and wind bracing.



BURNHAM HOUSE, THE STREET Grade II

House. C16 - C17 and clad C18. Timber framed and clad with mathematical tiles with plain tiled roof. Two storeys and attic with half-hipped roof, 1 hipped dormer and projecting end stack to right. Five C20 wood casements on first floor, 4 on ground floor and central C20 panelled and glazed door with pediment.

Right return front: C17 red brick with brick mullioned window and offset projecting chimney stack with moulded bands and 3 arched niches at top. (See B.O.E. Kent II 1983, 198).

CHURCH OF ST JOHN THE BAPTIST, THE STREET Grade I

Parish Church. C14 with C12 west door. South porch and restoration 1894. Flint with stone dressings and plain tiled roof. West tower, nave and south aisle and chancel with continuous north aisle, south porch and external vice. Exterior: 3 stage west tower on plinth with string courses, battlements, large quoins and octagonal stair turret. West doorway Romanesque in 4 orders of nail head, zig zag, roll mould, zig zag, and attached columns. Over it, C19 decorated style 2 light window, with C15 Perpendicular belfry lights, and C20 clock. South aisle with 4 C15 Perp. 2 light windows with quatrefoils over and roll and hollow chamfered drip- moulds. South door C19 in C15 doorway of 3 roll-moulded orders. External octagonal vice, and diagonal buttress at east end of south aisle, with C15 Perp. 3 light and 6 over south east window. Chancel with C19 Perp. style windows. North aisle with C15 Perp. 3 light and 6 over east window, 1 diagonal and 4 offset buttresses, and 3 C15 late Curvilinear traceried windows, of 2 lights with quatrefoils or sexfoils over. Interior: heavy tower arch with triple hollow chamfer, nave arcade of 3 octagonal moulded piers with double hollow chamfered arches, and double hollow chamfered chancel arch. Roof of 4 crown posts. South aisle with doors to external vice for rood stair. Lean to and cross-beamed roof. North aisle has roof of 4 crown posts. North and south aisles each with 1 arch to chancel, with double hollow chamfered arches. Chancel of 2 bays with crown post roof. Fittings: restored cusped piscina in chancel, and south east window responds brought down to form sedillia. Finely moulded piscina on north east aisle wall. C17 screen to tower of 2 tiers of turned balusters and low single

central door. C14 octagonal font on restored base. Monuments: In the chancel north wall to Terrey Aldersey d. 1670 oval plaque with Latin inscription with bolection moulded surround on shrouded death's head, and broken swan-neck pediment with achievement. In the north aisle, wall plaque to Humphrey Clarke, also Woodchurch d. 1608. Black and white marble, with base on demi-angel with side scrolls, semi-circular headed plaque and corinthian columns supporting frieze and broken pediment with cartouche, and obelisks over. To west of this, wall plaque to Thomas Brenchley, d. 1818. Black and white plaque with cornice and obelisk over, with large urn flanked by burning torches, by Patten and Brisley of Rochester. On west wall, brass to Thomas Coly d. 1518, a clergy man holding a chalice, 19½" inches long, with Latin inscription. Fragments of C14 and C15 glass in north aisle east window, includes Man of Sorrows. Two coats of Arms on lozenge panels in north aisle, and Royal Arms of George III over south door. (See B.O.E. Kent II. 1983 pp 157-8).

K6 TELEPHONE KIOSK TO NORTH WEST OF PARISH CHURCH, THE STREET Grade II

Telephone kiosk. Type K6. Designed 1935 by Sir Giles Gilbert Scott. Made by various contractors. Cast iron. Square kiosk with domed roof. Unperforated crowns to top panels and margin glazing to windows and door.



CHIMNEYS, THE STREET Grade II

House. Circa 1700. (dated: c. 1666 on C20 plaque by door). Front to Bexon Lane: Channelled render and plain tiled roof. Two storeys and hipped roof with stack to rear centre. Four glazing bar sash windows to first floor, 3 to ground floor, and C20 panelled and glazed door to left with sloping hood on brackets.

BRICKWALL AND RAILINGS TO FORECOURT, THE STREET Grade II*

House. C17. Timber framed and clad with channelled render, with plain tiled roof. Two storeys and basement, with plinth, plat band and modillion eaves cornice to hipped roof with 2 hipped dormers and stacks with coupled diagonal stacks projecting at end left, to centre left, and projecting to front right. Three tripartite wood casements on first floor with single light right of projecting stack, and 2 tripartite sash windows on ground floor with semi-circular headed light right of stack, and opening to basement bottom left. Garage doors at end left, and central door of 6 raised and fielded panels with rusticated and keyed surround and pediment over. Enclosing court in front of houses, iron railings projecting 2 yards and 15 yards long, 2 tiers of fleur-de-lys rails. The rear elevations with exposed close-studded framing. Interior: staircase c. 1725. 2 flight with turned balusters and square knobs.

WALL RUNNING SOUTH OF BRICKWALL, THE STREET Grade II

Garden wall. C17 and later C18. Red and blue brick in various bands with some diaper patterning. Seven foot high on 2 foot 6 inch plinth extends 35 yards to south of BrickWall on road frontage.

THE OLD VICARAGE, PARSONAGE LANE Grade II

House. C17 clad C18. Timber framed and clad with chequered red and blue brick, with plain tiled roof. Lobby entry plan of 4 bays. Two storeys on plinth with hipped roof and stacks to centre right and projecting at end left and end right. Four metal casement windows on first floor and blank panel centre right over door, with 3 segment-head wood casements on ground floor with gauged Venetian window to left. Door centre right of 6 raised and fielded panels with flat hood over.



The Old Vicarage

PARSONAGE FARMHOUSE, PARSONAGE LANE Grade II

Farmhouse. Early C19. Red brick and slate roof. Two storeys and paired modillion eaves cornice to hipped roof with stacks left and right and projecting end right. Three sash windows on first floor, 2 on ground floor, all with gauged heads, and central door of raised panels and recessed niche with semi-circular fanlight in gauged semi-circular surround, at head of flight of 3 steps with iron railings, all within large porch on Doric columns supporting an open pediment. Included for group value only.

CARTHOUSE 20 YARDS WEST OF PARSONAGE FARM, PARSONAGE LANE Grade II

Carthouse. C17. Red brick in English bond, rendered, with slate roof. One storey and loft on plinth, with plat band. Three lights in loft and board loft door to right and 4 cambered arched cart entries on ground floor with board door to left. Left and right fronts with Plinth, plat band, cornice and niche in gable.



Parsonage Farm Cart House

CHANTRY HOUSE, THE STREET Grade II*

Chantry college, now house. Circa 1392 altered C19. Flint with red brick dressings stone quoins and plain tiled roof. Two storeys and moulded eaves cornice, with 4 stacks from left to right. Regular fenestration of 4 C19 tripartite sash and central sash on first floor and 4 tripartite sash on ground floor. Original openings since revealed, mullioned light to left on first floor, single openings with stone surrounds on ground floor. Central

door of 6 panels with rectangular fan, moulded surrounds and cornice hood, with exposed brick and wood from earlier door opening exposed around it. Right return front: first floor has C14 2 light cusped opening. Interior: much of C14 remaining. 2 vaulted and half-sunk rooms; roof of 5 large moulded crown posts with 2 round flint chimneys; moulded stone doorways originally at either end of passage from central hall to kitchen. Later features include C17 moulded brick fireplace, and panelling, carving and staircase of various dates, C17 - C18 imported from various London buildings in the 1950's. Internal plan reconstructed as having been vaulted storerooms with chaplain's room over; open hall; pantry, buttery and passage with scholars' room over; kitchen open to roof. College was founded 1397 by Robert de Bradegare, the north aisle of the church used as its chapel (the whole church rebuilt at-Same time). (See B.O.E. Kent II 1983 p. 158; Arch. Cant. 1975, E.W. Parkin).

DOVECOT 25 YARDS NORTH WEST OF CHANTRY HOUSE, THE STREET Grade II

Dovecot. C17. Timber framed on brick plinth and clad with weather board with plain tiled roof. Square plan. One storey, with hipped roof and lantern. Interior: queen strut roof.



Chantry House Dovecot

BREWER'S HOUSE, THE STREET Grade II

House. C17. Timber framed and exposed with plaster infill and underbuilt with painted brick, with plain tiled roof. Lobby entry of 4 bays. Two storeys on plinth with hipped roof and stack to centre right. Irregular fenestration of 4 wood casements to each floor and plank and stud door to centre right.



Brewer's House

CHANTRIES, THE STREET Grade II

House. C16. Timber framed and exposed with plaster infill and underbuilt with painted brick with plain tile roof. Two framed bays. Two storeys and hipped roof with stack to rear left. Irregular fenestrations of 4 wood casements to first floor and 2 to ground floor and C20 plank and stud door centre right and 2 brick buttresses to left.



lettering on its east face: TO THE GLORY OF GOD AND IN MEMORY OF THE MEN FROM THIS PARISH WHO LAID DOWN THEIR LIVES FOR THEIR COUNTRY IN THE GREAT WAR 1914-1918. The four faces of the lower part of the plinth bear the names of the fallen of World War I and their regiments or Service. The south face of the memorial bears the inscription '1939-1945' followed by the two names of the fallen of World War II with another on the chamfer of the top step of the base.
History: Unveiled on 1st December 1920.

BREDGAR WAR MEMORIAL, THE STREET Grade II

Reasons for Designation: The War Memorial at Bredgar is designated at Grade II for the following principal reasons: An eloquent witness to the impact of tragic world events on this community. Although of a standard design, it shows care in its detailing and carving. Occupies a prominent position in this conservation area.

Details: II War Memorial. Portland stone. 1920 to commemorate the fallen of World War I with additional dedications to the fallen of World War II.

Description: The memorial is in the form of a wheel-head (or Celtic) cross atop a tall chamfered shaft. This is mounted on a three-tier square plinth atop a two-step square base. The top tier of the plinth bears the following inscription in flush lead

APPENDIX 3

Legislation, national policy and local policy

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 General duty as respects listed buildings in exercise of planning functions:

(1) In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 69 Designation of conservation areas:

(1) Every local planning authority— (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and (b) shall designate those areas as conservation areas.

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

(3) The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being designated as a conservation area is an area of special architectural

or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

(4) The designation of any area as a conservation area shall be a local land charge.

Section 71 Formulation and publication of proposals for preservation and enhancement of conservation areas.

(1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.

(3) The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.

Section 72 General duty as respects conservation areas in exercise of planning functions:

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of] any of the provisions mentioned in subsection

(2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework (NPPF)

The NPPF sets out the government's planning policies and how they should be applied. It provides the national framework for conserving and enhancing the historic environment, including conservation areas.

National Planning Practice Guidance (NPPG)

The NPPG sets out government's guidance on how the act and national planning policy should be applied.

Adopted Local Plan- Bearing Fruits 2031: The Swale Borough Local Plan (2017)

Relevant objectives and policies within the local plan include:

Policy ST 1 Delivering sustainable development in Swale.

To deliver sustainable development in Swale, all development proposals will, as appropriate:..... 8. Achieve good design through reflecting the best of an area's defining characteristics; 9. Promote healthy communities through:..... maintaining the individual character, integrity, identities and settings of settlements; 12. Conserve and enhance the historic environment by applying national and local planning policy through the identification, assessment and integration of development with the importance, form and character of heritage assets (including historic landscape

Policy CP 4 Requiring good design.

All development proposals will be of a high quality design that is appropriate to its surroundings. Development proposals will, as appropriate:... 2. Enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening sense of place; 5. Retain and enhance features which contribute to

local character and distinctiveness;... 8. Be appropriate to the context in respect of materials, scale, height and massing; 9. Make best use of texture, colour, pattern, and durability of materials; 10. Use densities determined by the context and the defining characteristics of the area; 11. Ensure the long-term maintenance and management of buildings, spaces, features and social infrastructure.

Policy DM 32 Development involving listed buildings.

Development proposals, including any change of use, affecting a listed building, and/ or its setting, will be permitted provided that:

1. The building's special architectural or historic interest, and its setting and any features of special architectural or historic interest which it possesses, are preserved, paying special attention to the: a. design, including scale, materials, situation and detailing; b. appropriateness of the proposed use of the building; and c. desirability of removing unsightly or negative features or restoring or reinstating historic features.

2. The total or part demolition of a listed building is wholly exceptional, and will only be permitted provided convincing evidence has been submitted showing that: a. All reasonable efforts have been made to sustain existing uses or viable new uses and have failed; b. Preservation in charitable or community ownership is not possible or suitable; and c. The cost of maintaining and repairing the building outweighs its importance and the value derived from its continued use.

3. If as a last resort, the Borough Council is prepared to consider the grant of a listed building consent for demolition, it may, in appropriate circumstances, consider whether the building could be re-erected elsewhere to an appropriate location. When re-location is not possible and demolition is permitted, arrangements will be required to allow access to the building prior to demolition to make a record of it and to allow for the salvaging of materials and features.

Policy DM 33 Development affecting a conservation area.

Development (including changes of use and the demolition of unlisted buildings or other structures) within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area's special character or appearance. The Borough Council expects development proposals to:

1. Respond positively to its conservation area appraisals where these have been prepared;
2. Retain the layout, form of streets, spaces, means of enclosure and buildings, and pay special attention to the use of detail and materials, surfaces, landform, vegetation and land use;
3. Remove features that detract from the character of the area and reinstate those that would enhance it; and
4. Retain unlisted buildings or other structures that make, or could make, a positive contribution to the character or appearance of the area.

Policy DM 34 Scheduled Monuments and archaeological sites

1. Development will not be permitted which would adversely affect a Scheduled Monument, and/or its setting, as shown on the Proposals Map, or subsequently designated, or any other monument or archaeological site demonstrated as being of equivalent significance to scheduled monuments. Development that may affect the significance of a non-designated heritage asset of less than national significance will require a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
2. Whether they are currently known, or discovered during the Plan period, there will be a preference to preserve important archaeological sites in-situ and to protect their settings. Development that does not achieve acceptable mitigation of adverse archaeological effects will not be permitted.
3. Where development is permitted and preservation in-situ is not justified, the applicant will be required to ensure that provision will be made for archaeological excavation and recording, in advance of and/or during development, including the necessary post-excavation

study and assessment along with the appropriate deposition of any artefacts in an archaeological archive or museum to be approved by the Borough Council.

Swale Borough Council Key Supplementary Planning Guidance

Swale Borough Council Planning and Development Guidelines No 2: Listed Buildings – A Guide for Owners and Occupiers.

Swale Borough Council No 3: The Conservation of Traditional Farm Buildings.

Swale Borough Council Planning and Development Guidelines No 8: Conservation Areas.

Swale Borough Council Heritage Strategy 2020-2032

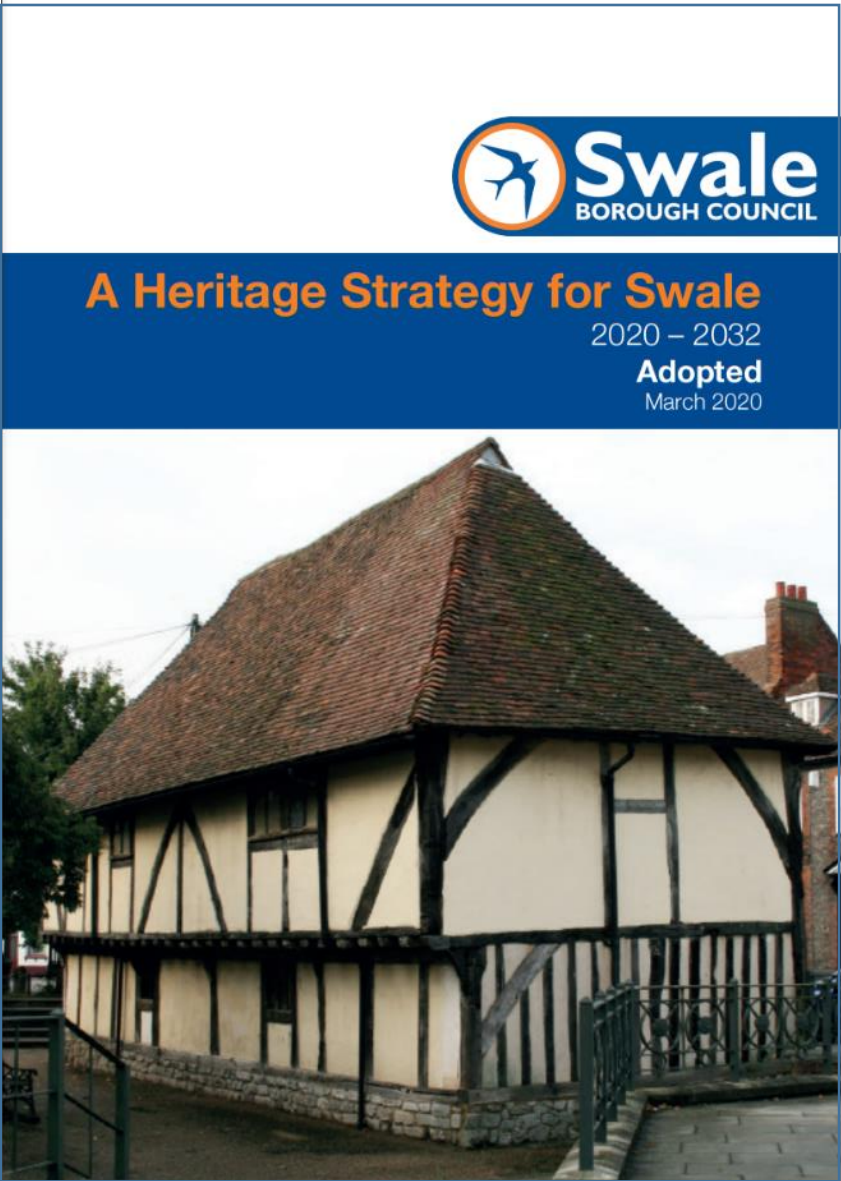
The Council has developed a borough-wide heritage strategy to help it, along with key stakeholders and other interested parties, to protect and manage the historic environment in Swale in a positive and sustainable way, on a suitably informed basis.

A key element of the strategy is setting out the Council's overall vision and priorities, which it is hoped will align with the vision and priorities of local communities and local amenity societies as far as possible, in order that the strategy can be widely supported.

The strategy sets out a series of proposals in the associated initial 3-year action plan which are aimed at enabling the positive and sustainable management of different elements of the borough's historic environment for the foreseeable future. Priority is given to those parts of the borough's historic environment which are already suffering from, and at risk from negative change, and/or which face significant development pressure, threatening their special character. The proposed set of actions will involve joint project working with

amenity societies and/or volunteers from the community wherever this is possible.

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APPENDIX 4

Bibliography

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John Newman *The Buildings of England North East and East Kent* (2013)

Kent County Council *South east Archaeological Research Framework* www.kent.gov.uk

Kent County Council *Historic Environment Record* www.kent.gov.uk

Kent County Council and Kent Conservation Officers Group, *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets* (2011)

LUC Swale *Local Landscape Designation* (October 2018)

Jacobs Swale *Landscape Character and Biodiversity Appraisal* (2011)

Swale Borough Council and Kent County Council *Rural Lanes Study 1996-97*

Historic England Publications

Historic England Good Practice Advice Notes (GPAs) provide advice on good practice and how national policy and guidance should be applied.

GPA1: *The Historic Environment in Local Plan Making* (March 2015)

GPA2 - *Managing Significance in Decision-Taking in the Historic Environment* (March 2015)

GPA3 – *The Setting of Heritage Assets* (December 2017)

Historic England Advice Notes (HEANs) include detailed, practical advice on how to implement national planning policy and guidance.

HEAN 1: *Conservation Areas: Designation, Appraisal and Management* (Feb 2019)

HEAN 2: *Making Changes to Heritage Assets* (February 2016)

HEAN 9: *The Adaptive Reuse of Traditional Farm Buildings* (October 2017)

HEAN 10: *Listed Buildings and Curtilage* (February 2018)

HEAN 12: *Statements of Heritage Significance* (October 2019)

HEAN 16: *Listed Building Consent* (June 2021)

Streets For All (May 2018)

www.historicengland.org.uk/listing/the-list

For further information contact:

Swale Borough Council Planning Services 01795 417850

www.Swale.gov.uk

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This Conservation Area Character Appraisal was prepared by:

Peter Bell Historic Building Consultancy Peter@Bell.uk.com

on behalf of:

Swale Borough Council

Swale House, East Street, Sittingbourne, Kent ME10 3HT



Policy and Resources Committee	
Meeting Date	18 October 2023
Report Title	Hartlip Conservation Area review
EMT Lead	Emma Wiggins - Director of Regeneration & Neighbourhoods
Head of Service	Joanne Johnson – Head of Regeneration, Economic Development and Property and Interim Head of Planning
Lead Officer	Jhilmil Kishore - Senior Conservation & Design Officer (Projects)
Classification	Open
Recommendations	1. Members are asked to agree the recommendation of the Planning and Transportation Policy Working Group - that the changes to the Conservation Area review document proposed in response to the representations are agreed.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Policy and Resources Committee aware of proposed boundary changes to the Hartlip Conservation Area and to recommend that the conservation area be formally re-designated under section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The proposals include a detailed character appraisal and associated management strategy in line with current good practice for the management of conservation areas. The Planning and Transportation Policy Working Group reviewed and recommended the changes to the review document set out in **Appendix i** (and as reflected in **Appendix ii**) at its meeting on 19th September 2023.

2 Background

- 2.1 Hartlip Conservation Area was originally designated by Kent County Council on 3 July 1970. It was reviewed, extended and re-designated by Swale Borough Council on 7 April 1999. A brief character appraisal accompanied the re-designation in 1999. There is a formal requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 for Conservation Areas to be reviewed from 'time to time'.
- 2.2 This review work is part of a wider range of conservation area review work requested by the Western Area Committee. As the existing level of officer resource did not allow for this review work to be carried out in-house, the Western Area Committee agreed to fund the use of an external consultant to carry out the work. The same consultant (Peter Bell) who carried out the review of Rodmersham Church Street, Rodmersham Green and Tunstall conservation areas last year was re-appointed to undertake the review of Hartlip and Hartlip Conservation Areas.

3 Proposals

- 3.1 The proposal is to re-designate and amend the boundary of the conservation area and to equip it with a detailed character appraisal and a complementary management strategy which will assist with development management and heritage conservation purposes over the next decade or more. It is a matter for the Policy & Resources Committee to decide whether to formally adopt the Hartlip Conservation Area Character Appraisal and Management Strategy (as recommended and set out in **Appendix ii**, following consultation feedback).
- 3.2 Planning and Transportation Policy Working Group members have reviewed an earlier version of this report, and recommend to the Policy and Resources Committee the changes to the Conservation Area review document as set out in **Appendix ii**.

4 Alternative Options Considered and Rejected

- 4.1 One option would be to not take this review work any further. This is not recommended because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the conservation area and its wider setting moving forward.
- 4.2 A second possible option would be to disregard some elements, or all of the feedback received, in terms of the suggested boundary change(s). However, whilst it is considered that the appraisal and management plan (to support the redesignation of the conservation area) is essentially sound, the feedback provided from the local community is valuable and to ignore any of this feedback without sound reasons would call the value of the consultation process into question and potentially deliver reputational damage to the Council.
- 4.3 A third possible option would be to suspend the work on this review until some point in the future. Whilst this option would not result in wasted officer time, it could still lead to (a) the designation being challenged, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the Hartlip Conservation Area.

5 Consultation Undertaken or Proposed

- 5.1 A 6-week public consultation ran from Monday 3rd July 2023 until Monday 14th August 2023.
- 5.2 All those parties with property within or overlapping the current conservation area boundary were notified in writing of the review and were invited to comment on it, as were key relevant organisations including Kent County Council and Historic England.

- 5.3 The previous normal practice of providing hard copies of the review document at Swale House has now been discontinued, but the review document was available to view/download on-line via the Council's website for the duration of the 6-week public consultation period.
- 5.4 A total of 6 consultation responses have been received. All from residents of Hartlip. The officer's response to these responses (as summarised) is attached as Appendix i.
- 5.5 Historic England was consulted on the conservation area review but provided no feedback.
- 5.6 Kent County Council in its function as the Highway Authority was consulted on the conservation area review but provided no feedback.
- 5.7 A presentation was done to Western Area Committee on 31st August 2023, highlighting the main aspects of the Hartlip Conservation Area Review.

6 Implications

Issue	Implications
Corporate Plan	<p>Priority 2 of the Plan is: 'Investing in our environment and responding positively to global challenges'. Objectives 2.1, 2.4 and 2.5 of this priority are respectively to:</p> <p>(2.1) 'Develop a coherent strategy to address the climate and ecological emergencies, aiming for carbon neutrality in the council's own operations by 2025 and in the whole borough by 2020, and pursue all opportunities to enhance biodiversity across the borough'.</p> <p>(2.4) 'Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.</p> <p>(2.5) 'Work towards a cleaner borough where recycling remains a focus and ensure that the council acts as an exemplar environmental steward, making space for nature wherever possible'.</p> <p>The character appraisal and management strategy document, once amended as appropriate and subsequently adopted would support all 3 of the above-stated objectives from the Corporate Plan.</p>
Financial, Resource and Property	<p>Implementing some aspects of the proposed Management Plan may have financial and resource implications for the council, particularly if it is decided to proceed with an Article 4 Direction review. These costs are not yet budgeted for and may need to be considered within any future Heritage Strategy Action Plans.</p>

Legal, Statutory and Procurement	The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on every local planning authority to “ <i>determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance</i> ” and, from time to time, to review the functioning existing conservation areas.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment.
Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Heritage Strategy which underpins this review work.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

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

- Appendix I: Public consultation – table of representations (in summary form), and the council’s response to them.
- Appendix II: Public consultation version of the 2023 draft Hartlip character appraisal and management plan document.

8 Background Papers

A Heritage Strategy for Swale 2020-2032 Adopted March 2020

APPENDIX i: TABLE OF REPRESENTATIONS, AND THE COUNCIL'S RESPONSE AND RECOMMENDATIONS FOR ANY CHANGES TO THE ASSESSMENT DOCUMENT IN RELATION TO THEM – FOR PROPOSED HARTLIP. C.A.

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
1	Local resident	<p>The Hartlip Conservation Area Character Appraisal document is detailed and well considered. As an owner of one of the properties currently outside of the existing conservation area but within the proposed extension to the west of the Street, on the whole I welcome the proposed extension, recognising the greater good that will result from the extension despite the additional processes and controls that will result to any proposed building and land changes (eg tree removal).</p> <p>However, what strikes me is the omission from the proposed extension of the area to the east of the Street, ie the land from around Lily of the Valley and Hollow Lane up to Munn's Lane in the north and bounded by Lower Hartlip Road to the east. The post-war infill residential properties in that section are mixed, of variable quality and in some cases similar to those infill properties to the west of the Street in the proposed extension. But as the appraisal document points out, a key reason for the proposed extension to the west is to protect the strong relationship between the village and the surrounding landscape, and that to my mind should apply equally to the land to the east of the Street. Some of the views north from Hollow Lane and east sweeping down from the Street to Lower Hartlip Road are important components to the overall character of the village. Accordingly, I would urge the Council to consider extending the conservation area to include the land from the parkland area (behind the Parsonage) up to Munns Lane.</p>	<p>Noted & welcomed.</p> <p>The buildings, the trees and the landscape in this area do not possess the quality and character of those in the other areas recommended for inclusion within the conservation area. It falls short of the standard required for statutory designation. It is relevant that statutory controls still afford some protection to development that falls within the setting of the CA.</p>	<p>No change to the assessment document needed.</p> <p>No change to the assessment document needed</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
2	Local Resident	<p>I am pleased to see the heritage buildings in Hartlip so well documented in this review and support all three proposed extensions of the conservation area which enhance the setting of those buildings and reflect the ancient routes and long rural views in and out of this settlement.</p> <p>In particular, I think the western extension over the orchards is inspired - the view downhill from that side of the church across that classic Kentish view is one I remember from growing up there years ago and that remains the same today, well worth protecting for Swale residents for the future. And the route through Mount Lane has always had a strong atmosphere - the explanation of this route's ancient links in the review goes a long way to explaining this and why the conservation area should be extended to include this too.</p> <p>I hope, therefore, that Swale will accept and adopt this review and all the extensions.</p>	Noted & welcomed.	No change to the assessment document needed.
3	Local Resident	<p>Nomenclature and location changes detailed and requested.</p> <p>The house is known as Keites Styles, not Keats Stiles as is shown incorrectly on the ordnance survey maps.</p> <p>The ordnance survey map on the right of page 41 is from 1838 not 1895, and that on the right of page 42 is from 1895 not 1938.</p>	<p>Noted and the proposed corrections to be made.</p> <p>Noted.</p> <p>The objective of the CA is not to prevent development in the</p>	<p>To make changes to the assessment document.</p> <p>To make changes to the assessment document.</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
3	Local Resident (Contd.)	<p>I understand the reason for the proposed boundary adjustment 3 as these define the northern end of the village. However, this will not prevent the field surrounding and joining it with the other houses on Mill Lane, from being developed in the future. It has already been changed from farming land to horse paddock with a large stable block.</p> <p>The garden contains many trees, planted by the previous owners. These are largely not native species, and must be actively managed, so it is difficult to understand what benefit there is to the character of the village from putting the garden into the conservation area.</p> <p>I note that many houses towards the south of The Street and continuing to Place Lane will also be added to the conservation area in adjustment 2, but no reason for this is given. It also leaves just 6 houses on the east side of The Street to the south of Hollow Lane outside the conservation area, although these 6 houses are very similar in construction date to those included. No explanation for this omission is given. It seems logical to either include all the houses on both sides of The Street in the boundary changes or omit the new ones included and confine the boundary adjustment to Cuckoo Orchard and the allotments/Village Hall.</p>	<p>future. The field in question was assessed but was not considered to possess the special architectural or historic character required for CA designation.</p> <p>It would be impractical to include the building but not the garden within the conservation area.</p> <p>The houses on the west of The Street are included because they are 'captured' by the proposed boundary inclusion of Cuckoo Orchard. Consideration was given to excluding the houses, but the result would be a conservation area with a hole which seems contrary to nature of an area/spatially based designation. The houses on the east side of The Street are not of special architectural or historic interest and are not encompassed by land which is. As such there is no inconsistency in the proposed designation.</p>	<p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
3	Local Resident (Contd.)			
4	Local Resident	<p>I am writing to extend my appreciation for the diligent efforts put into the Hartlip Conservation Area Review. While the review is comprehensive, I would like to bring to your attention some important concerns that I believe should be addressed to ensure the well-being and sustainable development of our community.</p> <p>The village of Hartlip undoubtedly holds a unique charm, and the conservation area review acknowledges this with its detailed examination of various aspects. However, there are pressing traffic-related issues that are integral to the village's quality of life and deserve consideration alongside the conservation efforts.</p>	<p>Noted and welcomed.</p> <p>Currently there are no highway proposals within the vicinity of the proposed conservation area. If or when proposals come forward, they will be considered within the context of the conservation area designation.</p>	<p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p>
5	Local Resident	<p>I have lived in Hartlip all my life and my ancestors since at least the early 1800's if not longer. Over the last eighty years or so I have seen considerable change. I have witnessed the Dane Close development, the building of the original post war Graineey Fields homes and subsequent redevelopment and building along The Street especially between Hollow Lane and Mount Lane where, as a child, there was only eight or so properties.</p> <p>I wholly recognise the special character referred to in the Consultation Document despite there having been significant erosion of this over the years. As a general observation I would express concern over the increased use of Laurel and Red Robin hedging rather than the traditional mixed native hedging that once dominated and benefited wildlife. I have also seen the emergence of close board fencing and solid high gates such as those installed at Tevrin.</p>	<p>All noted and agreed. The Conservation Area can control some inappropriate gates, fences, and walls through the need for planning permission. It cannot normally control the typed of hedging apart from through design guidance and advice.</p>	<p>No change to the assessment document needed.</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
5	Local Resident (Contd.)	<p>It seems that this is a mindset of exclusion and territorial ring fencing rather than inclusion that serves only to detract from the openness that had once been an important contributor to the special character and threatens to turn the Street into a hostile tunnel. I don't know to what extent the conservation designation can guard against this.</p> <p>I hear various calls for street lighting which, apart from being impractical to physically install along The Street given the narrowness of or absence of pathways, in my view further detracts from the traditional environment. There is already an increasing implementation of contemporary "look at me" lighting that serves no practical purpose other than to illuminate and display an asset.</p> <p>I am mindful that Hartlip has no right to be excluded from playing its part in the provision of much needed housing and whilst I understand the role of the conservation designation there is a risk that it serves to enhance exclusivity and therefore monetary gain rather than develop community. Hartlip has already suffered from this over the years. The conservation designation appears to have been used to preclude planning and development even where there would be little impact on the street scene that conservation designation was originally designed to protect. Whether it is appropriate to utilise conservation designation for this purpose rather than relying on the merits of planning is questionable. Examples of this within the existing designations are the inclusion of the gardens of Orchard Lea, Rose Cottage and the rear gardens of Clairmont, Zaharia and Barrows.</p>	<p>Street lighting would actively detract from the rural character of Hartlip Conservation Area and should be positively discouraged.</p> <p>CA designation is not intended to prevent development. It is intended to provide a framework to manage future change in a way that responds to the special character of the place.</p>	<p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
5	Local Resident (Contd.)	<p>In these cases there is no apparent reason for inclusion other than to prevent off street development.</p> <p>A minor issue is the changing of house names. The Street has never had numbers and people have always known properties by names. For example, The Cottage was previously known as Roseneath. Parsonage Cottage has become The Cottage. Elsewhere what is now called Warren Cottage was for hundreds of years called Cradles. To what extent can house names fall under conservation protection?</p> <p>Finally, whilst conservation designation imposes constraints on the property owners for the good of the overall locality what obligations does the designation status impose on Swale Borough Council? Does it get specific or additional funding for complimentary improvement or maintenance of the street scene such as signage, verge and pathway management? I raise this for example because of the weed bound pathways to Dane Close, non-matching street name signage and bramble thicket that has taken over the approach to Dane Close.</p>	<p>House names fall outside of conservation or planning control.</p> <p>Following on from designation, the key tool for fulfilling the council's duties under the <u>1990 Planning (Listed Buildings and Conservation Areas) Act</u> is to review the conservation area and its boundaries and formulate and publish proposals for the preservation and enhancement of the area. The Council can add to the types of alterations that need planning permission by making an <u>Article 4 Directions</u>, and this can be used to protect features particular to the area from being lost without the need of permission.</p>	<p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
5	Local Resident (Contd.)	<p>Street Furniture & Signage</p> <p>I have already mentioned the inconsistent street signage with regard to Dane Close, in addition the damaged sign at Lockes corner has remained for years without being replaced.</p> <p>The 20mph on road advisory notices are ugly but perhaps necessary if there is to be any attempt at enforcement.</p> <p>The new village signs are not in keeping with either the village or conservation areas. Surely there are more discreet and attractive options. I have certainly seen less obtrusive black metal framed alternatives incorporating both the name and speed advice negating the need for the separate “lollipop” sign. The current signage at either end of The Street is something of an abomination.</p> <p>Enforcement</p> <p>On paper the designated conservation status should offer protection against inappropriate alteration and development. It should equip the local authority with all the necessary tools to enforce regulations. In practice however my experience is that enforcement is at best haphazard. In certain cases, it could be said that the role to preserve and enhance otherwise negative aspects of a conservation area has been so corrupted as to bring the conservation status into disrepute.</p> <p>I use Rose Cottage as an example and in particular the replacement of unremarkable white wooden timber framed windows with contemporary anthracite-coloured</p>	<p>The management strategy recommends a review of signage.</p> <p>Noted and welcomed.</p> <p>It does become difficult to manage and control a lot of minor development which</p>	<p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p> <p>No change to the assessment document needed.</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
		<p>frames. On no account can these be said to enhance the conservation area and yet they were allowed despite objection. I had the most extraordinary reply from the Head of Swale Planning when I called in to question the judgement. Rose Cottage has manicured Red Robin Hedges, nicely stained pale fencing and up and down lighters. In short it has been turned from a property that blended into the street scene into a stand out super smart estate type premises that is entirely out of place with the special character that the existing conservation designation should have prevented from happening.</p> <p>Whilst I welcome the motion of improving and extending the conservation designation the whole exercise is pointless unless there is an appetite for rigorous enforcement for all properties. Rose Cottage is a damning example of failure.</p>	<p>though minor in nature, can it is accepted, nevertheless effect the character & appearance of CA's, and hence the consideration of, and recommendation in the Hartlip CA Review document to implement a related Article 4 Direction.</p>	
6	Local Resident	<p>As a resident of 25 years, I am writing to extend my appreciation for the diligent efforts put into the Hartlip Conservation Area Review. While the review is comprehensive, I would like to bring to your attention some important concerns that I believe should be addressed to ensure the well-being and sustainable development of our community.</p> <p>The village of Hartlip undoubtedly holds a unique charm, and the conservation area review acknowledges this with its detailed examination of various aspects. However, there are pressing traffic-related issues that are integral to the village's quality of life and deserve consideration alongside the conservation efforts.</p> <p>1) The utilization of The Street as a thoroughfare to the motorway system results in an overwhelming volume of traffic that is unsuitable for the size of our village's narrow</p>	<p>Noted and welcomed. A number of points raised have been addressed within the proposed management plan, however some fall outside of the remit of a Conservation Area appraisal.</p>	<p>No change to the assessment document needed.</p>

PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
6	Local Resident (Contd.)	<p>lanes and roads. This influx not only generates noise but also leads to air pollution, affecting the health and tranquillity of residents.</p> <p>2) Despite the established 20 mph speed limit, many drivers blatantly ignore this restriction. Given the road's narrow dimensions, this reckless behaviour poses a significant hazard to both pedestrians and vehicles alike.</p> <p>3) The presence of the village school brings about additional traffic from surrounding areas. This often leads to obstructed pavements due to parked cars, forcing pedestrians, including schoolchildren, to use the road for passage—a perilous situation that requires immediate attention. The drivers also use the pavement as a runway, and drive along this until they reach their chosen parking spot, often behind pedestrians.</p> <p>4) The current parking habits sometimes render the road impassable for emergency vehicles, potentially endangering lives in critical situations. The village urgently needs a car park facility for the school and Church.</p> <p>5) Parents picking up their children from school frequently arrive well in advance to secure a pavement parking space. The idling of engines during winter for warmth and air conditioning use during summer contribute to air pollution, which has both immediate and long-term consequences.</p> <p>As we contemplate the changes within the conservation area, it is vital that the impact of these traffic-related concerns is thoroughly evaluated. Any modifications should account for the safety, environmental sustainability, and overall well-being of Hartlip's residents.</p> <p>I kindly request that these points be taken into consideration during the assessment of proposed</p>		

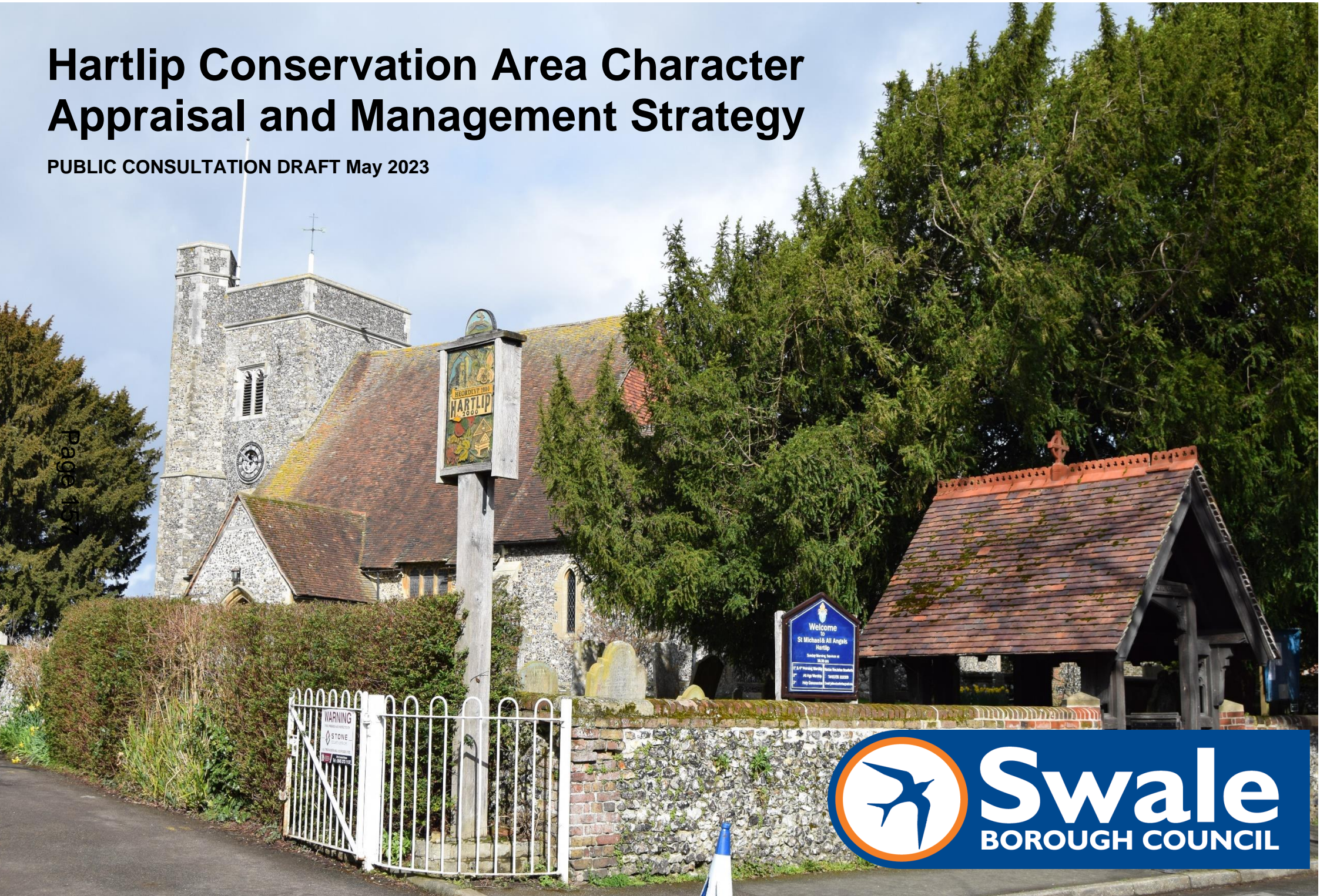
PROPOSED HARTLIP. C.A. – REPRESENTATIONS, RESPONSE & RECOMMENDATIONS TABLE (Continued)

Rep. No(s).	Representation By	Summary of Representation	Officer Response	Recommendation
6	Local Resident (Contd.)	changes to the conservation area. Our village's unique heritage can be effectively preserved only when the challenges of our modern community are addressed in tandem.		

Hartlip Conservation Area Character Appraisal and Management Strategy

PUBLIC CONSULTATION DRAFT May 2023

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FOREWORD

“Historic buildings and places add to the quality of people’s lives and help to create a sense of place that we all identify with.

As a community and as a local authority, we have a responsibility to safeguard our historic assets for future generations and to make sure that they are not compromised by unsympathetic alterations or poor-quality developments. Conservation area designation and subsequent management is one way in which this can be achieved.

Conservation areas are not intended to halt progress or to prevent change. Rather, they give the local community and the Borough Council the means to positively manage change and to protect what is special about the area from being harmed or lost altogether.

Swale Borough is fortunate in having such a rich and varied mix of built and natural heritage. The Borough Council wants to see it used positively as a catalyst for sustainable, sensitive regeneration and development, and for creating places where people want to live, work, and make the most of their leisure time. To that end, we have reviewed the Hartlip Conservation Area and the results of that review are set out in this document, which the Borough Council is now seeking constructive feedback on.

This is one of a series of conservation area reviews which the Borough Council is committed to undertaking, following the adoption of the Swale Heritage Strategy 2020 - 2032.”



Councillor Mike Baldock,
Deputy Leader and Heritage
Champion for Swale Borough
Council

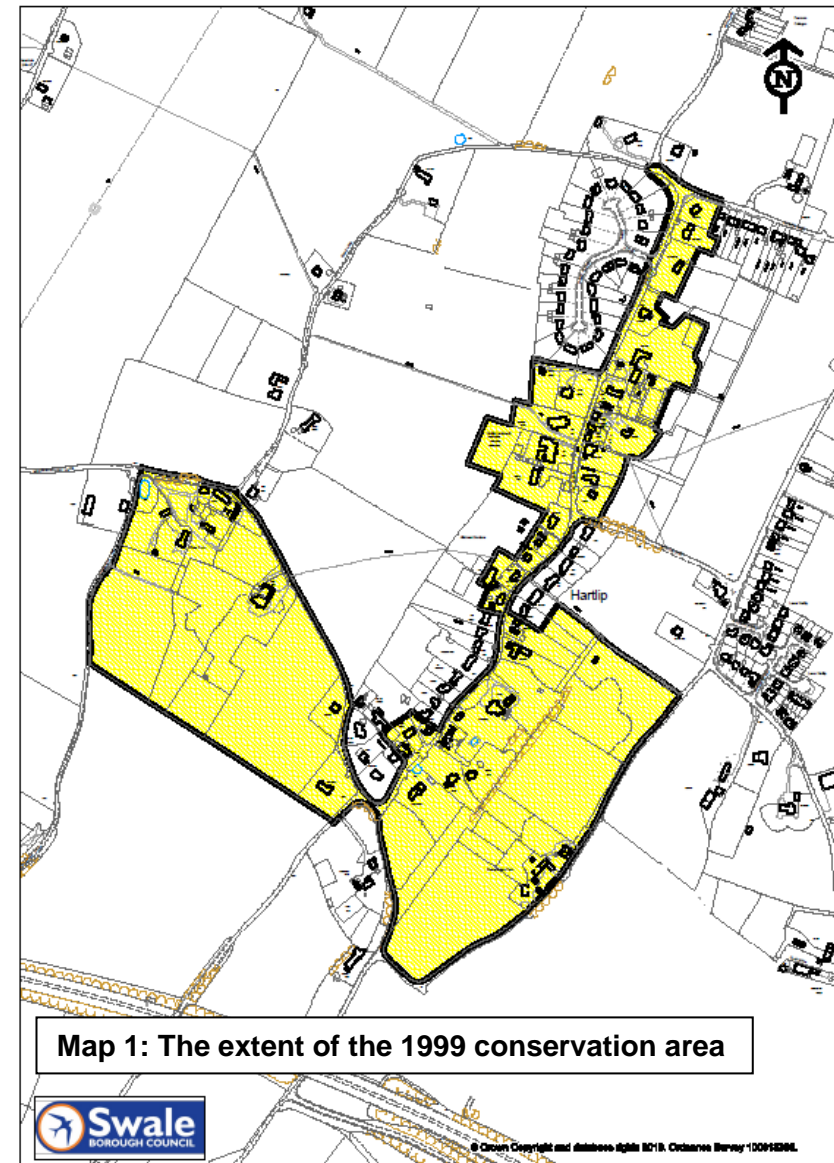
Mike Baldock

1.0 INTRODUCTION

1.1 Hartlip Conservation Area

Hartlip Conservation Area was originally designated by Kent County Council on 3 July 1970. It was reviewed, extended and re-designated by Swale Borough Council on 7 April 1999. A brief character appraisal accompanied the re-designation in 1999.

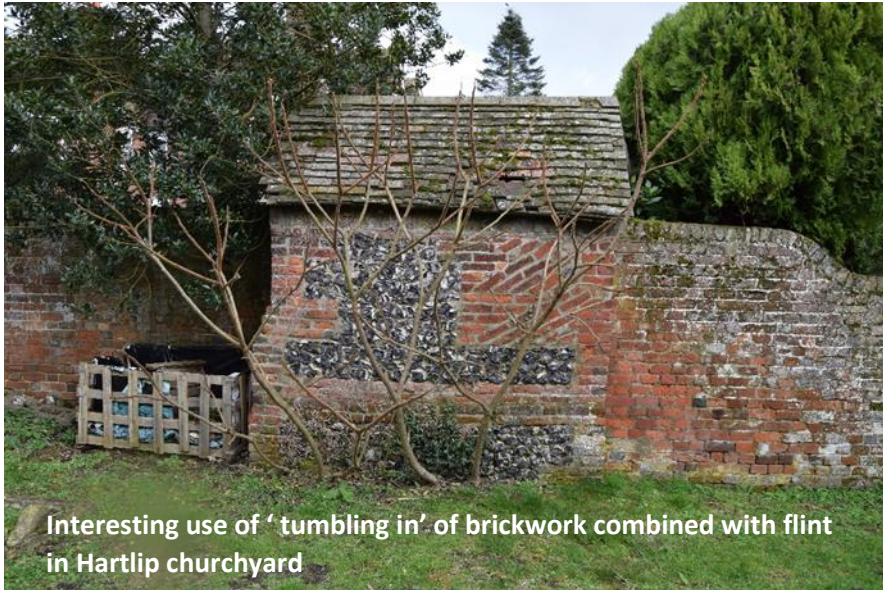
Map 1 opposite shows the current extent of the conservation area as it was designated in 1999.



1.2 The Purpose of Conservation Areas

Conservation Areas were first introduced in the Civic Amenities Act in 1967. A conservation area is defined as “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”¹.

It is the responsibility of individual local planning authorities to designate and review conservation areas from time to time using local criteria to determine and assess their special qualities and local distinctiveness².



Interesting use of ‘tumbling in’ of brickwork combined with flint in Hartlip churchyard

The aim of conservation area designation is to protect historic places and to assist in positively managing change, so that their special character is safeguarded and sustained. Areas may be designated for their architecture, historic layout and use of characteristic or local materials, style or landscaping. In practice it is normally a combination of some or all of these special characteristics which merits designation.

Above all, conservation areas should be cohesive areas in which buildings and spaces create unique environments that are of special architectural or historic interest.

Conservation area designation provides protection in the following ways:

- Local planning authorities have control over most demolition of buildings.
- Local planning authorities have extra control over householder development.
- All trees in conservation areas are protected.
- When assessing planning applications, the local planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area and its setting.
- Policies in the Local Development Plan positively encourage development which preserves or enhances the character or appearance of conservation areas.

¹ Section 69 (1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

² Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

1.3 The Purpose and status of this Character Appraisal and Management Strategy

The purpose of this Conservation Area Character Appraisal and Management Strategy is:

- To identify the significance of the heritage asset – i.e. the value that the conservation area has to this and future generations because of its heritage interest – which may be archaeological, architectural, artistic or historic interest.
- To increase public awareness and involvement in the preservation and enhancement of the area.
- To provide a framework for making planning decisions, to guide positive change and regeneration.
- To review the conservation area boundary in accordance with Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- To highlight particular issues and features which detract from the character or appearance of the conservation area which offer potential for enhancement or improvement through positive management.

A Conservation Area Character Appraisal is an assessment and a record of the special architectural or historic interest which gives rise to the character and appearance of a place. The appraisal is a factual and objective analysis, which seeks to identify the distinctiveness of a place by defining the attributes that contribute to its special character. It should be noted, however, that the appraisal cannot be all-inclusive, and that the omission of any particular building, feature or space should not be taken to imply that it is not of interest. In some cases, significance may only be fully identified at such time as a



Hartlip village sign

feature, a building or site is subject to the rigorous assessment that an individual planning application necessitates.

An important part of this review of Hartlip Conservation Area is to assess whether the area still possesses the special architectural and historic interest which merits its continued designation. It also provides an opportunity to review the effectiveness of the designation over the last 53 years and whether the extent of the conservation area should be either extended or reduced.

The appraisal includes a management strategy to help the Borough Council and other stakeholders positively manage the conservation area. A management strategy may include action points, design guidance and site-specific guidance where appropriate: It can identify potential threats to the character of the area and can, where appropriate, identify buildings at risk or the potential for Article 4 Directions or local heritage listing.

An appraisal may serve as the basis for the formulation and evaluation of policies in the Development Plan. It is a material consideration in development management decisions by the local planning authority and by the Planning Inspectorate in determining planning appeals. It can also heighten awareness of the special character of the place to help inform local Parish Councils in the formulation of Neighbourhood Plans, Village Design Statements and individuals in their design choices.

This Conservation Area Character Appraisal has been compiled in consultation with local organisations, elected representatives and council officials. It is to be the subject of public consultation and is prepared with a view to being formally adopted for development management purposes.

The author would like to thank all those who contributed to the production of this character appraisal. In Particular, thanks go to Mr.

Peter Blandon, Hartlip's Tree Warden, for his contributions relating to trees and to Mr. Graham Addicott for his time and insight. All the old photographs and post cards are printed with kind permission of hartlip.org.uk.



2.0 CHARACTER APPRAISAL

2.1 The History and development of Hartlip

The name 'Hartlip' is thought to derive from the Old English 'heoret hlipe', meaning a leaping place for harts or stags. Reference to Hartlepe Hill is recorded as early as the 12th century.

The early history of the village is not well documented but there is evidence of Roman activity within the area. The remains of a large Roman villa complex was discovered about 1 mile south-west of the parish church in 1750.

The village is not referred to in the Domesday survey of 1086, although the parish church, dedicated to St. Michael, was in existence by 1190.

Hartlip developed during medieval times to accommodate the increasing number of people associated with the local manors of Popes Hall, Paradise, Crofy, Yauger and Hartlip Place. The settlement fell under the Manor of Milton and consisted primarily of dispersed farmhouses, farm buildings and labourers' cottages. Examples of medieval houses which survive today include Popes Hall, Stepp House and Ivy Cottage.

By the 17th century there was a concentration of brick and timber-framed houses on The Street in the vicinity of the parish church. The village boasted one of the county's oldest primary schools, founded by an endowment by Mary Gibbon in 1678 and rebuilt in the 19th century

In 1798 Edward Hasted described the Parish as "being situated on high ground, surrounded by frequent orchards of apple and cherry trees, which renders the view of it from the London road very

pleasing." He describes the land as fertile "the hedge-rows of which, and throughout this and the other parts of the parish before-mentioned, being filled with rows of tall spiring elms."

The village grew steadily during the 19th century to accommodate an expanding population. The census shows a population of 256 in the civil parish in 1801, rising to 360 by 1901 and 816 in 2021.

Today, Hartlip comprises a small but vibrant community served by a public house, a primary school and a village hall. It is a linear village on a roughly north/south axis, comprised almost entirely of buildings which face onto both sides of The Street and stretching for some 1km. This linearity has been accentuated in the 20th century by extensive frontage infilling, the effect of which has been to extend and consolidate the village and to bring a number of once isolated properties within the expanded village confines.

The development pattern consists almost entirely of detached properties and buildings which are for the most part spaced well apart in generously sized plots and set back from the road to varying degrees. Consequently, most of the village has a fairly loosely-knit character. However, in the vicinity of the church, houses cluster together much more noticeably and are sited closer to the highway, thereby creating the feel of more tightly-knit development.



2.2 Topography, geology and landscape

Hartlip village is situated some 6km west of Sittingbourne and 3km east of Rainham. It lies between the A2 London-Dover road to the north and the M2 motorway to the south.

The village is set on a ridge which runs roughly north-south. This elevated position provide a distinctive setting with extensive views from the village in most directions over the surrounding countryside and towards the Medway estuary.

Agricultural land in the vicinity is of high quality, benefiting from the deep, well-drained loams of brickearth and Thanet sands on top of chalk. Historically, farming would have been mixed arable and pastoral evidenced by surviving farm buildings but orchards and hop gardens were also commonplace in the 18th, 19th and 20th centuries. Orchards still characterise the surrounding landscape where relatively small-scaled fields frequently follow their historic shape and boundaries. To the south, agriculture is more arable resulting in larger field sizes giving a more open downland character to the countryside.



View from Dane Lane
towards the parish church

2.3 Buildings

More than anything else, it is Hartlip's buildings which contribute to and define its special character. The mix of building styles, dates, materials and types combine to create a very distinct place which speaks of its locality and its history. Map 2 on page 16 indicates the location of significant buildings.

St. Michael's parish church marks the centre of the village. Most of the exterior is the work of the Victorian architect R. C. Hussey in 1864 but the layout and much of the interior is medieval in date. Built of flint with stone dressings and a peg tile roof, it has a west tower, aisles under catslide roofs and gabled side chapels to the north and south of the chancel.



St. Michael's parish church



St. Michael's parish church from the west

The ancient graveyard is entered from The Street by a lych gate built in 1888 and is contained within characterful flint walls with brick dressings. The space is green and tranquil, particularly at the rear where distant views to the west look over orchards towards Rainham. The medieval stone arch at the rear of the churchyard was the original west door of the church prior to the Victorian re-facing.

The village school is located to the south of the church. Dated 1855 and extended in 1906 and 1973 the school replaced the earlier school. It is built in a revival style with steeply pitched peg tile roofs, gables of differing sizes, walls of yellow stock brickwork and prominent chimney stacks with diagonally set shafts. As well as having aesthetic and architectural value, the school adds considerable community value to the village and forms a pleasing group with the parish church.



Hartlip village school

The village war memorial, a rustic stone cross in front of a role of honour, sits in front of the school facing the footway.

Other key buildings at the centre of the village are typically set closer to the highway. They are physically and visually linked by boundary walls, iron railings, timber paling fences and hedges, the effect of which is to create a strong and attractive sense of place, structure and identity.

In the case of Hartlip House, the white painted Georgian frontage is set behind simple elegant wrought iron railings with acorn finials. It has tri-partite sash windows and a particularly fine pedimented door surround.



Hartlip House



Thatch Cottage



Honeysuckle Cottage



Wysteria Cottage

Other significant buildings at the centre of the village include: Thatch Cottage, the only thatch roofed building in the village, Honeysuckle Cottage, and Wisteria Cottage which was once The Rose public house.

As one progresses north on The Street, there are larger gaps between buildings and the houses are set further back from the highway, often behind trees, hedges and gardens. Hazel Cottage is a pleasant small late-19th century cottage (originally two artisan's cottages). It contrasts with the Old Vicarage on the other side of the road, dated 1855 and constructed of red brick and peg tile, set in generous gardens concealed behind a long brick boundary wall, mature trees and underplanting.



Old Vicarage



The Cottage

Popes Hall is a key building in this part of the conservation area. It is a good example of a 15th century Wealden hall house, originally with exposed timber framing, now rendered, under a steep peg tiled roof. Its neighbouring barn provides evidence of former farming activity at the heart of the village.



Popes Hall

The Cottage is a good late Georgian house which is partly concealed behind a dense yew hedge. Other houses towards the north end of

the conservation area are of 20th century date. Dane Place, just outside the conservation area was constructed in the circa 1964 on the site of the former Dane House. Its architecture, planning and building materials are a little alien to the historic character of Hartlip.

Travelling south from the village school, one encounters a mix of traditional houses alongside inter-war and post-war infill housing. Stepp House occupies an elevated site opposite the junction with Hollow Lane. Its exposed framing and steeply pitched roof are clues to its 15th century date.



Stepp House

Glenview and The Old Post Office, Saquhar and Craig Lea, and Yew Tree make a pleasing group of white painted cottages dating variously from the 17th century to the 19th century.



Glenview and Old Post Office



Saquhar and Craig Lea



Yew Tree

Other noteworthy buildings towards the south end of The Street include Barrows Trust, a 17th century brick-built house and The Parsonage, a symmetrical late Victorian composition with tile hanging on the first floor and a variety of sash windows.



Barrows Trust



The Parsonage

The next cluster of traditional buildings is just north of the pond. The 'Cardiphonia' Methodist Chapel is dated 1820 and is said to be the oldest Methodist Chapel in Kent. The original rendered wall finish has been stripped back to expose flint and brick elevations. The elegant railings and dwarf wall are original features.



Cardiphonia Methodist Chapel



Cardiphonia Methodist Chapel circa 1905

Stone Hall and Stone Hall/Parsonage Cottages fall on opposite sides of the road but share some common details in their exposed truss gable ends, decorative brick chimney stacks and decorative tile hanging, all familiar features of the Arts and Crafts Movement of the late 19th century. The windows in Stone Hall Cottage and Parsonage Cottage have been replaced with uPVC.



Grace Cottage is said to have been 3 or 4 cottages in the past but today, the symmetry of the elevation gives the impression of a single house with a balanced symmetrical Georgian frontage.

In more recent decades infill development has taken place to both the north and south of the original village core, connecting parts of the village that were once separated by green spaces. Some of the more successful 20th century infill houses continue the Kentish vernacular theme in their use of materials such as weatherboarding, stock brick and flint or in their scale, form or architectural details. Others, that followed national trends and fashions, are less successful when it comes to reinforcing or blending in with the very distinct local character of Hartlip.

Post-war development in the village is quite extensive and typically consists of fairly large detached houses and bungalows. Individually, many of these are rather undistinguished in design. Genuinely local materials are less evident in these buildings. However, many of these newer properties stand in generously sized plots so that the generally loosely-knit character of the village has been successfully maintained.

Somewhat set apart from the village are Petty Place, Hartlip Place, Place Farm and Sweepstakes Farm. These nevertheless have a clear historic relationship with the village and are linked by attractive country lanes and in some cases by areas of historic parkland.

Petty Place is good example of a brick-built late 17th century house with lobby entry plan form and a symmetrical elevation.

Hartlip Place, lying to the south-west of the village, was built by William Bland in 1812. Its principal elevation faces south over a small park and is a good example of Regency provincial architecture with a Doric porch, tri-partite sash windows and a vestigial pediment over the advanced central bay. The Kent Gardens Compendium describes

the garden a being in the informal/ naturalistic/ romantic style and of local interest and importance.

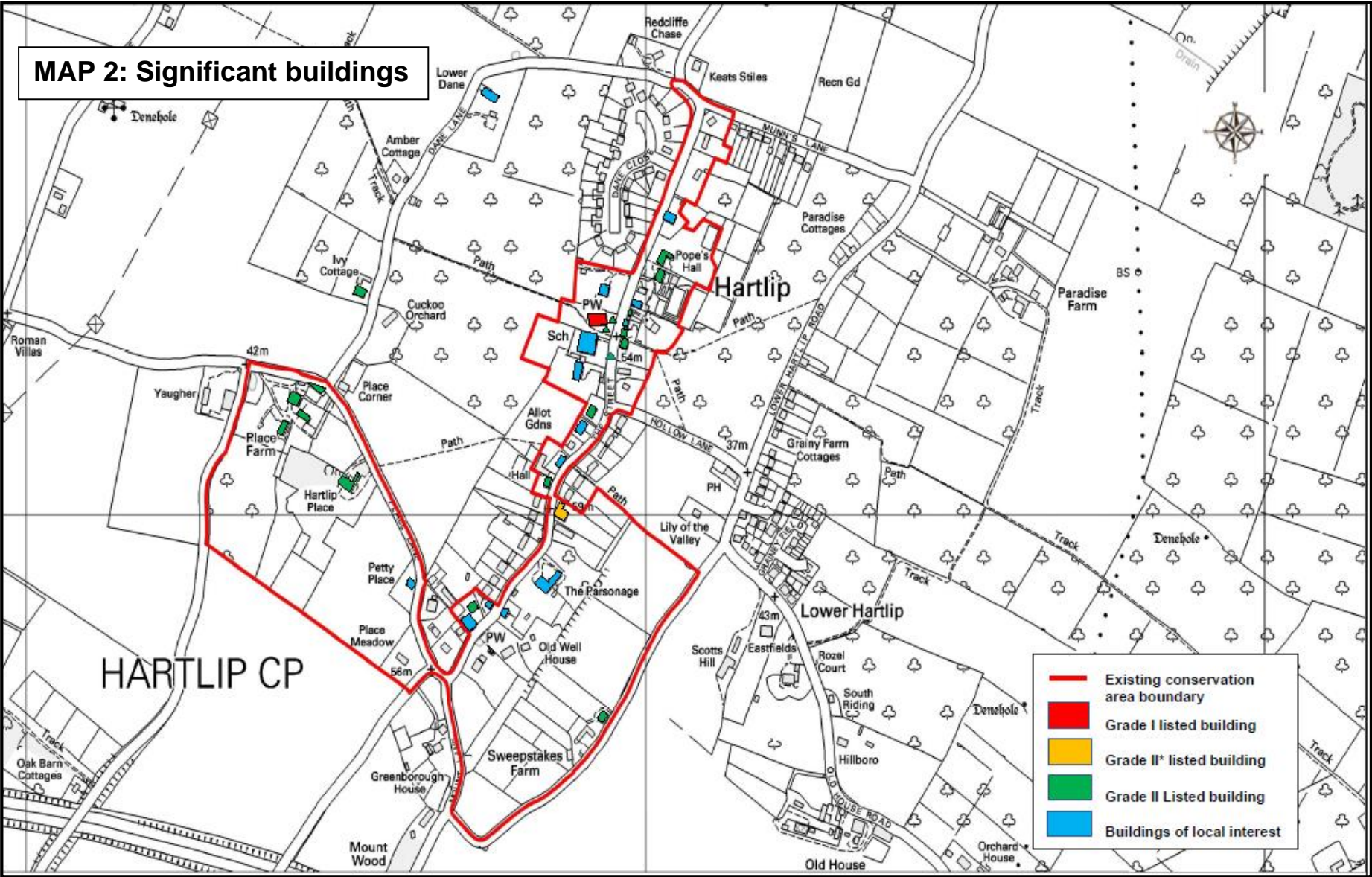


Place Farm is located opposite the junction of Dane Lane with Place Lane. No longer a farm, the cluster of buildings, which includes a sixteenth century timber-framed farmhouse, a threshing barn, dovecot and oast house, are all now in residential use.

Sweepstakes Farm, circa 1700, is a brick-built house, which stands slightly separated from the village to the south-east and adjoins an area of attractive parkland now used as paddocks for horses. The former stables, barn and outbuildings add to its character as a former working farm.



MAP 2: Significant buildings



2.4 Building Materials

The distinct character of Hartlip owes much to its variety of architectural styles, often expressed through building materials and the way in which they were used. Building materials were used to express architectural aspirations as well as changing fashions. Until the transport revolution of the mid-19th century, virtually all building materials were locally sourced or manufactured. Consequently they are often a true expression of the locality and its natural resources. Even materials that were in common use at the time make a valuable contribution to local character and distinctiveness.

The earlier domestic buildings of Hartlip were of timber-framed construction and are important survivals because of their age, type and archaeology. As good oak for building became harder to source, brick became universally fashionable from the 17th century. Brick was used extensively for new buildings and to over-clad older buildings to give them a more fashionable appearance.

Kent peg tiles were the preferred choice for roofing but slate became an option during the early 19th century, particularly once the railway came to Sittingbourne in 1848.

Modern concrete roof tiles and uPVC windows are less sympathetic materials introduced during the mid to late 20th century.

Timber frame: Oak, elm and chestnut framing were commonly used in building construction during the medieval period when local woodlands offered an ample supply of good and durable timber for building. Several historic buildings in Hartlip are constructed of timber framing and others have had their frames concealed behind later facades or cladding such as brick or weatherboarding. The timber-framed tradition continued in softwood framing well into the Georgian period and even later in some farming and utility buildings.



Stone: Good building stone was not readily available in this part of Kent so it had to be imported from afar. Consequently it was reserved for the most significant buildings such as the parish church where Kentish rag and other types of imported stone are used as a dressing to the flint walls. Flint was the only naturally available building stone available within the parish. Flints occur in seams within the chalk bedrock and are brought to the surface naturally by farming, or uncovered as a by-product of lime quarrying which took place locally. Flints were either laid as field flints in lesser buildings or knapped (that is split and dressed with a hammer) in order to reveal the dark shiny inner surface in finer examples. Both types are widely used in buildings and boundary walls throughout Hartlip.



Brick: Brickearth was in plentiful supply in North Kent so, not surprisingly, brickwork is a familiar building material in Hartlip. There is a wide variety in the size, colour, bond and character of brickwork, depending on its age, style or function.

Earlier examples are irregular clamp-fired red bricks used during the 17th century. They tend to be narrower, with larger joints. In the centuries that followed, the shape, size and coursing of brickwork became more regularised and uniform. Yellow stock brickwork was commonly used from the Regency period onwards and the combination of yellow and red brick achieved the polychromatic effect that was associated with the High Victorian era and the Arts and Crafts Movement. There is an interesting example of burr brickwork (over-fired bricks which fused together in the kiln) in the garden wall of Stepp House.



Kent peg tiles: The name ‘peg tile’ refers to a plain clay tile suspended from the top edge of a tiling lath by a peg. Traditionally peg tiles were held in place by a small wooden peg or latterly an aluminium ‘drop’, wedged into, or passed through one of the two holes in the head of the tile. Simple firing methods and local clays produced strong, durable and light peg tiles in warm orange/red terracotta colours. Imperfections in the raw clay combined with the hand manufacturing process resulted in a richness and variety in colour and shape. They are renowned for their warm and varied colours and rich texture which cannot be replicated in modern machine-made tiles.

Until the 19th century, locally produced hand-made clay peg tiles were the preferred roof covering for buildings throughout Kent. Tiles continued to be handmade from local clays well into the 20th century and there are still a handful of manufacturers today. They are a characteristic roofing material in the south-east of England and prominent in the roofs of Hartlip. Kent peg tile roofs are visually prominent because of their steep pitch (typically steeper than 35 degrees). Tiles are also used as cladding to external walls, sometimes with decorative banding. Examples include The Rectory and Stone Hall.



Slate: Slate roofs rarely appear before the turn of the 19th century. They became more common after rail transport made Welsh slate more easily accessible. Slate gave rise to shallower roof pitches of between 30 and 35 degrees. Slate appears on a small number of roofs in Hartlip.



Thatch: Thatched roofs were once more commonplace in Hartlip. 'Long straw' was a bi-product of local farming; it was a cheap, locally available material which was used after the harvest to roof farm buildings and cottages. Those that survive today add character and variety to the village.



Weatherboarding: Painted feather-edged weatherboarding is a traditional walling material in the south-east of England. When used on barns weatherboarding was either left natural or tared black, whereas domestic examples tended to be painted white or off white.



Modern building materials: In recent decades mass produced building materials such as concrete roof tiles, machine made bricks and uPVC windows have been used within Hartlip but they do not generally sit comfortably within the context of the historic village.

2.5 Boundary fences, railings and walls

Boundary treatments are an important aspect of the character of Hartlip. Railings, picket fences, walls and hedges of differing types and dates all help to define boundaries and to differentiate between private and public space. Many of the walls and fences are of architectural or historic interest in their own right because of their age, materials or craftsmanship.

Where modern waney lap fences have been introduced they tend to detract from the special character of the village.



2.6 Archaeology

The Kent Historic Environment Record (HER) documents Roman buildings and several medieval and post-medieval farms in and around Hartlip.

The village itself has seen little archaeological investigation. There is a Roman villa in the field to the west of the conservation area presently covered by plantations of Christmas Trees. It was discovered in the middle of the 18th century and excavated in 1845 and finally in 1848 by C. Roach Smith. The plan includes a bath building 50ft. by 25ft. with furnaces, hypocausts, plastered walls and a lead drain pipe, a barn or "barn-house" 70ft. by 50ft with buttresses to support the roof, a house under which there was a two-roomed cellar containing several bushels of burnt and scorched wheat. Associated finds included a carved sarcophagus, coins, a folding balance, part of a scale beam, fibulae, an iron sickle, knives of all kinds, an adze, keys, a stylus, pieces of window glass, Samian, "Upchurch" and other pottery. The date of occupation is about the 3rd and 4th centuries.

Recent work has shown the villa to be particularly well preserved in places. How the villa linked to the Roman road along the A2 corridor is not clear, though Spade Lane is a possible candidate. This is one of a series of villas in the Swale area that can be seen to lie on the slopes of the North Downs along the Roman road corridor. Presumably they were located to farm the downland areas.

2.7 Trees and hedgerows

A striking feature of Hartlip village is the predominantly green appearance of most of The Street and the extensive private green space which is present around many of the houses. There are not many views within or from the periphery of the village which are not enhanced by the contribution made by trees, hedges or hedgerows.

This is reinforced by the overall setting of the village. The surrounding area is predominantly given over to orchards. The landscape surrounding the conservation area consists of relatively small fields bounded by lines of trees providing windbreaks.

Within the village, the green framework, consists of generously-sized gardens and substantial boundaries comprised of trees, hedgerows and shrubs, linking old and new development and bringing together individual plots into a single coherent entity. It also helps to create a strong sense of visual cohesion and enclosure along the entire length of The Street where buildings are often framed by or glimpsed through mature trees and hedges.

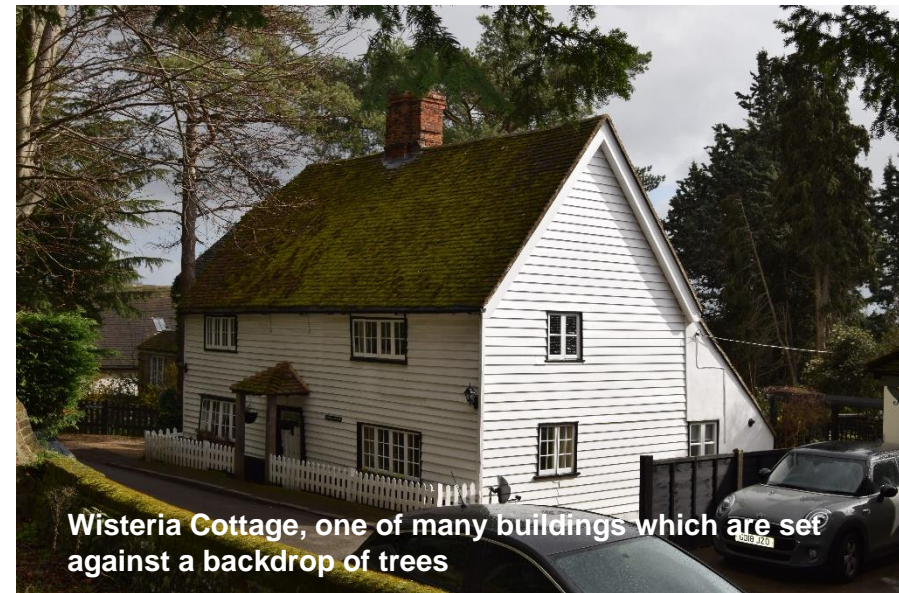
Indigenous tree species which feature significantly and contribute to the amenity of the village include yew, beech, oak, holm oak, holly, silver birch, Scots pine and chestnut. The predominance of native tree species brings a strong feeling of the surrounding countryside into the village, linking it with the surrounding areas of agricultural land.

Trees that are often associated with historic parkland, such as Austrian pine, are particularly noticeable in the area between Lower Road and The Street. The parkland is bordered on its eastern edge by a large number of mature trees, including larches, sycamores and lime, an indication of the interest taken by the land owners in the past. Coupled with the landmark Wellingtonia in Place Lane, these mature

trees provide a link to the past, being plantings made when the surrounding land was owned by people who lived in the village.

Hedgerows along Dane Lane, Lower Hartlip Road and Place Lane are important for their biodiversity as well as their visual amenity. Many consist of hawthorn, providing displays in spring and food in autumn. A number of the hedgerows also include a good number of elm, a valuable habitat for threatened white-letter hairstreak butterfly.

New developments around the fringes of the conservation area echo this emphasis on tree planting. Scots, Austrian and Monterey pines in a neighbouring development helps to create a more-or-less seamless vista from The Street. Where fast growing conifer hedges have been introduced they are much less successful.



Wisteria Cottage, one of many buildings which are set against a backdrop of trees

2.8 The public realm and highway

The Street, is essentially rural in character. New views and vistas are revealed as it winds through the village. In sections it is bordered by substantial hedges and trees growing close to the carriageway edge. Footways are present only in sections, and for the most part are narrow. Street lighting is absent and highway signs are few in number.

This all results in a simple and uncluttered appearance to the highway which contributes positively to the rural character of the place. Highway sight-lines at the junction of Dane Close with The Street result in uncharacteristic openness at this point.

Parked cars inevitably feature prominently on The Street, particularly at the centre of the village in the vicinity of the school. In other areas soft verges, grassy banks or informal road edgings lend a more rural character to the highway and parked cars feature much less frequently. Where individual houses have chosen to create formal hard boundaries against the highway edge they look a little out of place as they detract from Hartlip's rural character.

Items which contribute to the quality of Hartlip's public realm include its two traditional post boxes and the village sign. The wall-mounted post box outside The Cottage dates back to the 19th century.



The cart pond opposite the Methodist Church is another feature of interest. Historically it was used to clean the wheels of carts before they entered the village from the south.



Telegraph poles and overhead cables appear in parts of the village but most are not particularly prominent or obtrusive.

2.9 Significant views

Views make a valuable contribution to the way in which the character or appearance of a place is experienced, enjoyed and appreciated. Identifying significant views allows the contribution they make to be protected and enables the effective management of development in and around those views. Significant views are annotated on map 3 on page 26 and described below.



View along The Street towards Stone Hall

View 1: Most people experience Hartlip from the public highway. Views as one progress through the village are ever changing with the seasons, with the time of day and with the prevailing weather conditions. They also change as a result of the winding geometry of the roads which result in new views and vistas opening up around every corner.

All the views and vistas along the public highways in Hartlip are important contributors to the special character of the place.



Looking north-east from Mount Lane along The Street

View 2: Views from the village towards the wider landscape are infrequent but rewarding. The views from the churchyard, from the allotments, or from the public footpaths are helpful in placing the village in its rural surroundings. They include distant landmarks and panoramic landscapes, particularly to the west and north-west over Rainham and north towards the Medway Estuary.

The contrast between the enclosed visual experience of The Street and the open and elevated views of the wider landscape adds to the experience. As such they are of high heritage significance.



View from the churchyard looking west



From Dane Lane looking south-west over Cuckoo Orchard



View from Dane Lane looking south-west

View 3: Views towards The Street from Dane Lane, Place Lane and Lower Hartlip Road reveal glimpses of historic buildings, such as the parish church or The Parsonage across Cuckoo Orchard or the Parkland. They emphasise the important relationship between the village and its landscape surroundings and help to reveal the topography and morphology of the village. The church tower is a significant reference point in views from the west and south-west.

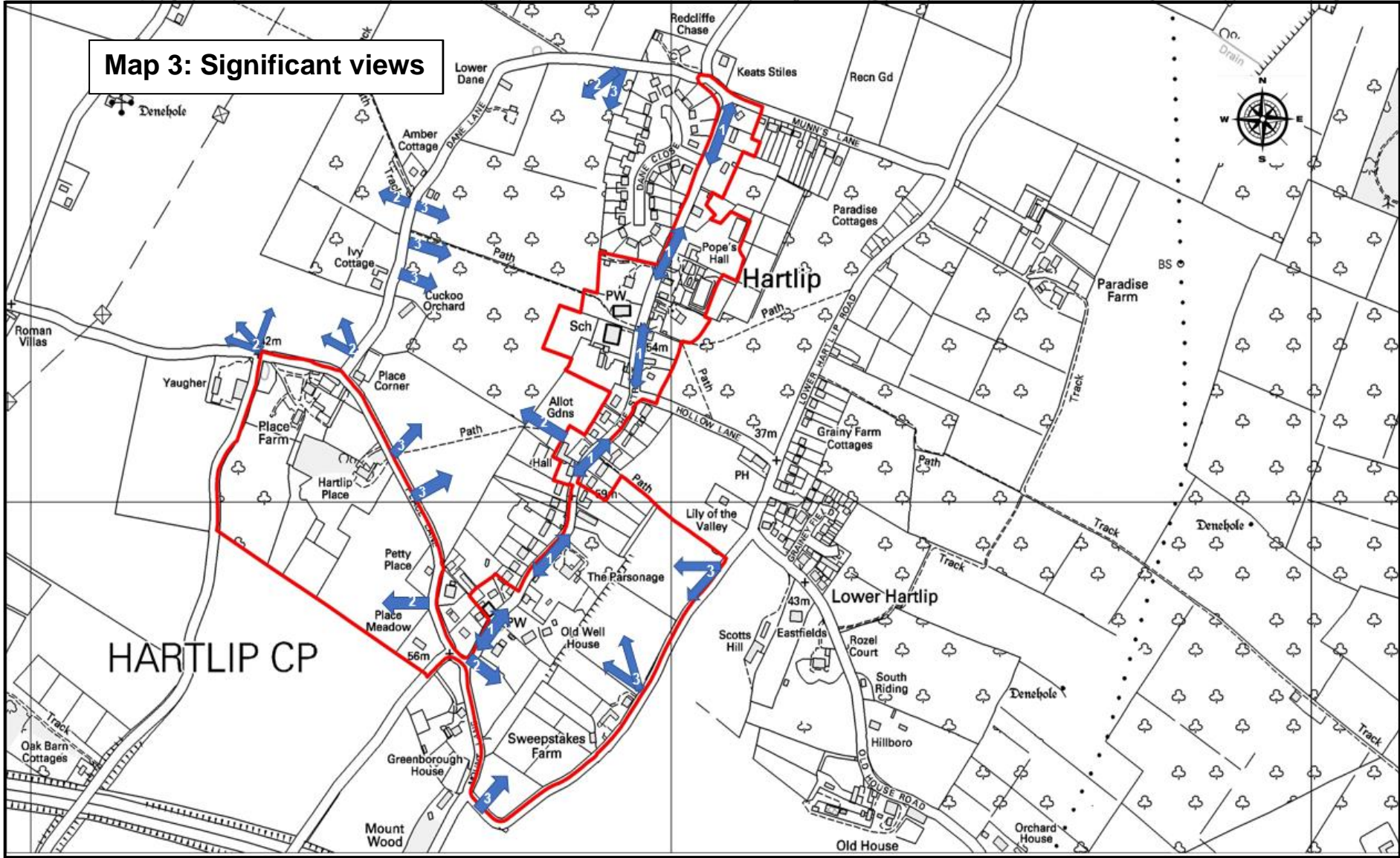


View towards the Old Rectory from Lower Hartlip Road



View towards the parish church from Dane Lane

Map 3: Significant views



2.10 Setting

The setting of a conservation area frequently contributes to the way in which its significance is enjoyed and appreciated. Even areas that fall outside of the designated conservation area often contribute to its special character and significance.

Hartlip's agricultural setting serves to reinforce the village's functional and historic connection to its surrounding landscape. The countryside roundabout is also important in maintaining separation between the village and the conurbations to the west and east.

A network of well used and historic public footpaths radiate from the village through orchards and fields. They strengthen the strong links that Hartlip has with the countryside and provide views back towards the village.



3.0 SUMMARY AND CONCLUSION

Hartlip is a place with a strong and distinctive identity based on its long history and its development over many centuries. The rich variety in building styles and types and their strong visual and historic connection to the surrounding countryside are a defining feature of the village.

Local building materials are strongly in evidence, including timber framing, brickwork, flint, ragstone, feather-edged weatherboarding Kent peg tiles, slate and thatch. The variety and juxtaposition of these locally distinct materials contributes to the special character and appearance of Hartlip.

The mix of building types and styles and the spaces between them, as well as the contribution made by the landscape and trees, results in a special place which merits protection.

Hartlip continues to be an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. There is no doubt that Hartlip should continue to be a designated conservation area.

The conservation area has served its purpose well since it was first designated 53 years ago. The key characteristics that gave rise to its designation in 1970 appear to have been well managed by local owners, the Parish Council and the Local Planning Authority. That is not to say that there have not been changes, because there have, but most of them have been made with respect to the distinct character of the place and have integrated well into their context.

Key positive characteristics:

The special character of Hartlip Conservation Area may be summarised as follows:

- Hartlip is a small settlement which developed from a medieval farming community.
- It has a strong visual identity centred around The Street.
- The medieval parish church and Victorian village school provide a visual focus to the community at the centre of the village.
- The architectural contribution made by several listed buildings and by many non-designated buildings and structures.
- The eclectic mix of traditional building styles, forms and vernacular building materials all expressing the history and growth of the village.
- Boundary walls, fences and railings make a distinct contribution to the special character of the place.
- The strong relationship between the village and the surrounding landscape, experienced through views and vistas to and from the village and through the public footpath network.
- Despite its close proximity to suburban Newington and Rainham, it retains a strong and independent sense of identity and place.
- Buildings and the public domain are generally well cared for and in good condition.

All conservation areas have some negative as well as positive characteristics. Identifying negative characteristics allows those responsible for managing change to focus on positive enhancement.

Key negative characteristics:

- The occasional use of mass-produced non indigenous building materials such as uPVC windows or concrete roof tiles which tend to dilute local character and distinctiveness.
- The small number of telegraph poles and overhead cables only some of which are visually intrusive.
- The indiscriminate use of concrete highway kerbs.
- Over manicured hedges.

In the process of reviewing the boundaries of the conservation area there are some areas where consideration may be given to extending the boundary of the area. Proposed changes to the conservation area boundary are detailed in appendix 1 and Map 3 below.



Dane House, demolished in 1963 to make way for Dane Close

4.0 HARTLIP CONSERVATION AREA MANAGEMENT STRATEGY

Conservation Area designation is not an end in itself. It is a way of recognising the special architectural or historic character of an area so that appropriate steps can be taken to preserve or enhance it.

Conservation is not about preventing change: Hartlip Conservation Area is part of a living community and change is needed to sustain and meet its future needs. It is about positively managing change so that what the community cherishes today can be properly looked after and passed on to future generations in good condition.

This management strategy is intended to encourage active involvement in the future management of Hartlip Conservation Area. It provides an opportunity for the Borough Council, the Parish Council, local amenity groups, Kent Highways, Kent County Council, individual householders and local businesses to take part in positively managing the area.

4.1 Statutes and policies

When a conservation area is designated there are statutes, planning policies and regulations which govern which types of development require planning permission and the way that the local planning authority undertakes plan making and decision taking. The statutes and policies that directly affect designated conservation areas are outlined in appendix 4 below.

It is these statutes and policies that provide the formal framework for managing change in conservation areas. Most significantly, the local planning authority is required to pay special attention to the

desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of all its planning functions.

The Swale Borough Local Plan aims to ensure that the significance of Hartlip Conservation Area is sustained and enhanced through:

- Preserving or enhancing the area's special character or appearance.
- Preserving or enhancing the setting of the conservation area and of other designated heritage assets.
- Safeguarding and better revealing the significance of any archaeology.
- Protection and enhancement of landmarks and significant views or vistas within and without the conservation area.
- Safeguarding non-designated heritage assets which make a positive contribution to the significance of the area.
- Safeguarding significant spaces.
- Safeguarding significant trees.
- Promoting high quality design in new development which responds positively to context and to the distinct character of the conservation area.
- Continued sensitive management of the public realm.
- Requiring new development to respond positively to the Conservation Area Character Appraisal,

4.2 Published guidance

There is a wealth of published guidance on positively managing change in conservation areas. Swale Borough Council has adopted supplementary planning documents which are listed in appendix 4

below. Historic England has also published a range of guidance and advice notes which are listed in the bibliography at appendix 5.

4.3 Householder alterations

Where householder alterations are proposed which require planning permission the Council will typically seek to ensure that those alterations enhance the special character and appearance of the conservation area.

Opportunities to reinstate missing architectural features (such as sash windows, panelled doors or original roof coverings) and traditional boundary treatments will be encouraged by the Council and may be requested in relation to planning applications for extensions and/or alterations, where appropriate.

Even in conservation areas, some householder alterations to unlisted buildings may be undertaken without the need for planning permission. The Conservation Area Character Appraisal has identified some householder alterations which have involved the removal of historic features such as period windows, doors, roof coverings and chimney stacks or the addition of solar panels. The cumulative impact of some ill-considered alterations to traditional properties can have a harmful effect on their significance and on the character and appearance of a conservation area. Such alterations have, and could continue to erode the character of Hartlip Conservation Area over time.

In light of the above, Swale Borough Council may consider the use of an Article 4 Direction to bring some householder alterations (which are currently classed as permitted development) under planning control, to ensure that alterations are positively managed through the planning system.

Householder alterations which could be brought under control by an Article 4 Direction in Hartlip Conservation Area include the following:

- Replacement windows and doors.
- Changes to roof coverings.
- Removal of traditional chimney stacks.
- The installation of solar thermal and photovoltaic panels on the front wall or roof slope of buildings.
- Installing rooflights in the front roof slope.
- Alterations to or demolition of fences, railings and boundary walls.
- Adding a front porch.
- Replacing a front garden with a hard surface.

4.4 Swale local heritage list

Arising from Swale's adopted Heritage Strategy 2020-2032, the Borough Council is compiling a Local Heritage List in order to identify heritage assets which are not formally designated.

The Local Heritage List:

- raises awareness of an area's local heritage assets and their importance to local distinctiveness;
- informs developers, owners, council officers and members about buildings within the local authority boundary that are desirable to retain and protect;
- provides guidance and specialist advice to owners to help protect the character and setting of those buildings, structures, sites and landscapes;
- helps the council in its decision making when discussing proposals and determining planning applications; and
- records the nature of the local historic environment more accurately.

The impact of any development on a building or site included within the Local Heritage List will be a material consideration when the council considers an application for planning permission.

Several unlisted buildings in Hartlip Conservation Area would be eligible for inclusion within the Swale Local Heritage List. They are listed below and indicated on Map 2 at page 16.

The Old Vicarage, The Street
 Hartlip Church of England Primary School, The Street
 Glenview Cottage and Old Post House, The Street
 Craig Lea and Sanquhar, The Street
 Stonehall, The Street
 The Cottage, The Street
 VR Post box in wall outside The Cottage, The Street
 Hazel Cottage, The Street
 Honeysuckle Cottage, The Street
 Parsonage Cottage and Stonehall Cottage, The Street
 Place Stables, Place Lane
 Petty Place, Place Lane
 Lower Dane Cottage, Dane Lane

Buildings which are already protected because they fall within the curtilage of a listed building are excluded from the list.

Hartlip Place garden appears in the KCC *Historic parks and gardens of Kent (Kent Gardens Compendium)*. As such, it too may be eligible for inclusion in the Swale Local Heritage List.

4.5 Public realm

The public realm (that is those areas which fall between the buildings and are enjoyed by the public) makes a significant positive contribution to the special character of Hartlip Conservation Area.

The highway, public footpaths and the pond all fall within the public realm.

In rural conservation areas, it is especially necessary to guard against standard highway 'improvements' which do not necessarily respect the special character of the place. The injudicious use of concrete kerbs, street lighting, off-the-shelf road signs and traffic calming frequently detract from the special character of rural village conservation areas.

The retention of soft verges (without concrete kerbs) and roadside banks and hedges is fundamental to the future sensitive management of the highway. Restrained use of highway signing and road markings is also critically important. Where signs, road markings, street furniture, salt bins or rubbish bins are deemed necessary, they should be located and designed sensitively and in consultation with the local community.

Future highway maintenance, improvements and alterations should be carried out in accordance with *Streets for All*, Historic England (2018) and *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets*, KCC and KCOG (2011). Both provide advice on good practice for highway and public realm works in historic places. Early consultation with all stakeholders (including Swale Borough Council's Conservation and Design Team and Hartlip Parish Council) will be fundamental to achieving appropriate standards in any future proposed changes.

Hartlip has a number of overhead cables and telegraph poles. Where possible, opportunities should be taken to investigate removal of redundant overhead cables, reducing the number of poles and potential undergrounding of services.

The small pond (opposite the Methodist Chapel) provides valuable amenity as well as biodiversity benefits. Future management is likely

to involve a light touch but may require removal of leaf litter (during the winter to avoid hibernation times) and tree canopy reduction to improve photosynthesis of pond plants to benefit wildlife.

The Parish Council, Swale Borough Council and Kent County Council will seek to ensure that the public realm continues to be sensitively managed.



Opportunities for enhancement: public realm:

- An audit of public signage (including highway signage) to establish whether all current signage and road markings are necessary, well designed and appropriately located.
- An audit of street furniture (bollards, benches, bins, salt bins etc.) to establish whether street furniture is necessary, well designed and appropriately located.
- An audit of overhead supply lines and poles with the statutory undertakers to establish whether there is scope to remove any overhead cables or poles or to relocate services underground.
- The replacement of concrete highway kerbs with more traditional kerbs.
- Ongoing 'light touch' management of the pond.

4.6 Trees and planting

Trees and hedgerows play a vital role in the special character of Hartlip and are important to biodiversity.

The retention and active management of trees and hedgerows should be encouraged and opportunities for new planting should be considered. Planting which contributes to the rural character of Hartlip should normally be comprised of native species, although other species now assimilated into the Kentish rural scene may also be appropriate.

All trees within the conservation area are protected. Six weeks' notice must be given to the Borough Council in writing before any works are undertaken to trees within conservation areas.

Opportunities for enhancement: trees and planting:

- An audit of trees and hedgerows and may be undertaken to establish whether there is any scope for better management of trees, additional protection through tree preservation orders or for further tree planting.
- Positive management may occasionally involve the removal of trees to preserve, restore or open up significant views or vistas.



4.7 New development opportunities

Potential for new development within Hartlip Conservation Area is extremely limited. If proposals for development come forward they will be considered against local and national planning policies which attach great weight to the conservation of designated heritage assets and their settings.

Development within the setting of the conservation area may also affect its heritage significance. The local planning authority is required to pay special attention to preserving the setting of the conservation area (or the setting of any listed buildings) in any plan making or decision taking.

4.8 Heritage at risk

There are no heritage assets in Hartlip on Historic England's Heritage at Risk Register or on Swale Borough Council's Heritage at Risk Register. Neither has this appraisal identified any heritage assets which are currently at risk.

However, if any of the designated or non-designated heritage assets identified in the appraisal are found to be at risk in the future, these may be added to the Heritage at Risk Registers if their significance is threatened by their condition or lack of appropriate use.

In such cases the Council will notify respective owners and, where appropriate, work with them and other stakeholders to investigate opportunities for removing the risk and securing the asset's future.

APPENDIX 1

Proposed amendments to the Hartlip Conservation Area boundary

As part of the review of Hartlip Conservation Area, consideration has been given to whether the current boundaries accurately reflect the area which has special architectural or historic interest.

In large part, the area covered by the current boundaries is considered to be appropriate in that it still possesses special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. However, there are three amendments proposed, as follows:

Proposed boundary adjustment 1 (part of Mount Lane)

The current conservation area boundary excludes Mount Lane from the conservation area, although it includes the land to its east.

Mount Lane itself is an ancient lane. It appears on Andrews, Drury and Herbert's map of 1769 and is likely to have existed long before that, possibly centuries before. Consequently it has historic interest.

It has steeply inclined banks on both sides of the highway giving the appearance of a hollow or sunken lane, carved into the land over time. Hedgerows and trees at the top of the banks meet overhead resulting in a tunnel-like appearance, particularly during summer months. Consequently it has aesthetic and landscape interest.

It is recommended that the conservation area be extended to include part of Mount Lane and the inclined banks, trees and hedgerows to its west.

The proposed boundary adjustment is shown on Map 4: Proposed conservation area boundary changes, on page 38.



Proposed boundary adjustment 2 (Cuckoo Orchard)

The current conservation area boundary is tightly drawn to include some properties along the west side of The Street, such as the parish church and the village school, but to exclude the allotment gardens, the village hall, Cuckoo Orchard and Dane Lane.

Cuckoo Orchard is located between The Street and Dane Lane. It slopes gently from Dane Lane up towards The Street. Significantly, it provides the setting for the medieval parish church which is highly visible from vantage points on Dane Lane as well as from footpaths which intersect the orchards. Whilst the trees are relatively recent, the area was historically used as orchards since at least 1871 (the date of the first Ordnance Survey map) and possibly much longer.

Dane Lane itself is another ancient single track road lined by hedgerows, trees and shelterbelts and with isolated historic houses at Lower Dane and Ivy Place, both with exposed timber framing. The house called Cuckoo's Orchard was built in the inter-war period.

It is recommended that the conservation area be extended to include Cuckoo Orchard, the allotment gardens, the village hall, Dane Lane, Lower Dane, Ivy Cottage and other dwellings and property shown on Map 4: Proposed conservation area boundary changes, on page 38.



Cuckoo Orchard from the north

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Ivy Cottage



Cuckoo Orchard



Hartlip allotment gardens



Cuckoo Orchard

Proposed boundary adjustment 3 (Redcliffe Chase and Keites ~~ats~~ Styles)

The current conservation area boundary includes the public highway outside Redcliffe Chase and **Keites Styles** ~~Keats Stiles~~ at the north end of the The Street but it excludes the two houses.

Both of the houses date from between 1906 and 1938 (from cartographic evidence) so they are not ancient. However, they occupy strategic positions on entering or leaving the village from the north and both have a degree of architectural interest.

Both houses express the early-20th century fashion for the English Domestic Revival as influenced by the Arts and Crafts Movement and popularized in the Garden Suburb Movement in the early 20th century. Redcliffe Chase draws on Kentish vernacular features such as lead-light windows, jettied tile hanging over a rendered ground floor with a prominent tiled roof, gabled crosswings, tall chimneys and a sweeping roof. Keats Stiles on the other hand is more restrained having lead-light windows with tiles cills, rendered elevations, a lean-to porch and a tiled roof.

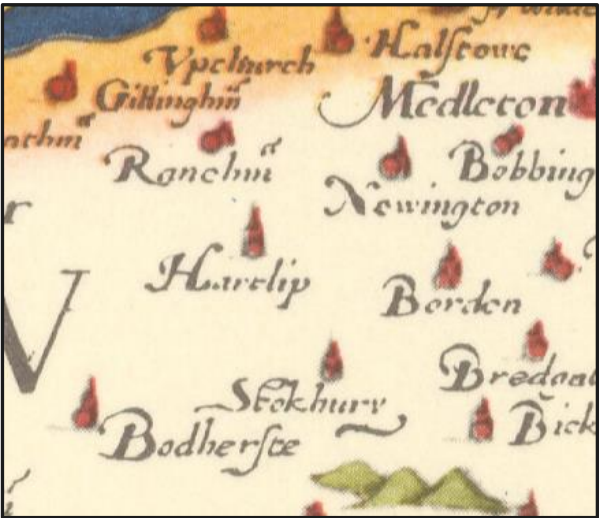
It is recommended that the conservation area be extended to include Redcliffe Chase and **Keites Styles** ~~Keats Stiles~~ and their respective gardens for their architectural contribution to the development of Hartlip in the early 20th century.

The proposed boundary adjustment is shown on Map 4: Proposed conservation area boundary changes, on page 38.



APPENDIX 2 Map regression

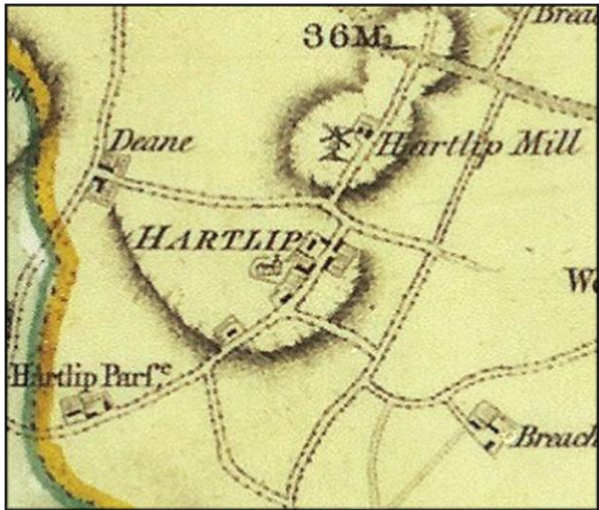
Page 195



Saxton's map of Kent 1575

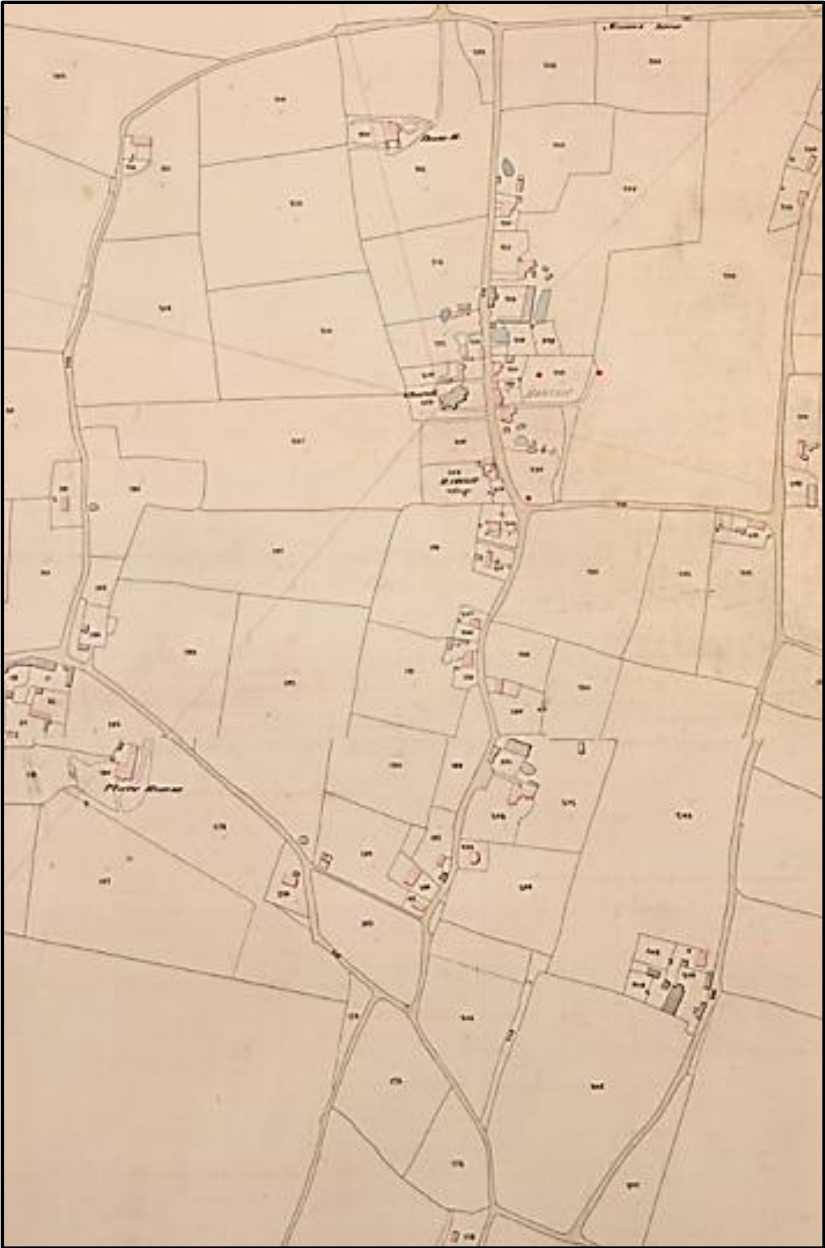


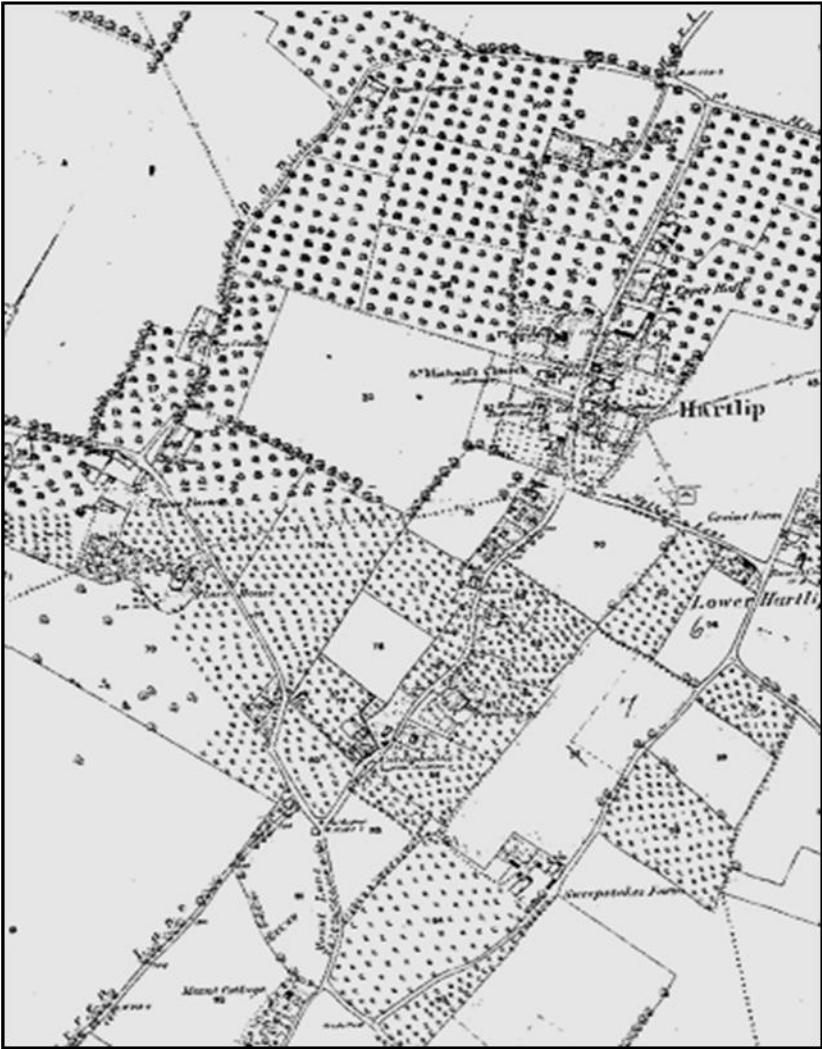
Captain William Mudge's map of Kent c.1801



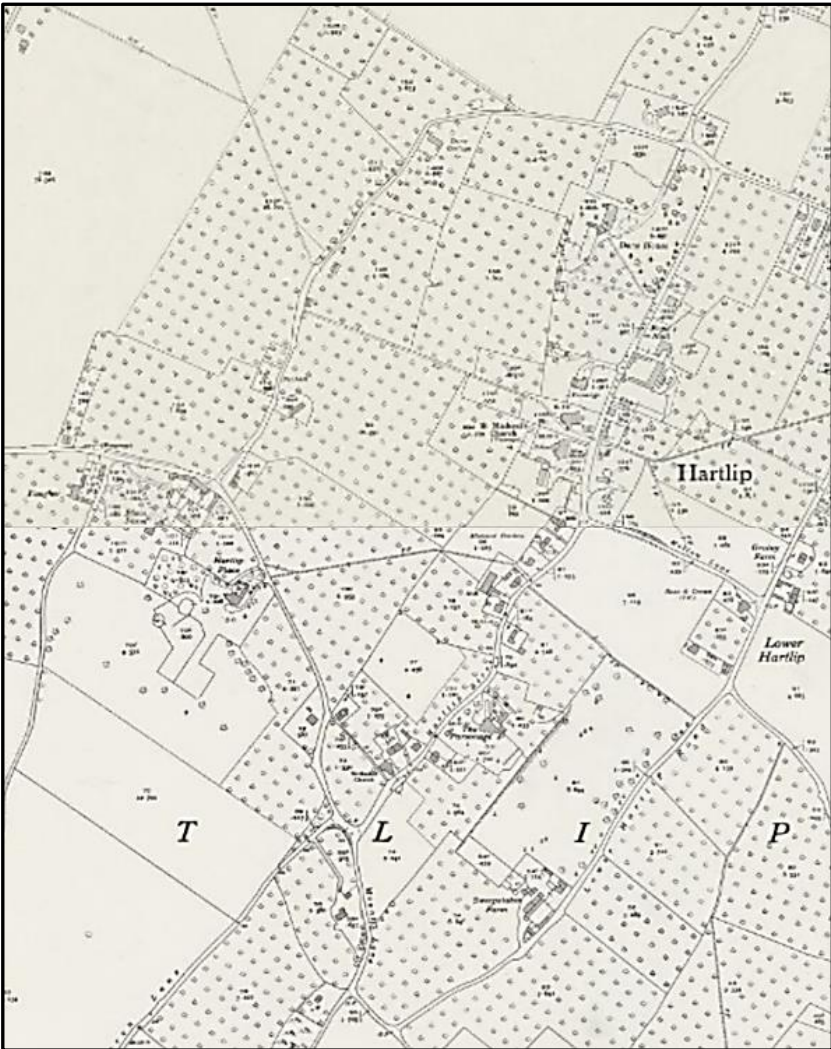
Andrews Dury and Herbert topographical map of the county of Kent 1769

Tithe map 1838

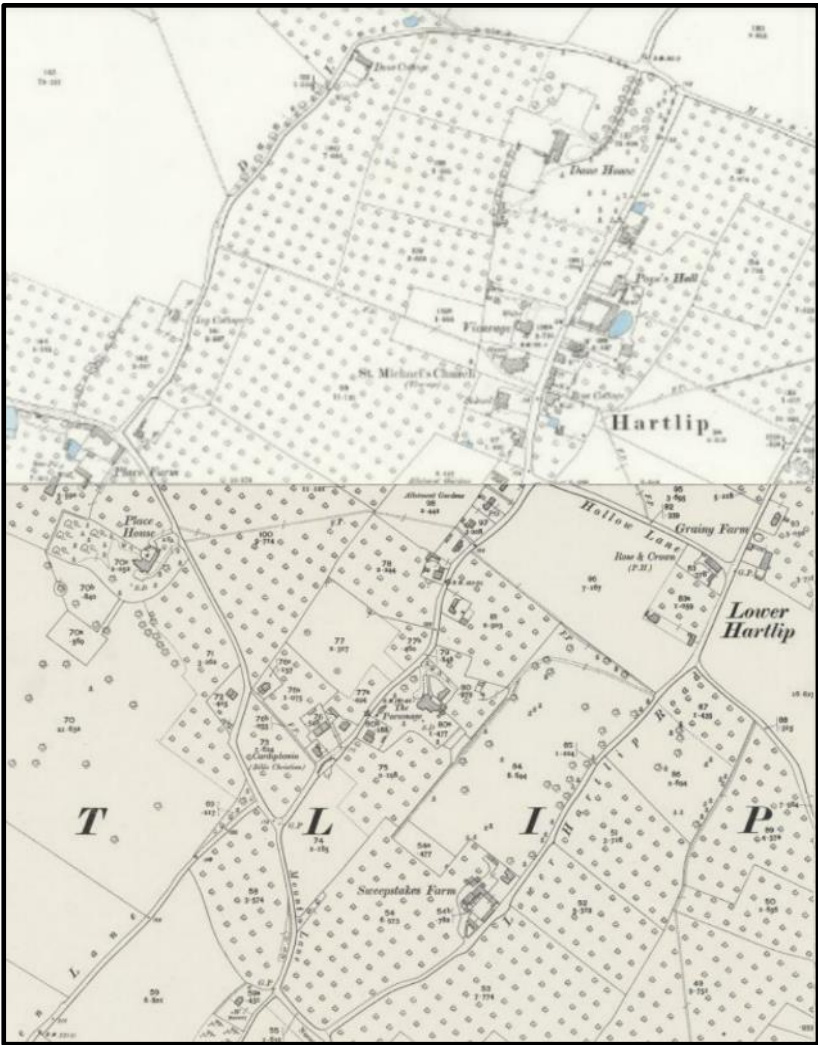




1871 Ordnance Survey Extract



1895-1838 Ordnance Survey Extract



1906 Ordnance Survey Extract



1938-1895 Ordnance Survey Extract

APPENDIX 3

Extracts from the National Heritage List for England (the Statutory List of Buildings of Special Architectural or Historic Interest)

The statutory list for Hartlip is compiled by the Secretary of State for Digital, Culture, Media and Sport and is altered and amended from time to time as buildings are added or removed from the list. The list descriptions below are taken from the statutory list and were current in April 2023. For more detailed and up to date information please refer to the National Heritage List for England at www.historicengland.org.uk/listing/the-list.

Features and structures which are not specifically mentioned in the statutory list are not necessarily excluded from statutory protection which extends to the listed building as well as to any object or structure fixed to the building and to any object or structure within the curtilage of the building which predates July 1948.

The omission of a building from this list should not necessarily be taken to indicate that it is not listed without first referring to the National Heritage List.



Church of St. Michael

CHURCH OF ST MICHAEL, THE STREET Grade I

Parish church. C13 to C15, tower repaired 1855, restored 1864-5 by R.C. Hussey. Flint, with rubble, and plain tiled roofs. Nave with aisles, chancel with north and south chapels, south porch, west tower with priest's room. Three-stage west tower with string course to parapet and 3 stage octagonal stair turret. C19 west doorway, simple Perpendicular windows and belfry openings. Nave and aisles under 1 roof, south aisle with 3 offset buttresses and C19 Perpendicular style windows. C14 doorway in south porch with hollow chamfered, roll moulded arch and hood mould with carved head stops. South chapel with two C19 lancets and double lancet east window; north chapel identical. East window C19 3 light curvilinear, the 3 east chancels separately roofed. North aisle with 3 three- light Perpendicular windows and hollow-chamfered doorway. North west

lean-to priest's or anchorite's room with steps down to basement doorway, and restored chimney. Interior: nave with hollow chamfered tower arch, and 3 bay arcade to aisles with octagonal piers, double hollow chamfered arches and panelled canted ceiling, the aisles with lean-to roofs. C19 arches from aisles to chapels and chancel arch, the north and south chapels largely rebuilt by Hussey, but with C13 plain chamfered arches on imposts into chancel. Late C12 wall arcading in the chancel, 2 full bays in north and south walls, and 1 bay interrupted by the arches to chapels, attached shafts rising from plinth, with stiff leaf and palmette carved capitals. Reveals of lancet east window and north and south lancet windows survive. Fittings: angle piscina in chancel, heavily restored, but with late C12 shaft, square abacus and leaf-carved capital. Reredos of 1908, the Last Supper carved in relief. Monument: in north chapel, wall tablet, Mary Coppin, d. 1636. Black and white marble, the plaque carried on an urn and angelic head, with Corinthian columns supporting a frieze and broken segmental pediment with achievement, and 2 putti descending to the inscription. (See B.O.E. Kent II, 1983, 343-42).

TOMB OF MARY OSBORNE, 3 FEET EAST OF SOUTH CHAPEL OF CHURCH OF ST MICHAEL, THE STREET
Grade II

Chest tomb. C17. Stone and marble. Mary Osborne, d. 1678. Incised marble slab on chest tomb, with roundels on side panels carved with skull and crossbones.

TOMBS OF ADAM AND RICHARD RUCK, 5 YARDS SOUTH EAST OF PORCH OF CHURCH OF ST MICHAEL, THE STREET
Grade II

Two chest tombs. 1816 Stone with iron railings. Identical tombs, with base, plinth and chests with inverted torches in raised and moulded corner panels, and engraved side panels. One to Adam Ruck, d. 1749, and widow, d. 1770, the other to Richard Ruck, d.

1816. On single stone base and surrounded by spear-head rails 5 feet high, with urn principals.



Tombs of Adam and Richard Ruck

HARTLIP WAR MEMORIAL, THE STREET Grade II

First World War memorial of around 1920, with Second World War inscriptions added. Reasons for Designation: Hartlip War Memorial is listed at Grade II for the following principal reasons: Historic interest: as an eloquent witness to the tragic impact of world events on the local community, and the sacrifices it made in the conflicts of the C20. Architectural interest: as a good example of a rough-hewn cross memorial for the period. Group value: with the Grade I-listed Church of St Michael to the north-west and the other listed monuments within the churchyard, in addition to listed houses on the opposing east side of The Street. History: The aftermath of the First World War that was the great age of memorial building, both as a result of the huge impact the loss of three quarters of a million British lives had on

communities and the official policy of not repatriating the dead, which meant that the memorials provided the main focus of the grief felt at this great loss. Hartlip War Memorial was erected in around 1920 to commemorate the men from Hartlip who died in the First World War. The memorial stands on the north side of The Street in Hartlip, adjacent to the Church of St Michael. A photograph in the collection of the Medway Archives Centre shows the memorial soon after it was unveiled in the 1920s, largely in its present form. Following the Second World War, three additional memorial tablets were added, and the dates of the conflict were included on the face of the central granite cross. The designer of the memorial is not known.

Details: First World War memorial, erected around 1920, with later Second World War inscriptions added.

Materials: granite cross, tablets and setts, with stone block wall to the rear. Applied lead lettering to the memorial tablets and the base of the cross.

Plan: semi-circular memorial plot fronting to The Street, with curved back wall and a central cross.

Description: rough-hewn granite cross with tapering shaft mounted on a plinth and single-stepped base. There is a dedicatory inscription to the polished front section of the cross base, which reads: 'ERECTED/ IN MEMORY OF/ THE MEN OF THIS PARISH/ WHO GAVE THEIR/ LIVES IN THE GREAT WARS/ 1914-1919/ 1939-1945'. There are five sets of memorial tablets set into a surrounding curved wall of stone blocks, this set behind the cross. These tablets bear the names of the fallen, where they served, their rank, regiment and how old they were when they died. The area between the cross and the memorial wall is paved with granite setts.

STEPP HOUSE, THE STREET Grade II

House. C15 to C17. Timber framed and exposed with plaster and red brick infill, and plain tiled roof. Lobby entry range with cross-wing. Two storeys on plinth, the cross-wing to right with returned first floor jetty on carved dragon beams; hipped roofs, and stack to centre-right. Three leaded wood casements on first floor, that to right in cross-wing with sidelights. Two metal casements on ground floor with segmental bay window to right in cross-wing. Plank and stud door to centre-right.

YEW TREE COTTAGE, THE STREET Grade II

House. C17, clad C18. Timber framed and clad with painted brick with plain tile roof. Two storeys and hipped roof with stacks to centre-left and front right. Three metal casements and 1 glazing bar sash on first floor, and 2 metal casements, 1 fire window and 1 wood casement on ground floor. Panelled and glazed door to centre left with open gabled hood.



GRACE COTTAGE, THE STREET Grade II

House. C18. Chequered brick and plain tiled roof. Two storeys and attic with 2 gabled dormers and stacks to left and right and to rear centre. Regular fenestration of 4 glazing bar sash windows on each floor, with segmental heads on ground floor, and central door of 6 raised and fielded panels in C19 gabled porch.

POPE'S HALL, THE STREET Grade II

Hall house. C15 with C20 additions. Timber framed and plastered with plain tiled roof. Two storeys on plinth, left and right end bays jettied, flying wall plate over recessed centre carried on heavy brackets. Hipped roof with gables, and stacks to rear centre, centre left and projecting end left. Four tripartite sashes on first floor, one wood casement and 3 tripartite sashes on ground floor. Right end window bay C20 addition. Central panelled door. Interior: although the exterior looks like a Wealden interior framing shows the right hand jettied wing to be a later addition to original hall and cross-wing building. Heavily cambered tie beams of great scantling, hollow chamfer and roll mouldings. Timbers generally of large scantling. Heavily moulded mantel timbers. Name derived from Thomas Pope, occupier in 1505.

WISTERIA COTTAGE, THE STREET Grade II

House. C17, clad in C19. Timber framed and clad with weather board, with plain tiled roof. Two storeys on brick plinth, with hipped roof and central stack. Two wood casements to each floor and central plank and stud door with hipped hood.



THATCH COTTAGE, THE STREET Grade II

House. C16 and C18. Timber framed and clad with plaster, under-built with red brick, with painted brick additions, and thatched roof and tiled pentice to chimney stack. Lobby entry plan. Two storeys on plinth with roof hipped to right and stacks to centre right and end right, and large free standing stack and ovens with pentice to left, with thatched red brick outshot to left of this. Wall plate of main building carried out to left on arched brace, suggesting that what remains is just the end wing of a larger building. Three wood casements to each floor; boarded door with segmental head to right in C18 addition.



HARTLIP HOUSE, THE STREET Grade II

House. Early C19. Painted brick and plain tiled roof. Two storeys on plinth with roof hipped to right with projecting end stacks to left and right. Irregular fenestration of 2 alternate tripartite sashes and glazing bar sashes on first floor, with 2 tripartite sashes and 2 glazing bar

sashes on ground floor and half-glazed door centre left with moulded architrave and pediment.

BARROWS COTTAGES, 1-2, THE STREET Grade II*

House, now cottage pair. C16, clad C18 Timber framed and clad with chequered brick; plain tiled roof. Lobby entry plan. Two storeys and hipped roof with stack to left and catslide outshot left. Three wood casements and single light centre right on first floor, and 3 wood casements with segmental heads on ground floor. Boarded door to left with gabled hood on brackets, and boarded door to right with segmental head.



Barrows Cottages

HARTLIP PLACE, PLACE LANE Grade II

House. 1812 for William Bland. Chequered red and blue brick and slate roof. Two storeys on plinth with centre projecting with pediment. Hipped roof with stacks to left, centre and right. Regular fenestration of 3 glazing bar sashes on first floor and 2

on ground floor, the outer windows with false sidelights. Ground floor windows with shallow segmented and scalloped stuccoed fans, and inverse retrieving arches below. Central double doors, each of 3 raised and fielded panels in glazed Doric porch with sliding outer doors. Recessed 2 storey and 1 window extension to left. Service wings to rear. Interior: central circular staircase in top lit circular well. (See B.O.E. Kent II, 1983, 344).

PLACE FARMHOUSE, GARDEN WALL AND GRANARY, PLACE LANE Grade II

Farmhouse. C16. Timber framed and clad with red brick and tile hanging on first floor, with plain tiled roof. Two storeys and attic with 2 gabled dormers and stacks to centre right and glazed door with hipped hood. Attached garden wall C17, red brick in English Bond approximately 6 feet high running approximately 50 yards east-west and 25 yards north-south enclosing garden in front of house. At the north-western former granary, C18, timber framed upper storey clad with weather board on red brick lower storey with plain tiled roof.



Dovecote and Granary at Place Farm

FARM STORAGE BUILDING 25 YARDS SOUTH EAST OF PLACE FARM, PLACE LANE Grade II

Farm storage. C17. Red brick in English bond and timber framed first floor tile hung, with plain tiled roof. Two storeys with double-span roof. Two wood casements to each floor, with central board doors to both floors. In C19 converted to oasts, remains of 2 white brick kilns at south end, (these last not included in the listing).

BARN 30 YARDS NORTH WEST OF PLACE FARM,

LANE Grade II

Barn C17. Timber framed and clad with weather board with asbestos sheet roof. Hipped roof with sloping mid-stray, corrugated iron-roofed pentice to left. Interior: 5½ bays with aisles, with passing shores to arcade posts, cambered tie-beams; clasped purlin. Roof with diminished principal rafters and queen struts.



Barn 30 yards north west of Place Farm

DOVECOT 30 YARDS WEST OF PLACE FARM, PLACE LANE Grade II

Dovecot. Circa 1700. Red brick with plain tiled roof. Square in plan. One storey on plinth with plat band and hipped roof with lantern. Double metal door on south face, one wood casement on east face. Interior: brick shelves and recesses for the doves remain intact; circular wooden lantern at apex of roof.

SWEEPSTAKES FARMHOUSE, LOWER ROAD Grade II

Farmhouse. Circa 1700. Chequered red and blue brick in English bond and plain tiled roof. Lobby entry plan. Two storeys on plinth with plat band and wood dentil cornice to half-hipped roof and stack centre left. Four wood casements on first floor, 3 on ground floor with segmental heads, and boarded door to centre left with rectangular fanlight and gabled porch.



Sweepstakes Farmhouse

IVY COTTAGE, DANE LANE Grade II

Hall house, now house. C15. Timber framed and exposed panel framing with plaster infill underbuilt with flint with red brick dressings; plain tiled roof. Former hall-house, now lobby entry plan. Two storeys and hipped roof with stacks at end left and centre left. Two wood casements on first floor, 1 on ground floor, and boarded door in gabled porch to centre left.



APPENDIX 4

Legislation, national policy and local policy

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 General duty as respects listed buildings in exercise of planning functions:

(1) In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 69 Designation of conservation areas:

(1) Every local planning authority— (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and (b) shall designate those areas as conservation areas.

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

(3) The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being designated as a conservation area is an area of special architectural

or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

(4) The designation of any area as a conservation area shall be a local land charge.

Section 71 Formulation and publication of proposals for preservation and enhancement of conservation areas.

(1) It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

(2) Proposals under this section shall be submitted for consideration to a public meeting in the area to which they relate.

(3) The local planning authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.

Section 72 General duty as respects conservation areas in exercise of planning functions:

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of] any of the provisions mentioned in subsection

(2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

National Planning Policy Framework (NPPF)

The NPPF sets out the government's planning policies and how they should be applied. It provides the national framework for conserving and enhancing the historic environment, including conservation areas.

National Planning Practice Guidance (NPPG)

The NPPG sets out government's guidance on how the act and national planning policy should be applied.

Adopted Local Plan- Bearing Fruits 2031: The Swale Borough Local Plan (2017)

Relevant objectives and policies within the local plan include:

Policy ST 1 Delivering sustainable development in Swale.
To deliver sustainable development in Swale, all development proposals will, as appropriate:..... 8. Achieve good design through reflecting the best of an area's defining characteristics; 9. Promote healthy communities through:..... maintaining the individual character, integrity, identities and settings of settlements; 12. Conserve and enhance the historic environment by applying national and local planning policy through the identification, assessment and integration of development with the importance, form and character of heritage assets (including historic landscape

Policy CP 4 Requiring good design.

All development proposals will be of a high quality design that is appropriate to its surroundings. Development proposals will, as appropriate:... 2. Enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening sense of place; 5. Retain and enhance features which contribute to

local character and distinctiveness;... 8. Be appropriate to the context in respect of materials, scale, height and massing; 9. Make best use of texture, colour, pattern, and durability of materials; 10. Use densities determined by the context and the defining characteristics of the area; 11. Ensure the long-term maintenance and management of buildings, spaces, features and social infrastructure.

Policy DM 32 Development involving listed buildings.

Development proposals, including any change of use, affecting a listed building, and/ or its setting, will be permitted provided that:

1. The building's special architectural or historic interest, and its setting and any features of special architectural or historic interest which it possesses, are preserved, paying special attention to the: a. design, including scale, materials, situation and detailing; b. appropriateness of the proposed use of the building; and c. desirability of removing unsightly or negative features or restoring or reinstating historic features.

2. The total or part demolition of a listed building is wholly exceptional, and will only be permitted provided convincing evidence has been submitted showing that: a. All reasonable efforts have been made to sustain existing uses or viable new uses and have failed; b. Preservation in charitable or community ownership is not possible or suitable; and c. The cost of maintaining and repairing the building outweighs its importance and the value derived from its continued use.

3. If as a last resort, the Borough Council is prepared to consider the grant of a listed building consent for demolition, it may, in appropriate circumstances, consider whether the building could be re-erected elsewhere to an appropriate location. When re-location is not possible and demolition is permitted, arrangements will be required to allow access to the building prior to demolition to make a record of it and to allow for the salvaging of materials and features.

Policy DM 33 Development affecting a conservation area.

Development (including changes of use and the demolition of unlisted buildings or other structures) within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area's special character or appearance. The Borough Council expects development proposals to:

1. Respond positively to its conservation area appraisals where these have been prepared;
2. Retain the layout, form of streets, spaces, means of enclosure and buildings, and pay special attention to the use of detail and materials, surfaces, landform, vegetation and land use;
3. Remove features that detract from the character of the area and reinstate those that would enhance it; and
4. Retain unlisted buildings or other structures that make, or could make, a positive contribution to the character or appearance of the area.

Policy DM 34 Scheduled Monuments and archaeological sites

1. Development will not be permitted which would adversely affect a Scheduled Monument, and/or its setting, as shown on the Proposals Map, or subsequently designated, or any other monument or archaeological site demonstrated as being of equivalent significance to scheduled monuments. Development that may affect the significance of a non-designated heritage asset of less than national significance will require a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
2. Whether they are currently known, or discovered during the Plan period, there will be a preference to preserve important archaeological sites in-situ and to protect their settings. Development that does not achieve acceptable mitigation of adverse archaeological effects will not be permitted.
3. Where development is permitted and preservation in-situ is not justified, the applicant will be required to ensure that provision will be made for archaeological excavation and recording, in advance of and/or during development, including the necessary post-excavation

study and assessment along with the appropriate deposition of any artefacts in an archaeological archive or museum to be approved by the Borough Council.

Swale Borough Council Key Supplementary Planning Guidance

Swale Borough Council Planning and Development Guidelines No 2: Listed Buildings – A Guide for Owners and Occupiers.

Swale Borough Council No 3: The Conservation of Traditional Farm Buildings.

Swale Borough Council Planning and Development Guidelines No 8: Conservation Areas.

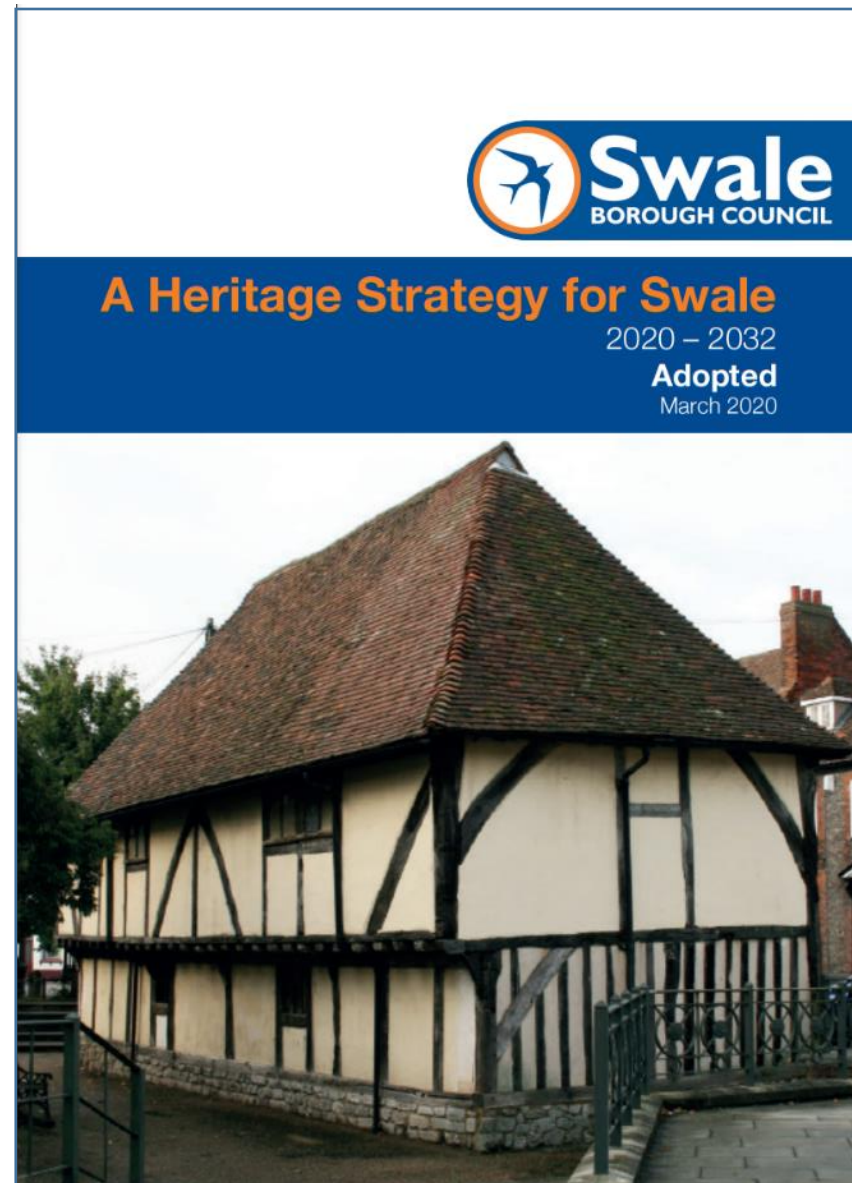
Swale Borough Council Heritage Strategy 2020-2032

The Council has developed a borough-wide heritage strategy to help it, along with key stakeholders and other interested parties, to protect and manage the historic environment in Swale in a positive and sustainable way, on a suitably informed basis.

A key element of the strategy is setting out the Council's overall vision and priorities, which it is hoped will align with the vision and priorities of local communities and local amenity societies as far as possible, in order that the strategy can be widely supported.

The strategy sets out a series of proposals in the associated initial 3-year action plan which are aimed at enabling the positive and sustainable management of different elements of the borough's historic environment for the foreseeable future. Priority is given to those parts of the borough's historic environment which are already suffering from, and at risk from negative change, and/or which face significant development pressure, threatening their special character. The proposed set of actions will involve joint project working with

amenity societies and/or volunteers from the community wherever this is possible.



APPENDIX 5

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Kent County Council and Kent Conservation Officers Group, *Highway Works and Heritage Assets: the Kent Protocol for Highway Works in Relation to Designated Heritage Assets* (2011)

LUC, *Swale Local Landscape Designation* (October 2018)

Jacobs, *Swale Landscape Character and Biodiversity Appraisal* (2011)

Swale Borough Council and Kent County Council, *Rural Lanes Study* (1996-97)

Historic England Publications

Historic England Good Practice Advice Notes (GPAs) provide advice on good practice and how national policy and guidance should be applied.

GPA1: *The Historic Environment in Local Plan Making* (March 2015)

GPA2 - *Managing Significance in Decision-Taking in the Historic Environment* (March 2015)

GPA3 – *The Setting of Heritage Assets* (December 2017)

Historic England Advice Notes (HEANs) include detailed, practical advice on how to implement national planning policy and guidance.

HEAN 1: *Conservation Areas: Designation, Appraisal and Management* (Feb 2019)

HEAN 2: *Making Changes to Heritage Assets* (February 2016)

HEAN 9: *The Adaptive Reuse of Traditional Farm Buildings* (October 2017)

HEAN 10: *Listed Buildings and Curtilage* (February 2018)

HEAN 12: *Statements of Heritage Significance* (October 2019)

HEAN 16: *Listed Building Consent* (June 2021)

Streets For All (May 2018)

For further information contact:

Swale Borough Council Planning Services 01795 417850

www.Swale.gov.uk

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The Street circa 1900. The house on the left has been demolished

This Conservation Area Character Appraisal was prepared by:

Peter Bell Historic Building Consultancy Peter@Bell.uk.com

on behalf of:

Swale Borough Council

Swale House, East Street, Sittingbourne, Kent ME10 3HT



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Policy and Resources Committee Meeting	
Meeting Date	Wednesday 18 th October 2023
Report Title	Swale Staff Domestic Abuse Policy
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Stephanie Curtis, Community Services Manager
Classification	Open
Recommendations	1. That the Policy and Resources Committee approves this staff domestic abuse policy

1 Purpose of Report and Executive Summary

- 1.1 This report provides an overview of the Swale Staff Domestic Abuse Policy and asks for adoption by the Policy and Resources Committee.

2 Background

- 2.1 As part of our work to achieve the Domestic Abuse Housing Alliance (DAHA) accreditation, there are a series of standards we must be able to evidence our adherence to. These aim to increase good working practices within organisations and will assist SBC in reviewing and making improvements where necessary in supporting domestic abuse victims both in the community and our own staff.
- 2.2 One such requirement, is for a standalone staff domestic abuse policy. It is recommended that this policy includes: relevant legislative references to our staff, support available to staff, training available for line managers that may need to support staff, safeguarding measures and the recording of information.
- 2.3 Swale Borough Council, through its safeguarding and HR functions are already supporting staff that are domestic abuse victims that may come forward. This staff policy consolidates this work into a specific standalone document that should make it easier for staff to understand the support they can expect. This builds upon information that is also already in the staff wellbeing policy.
- 2.4 This policy will sit alongside existing safeguarding procedures and the wider domestic abuse policy which details our overall domestic abuse response as a Council..
- 2.5 DAHA also recommend that the staff policy considers the Councils response to staff that may disclose they are perpetrators of domestic abuse, with the view that it should be clear that as a council we do not tolerate abuse and that they may be held to account for their actions. A section around response to perpetrators has

been added into the policy, however it is felt to be limited in what action we can take beyond the existing code of conduct/disciplinary measures if appropriate. However, line managers can play a role in encouraging such staff to seek support through whatever tools/measures are available to them.

- 2.6 This policy will need to be cascaded to both staff and managers – there is a role that line managers will be expected to have should one of their staff make a disclosure of domestic abuse. Training will be made available to line managers via a short input at Corporate Leadership Team/Swale Managers Forum.
- 2.7 This policy also references the domestic abuse advocate role that is being created. In a similar way to mental health first aiders, these advocates will be staff that can be a first port of call for a victim should they not wish to speak to HR/Safeguarding team/line manager. They will receive extra training and support and will work alongside the safeguarding team. A separate policy governing their role and support is being created.

3 Proposals

- 3.1 That the Policy and Resources Committee approves this Staff Domestic Abuse Policy

4 Alternative Options

- 4.1 To not approve this staff policy – an overarching domestic abuse policy is in place, but this is aimed more specifically at your response to residents. This is also true for the Safeguarding Policy and this doesn't give clear direction to staff affected by domestic abuse as to what support they can get. This is also a requirement as part of the DAHA assessment process for the Council to have in place.

5 Consultation Undertaken

- 5.1 Consultation has taken place with the HR Manager and also with our national lead for the Domestic Abuse Housing Alliance (DAHA) accreditation from Standing Together. Consultation has taken place with Unison and they are happy with the draft policy.

6 Implications

Issue	Implications
Corporate Plan	This Policy supports the Corporate Plan priority 'tackling deprivation and creating equal opportunities for everyone' and the objective of 'ensuring that the council plays a proactive role in reducing crime and ASB, including through the modernisation of CCTV provision'.

Financial, Resource and Property	There are no additional finance, resource or property implications in implementing this policy. The policy brings together existing processes and formalises into this one document. The domestic abuse advocates being introduced (and for whom there will be a separate policy to ensure appropriate governance and support) will be existing staff members.
Legal, Statutory and Procurement	<p>The Council is required to comply with a variety of legislation in relation to Domestic Abuse including the Domestic Abuse Act 2021. It also have a number of employer responsibilities to the safety and wellbeing of its staff which are documented within the policy.</p> <p>This policy does not introduce any additional activity to meet the requirements of this legislation but consolidates existing action into one place for the purposes of safeguarding our staff affected by domestic abuse.</p>
Crime and Disorder	The policy specifically discusses SBCs response to its staff affected by domestic abuse.
Environment and Climate/Ecological Emergency	No environment and sustainability implications have been identified at this stage.
Health and Wellbeing	This policy consolidates existing activity into one place for staff affected by domestic abuse, ensuring it is clear what support they can expect.
Safeguarding of Children, Young People and Vulnerable Adults	The creation of this policy will bolster the existing Safeguarding Policy for the Council in its response to staff affected by domestic abuse.
Risk Management and Health and Safety	No specific implications on risk management or health/safety have been identified at this stage.
Equality and Diversity	No specific implications on groups with protected characteristics have been identified.
Privacy and Data Protection	The introduction of this policy does not identify any new privacy or data protection concerns. Any data gathered or shared will continue to be done so in line with existing safeguarding/HR mechanisms.

7 Appendices

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

- Appendix I: Swale Staff Domestic Abuse Policy

8 Background Papers

No background papers.

Appendix 1: Swale Borough Council Domestic Abuse Staff Policy

Introduction

Swale Borough Council believes that all forms of domestic abuse are unacceptable, and this policy sets out our approach to supporting employees who are experiencing or have experienced domestic abuse. The policy also covers the approach we'll take if there are concerns that an employee may be the perpetrator of domestic abuse. This policy will be reviewed on a three yearly basis.

Policy Purpose

Swale Borough Council will treat all reports of domestic abuse seriously and that it is wholly unacceptable. This policy sets out how we will support our employees that may be or have in the past, experienced domestic abuse.

Policy Scope

This policy applies to all Swale Borough Council staff and volunteers. We have a separate Domestic Abuse Policy regarding our response to domestic abuse within the community. It stipulates what the Councils response to supporting staff who are victims of domestic abuse will be, along with our approach to staff that may be perpetrators of domestic abuse.

This policy will sit alongside our existing Swale Borough Council policies including:

- Safeguarding Policy
- Compassionate Leave Policy
- Sickness Policy
- Disciplinary Policy

Definition of Domestic Abuse

Domestic Abuse is defined as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violence behaviour. It is between those that are 16 and over and are, or have been in an intimate relationship, family members or have a parental relationship in relation to the same child. For full definition please visit [Domestic Abuse Act 2021 \(legislation.gov.uk\)](#). This Act also now recognises that children are victims/survivors of domestic abuse.

Domestic abuse can include, but is not limited to:

- Coercive control (a pattern of intimidation, degradation, isolation and control)
- Psychological or emotional abuse
- Physical or sexual abuse
- Financial or economical abuse
- Harassment and stalking
- Violent or Threatening Behaviour
- Online or digital abuse

Domestic abuse is also just one element of violence against women and girls (VAWG) – other violence affecting women includes Honour Based Violence, Forced Marriage and Female Genital Mutilation (FGM).

SBC recognises that domestic abuse can be experienced by both women and men, as well as those from the LGBTQ+ community, and we will ensure an appropriate response for all. However, it is acknowledged that domestic abuse is a gendered crime and does disproportionately affect women.

Identification of domestic abuse at work

Swale Borough Council understands that domestic abuse is a serious crime and we will ensure that non-judgemental support and advice is given to any employee who has experienced it.

You can report domestic abuse or seek support from any of the following within the Council, whether it is regarding yourself or concerns for a colleague:

- your line manager.
- Safeguarding Officer.
- Network of Domestic Abuse Advocates, who understand domestic abuse and can offer you support.
- a member of the HR team
- Employee Assistance Provider

Support for employees experiencing domestic abuse

Swale Borough Council understands that reporting domestic abuse can take a lot of courage and we have a number of staff that are specifically trained to support any staff affected. We also understand that domestic abuse is not always a one-off incident, and that ongoing support will be needed. We also recognise that for any victims or survivors with protected characteristics, or from Black or Minority Ethnic groups that they may face additional barriers to reporting which we will seek to try and remove. We will also ensure that this support is available to any victims that may also be on maternity leave.

Those staff supporting you will be able to offer information/signposting to specialist support services as well as the Council's free Employee Assistance programme. We will prioritise your safety if we know you are experiencing domestic abuse. Specialist support agencies have staff trained to an enhanced level and they will be able to undertake a DASH (domestic abuse and stalking risk assessment) and make other onward referrals. With your consent, they will work with you, your manager and any other agencies to identify actions to increase your personal safety.

Your line manager will also work with you to consider any safety planning in the workplace that could be required. This might include:

- Reasonable Adjustments either temporary or permanent
- Agreeing what, if anything, to tell colleagues.

- Contacting you regularly if you work from home.
- Measures to ensure a safe working environment e.g. changing phone number to avoid harassing calls.
- Using other existing policies such as leave from work or flexible working.
- Support with access to occupational health/counselling services.

All reports will be dealt with confidentially and no evidence is needed for us to support you.

Your right to privacy

We respect all our employees' right to privacy and will not ever force you to share any information you do not want. However, if there is a safeguarding risk to children or an adult we have a duty of care to ensure that appropriate agencies are made aware of our concern.

Support agencies may require personal data about our employee as part of their offer of support or case investigation. These would be assessed on a case-by-case basis in line with our data protection policy.

We will record details of the support offered to employees that are experiencing domestic abuse on our safeguarding database My Concern. This is a secure database only accessed by our safeguarding team.

Training

Inline with the Safeguarding Training Policy, all staff are required to complete domestic abuse training. This will give them the knowledge of how to recognise domestic abuse and where to seek support for a colleague or community member. Those staff that have a greater level of engagement with the community will undertake more enhanced training, including the safeguarding team.

The Domestic Abuse Advocates will also receive an enhanced level of training. All line managers will also go through a training programme to ensure that they are able to:

- Identify if an employee is experiencing difficulties because of domestic abuse
- Respond to a disclosure in a sensitive and non-judgemental manner
- Provide initial support
- Be clear about workplace support
- Discuss how the organisation can contribute to safety planning, making reasonable adjustments.

Perpetrators of domestic abuse

Swale Borough Council doesn't condone domestic abuse perpetrated by employees under any circumstances.

We will treat any allegation, disclosure or conviction of a domestic abuse related offences on a case by case basis. We will view the use of violence or abuse by an

employee as a breach of the Code of Conduct and will use the Disciplinary process accordingly. We will also seek to encourage perpetrators to engage with support through any tools available to them.

We will also consider in any action taken the risk to the survivor, working in partnership with other agencies.

Policy and Resources Committee Meeting	
Meeting Date	Wednesday 18 th October 2023
Report Title	Setting up a Local Authority Good Causes Lottery
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Charlotte Hudson, Head of Housing and Communities
Lead Officer	Stephanie Curtis, Community Services Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. For Members to decide whether to proceed with a Good Causes Community Lottery following the recommendation from Communities Committee 2. Should Members agree to proceed, to consider how this should be funded. Options include a) To use General Reserves; b) to ask all Members to allocate a portion of their Members Grant; or C) to utilise another funding option as felt appropriate by the Committee.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the proposal for creating a Good Causes Community Lottery and asks the Policy and Resources Committee to agree the funding for this proposal.

2 Background

- 2.1 Local authorities have been able to set up community lotteries since legislation was passed in 2007. There are currently 68 local authorities licensed to run lotteries by the Gambling Commission and regulated under the Gambling Act 2005. It works by enabling good causes to help themselves with the local authority facilitating this by holding the operating licence in an umbrella manner.
- 2.2 Although the Council provides financial support to the voluntary sector in Swale, increasing budget pressures are making this difficult. A community lottery model has the potential to enhance and extend the Council's support, benefiting more local causes and residents. It extends the Council's support because a wider range of groups will be eligible to participate in the community lottery than are supported through the current funding structures. In addition, the community lottery model makes the Council the facilitator instead of the provider.
- 2.2 Thorough research undertaken it has been found that large society lotteries have been set up by other local authorities. This research has been pulled together in a business case that is set out in Appendix I.

- 2.3 This proposal was discussed by the Communities Committee at their meeting on the 6th September, where the below was agreed:
- (1) That a Local Authority Good Causes Lottery be set-up.
 - (2) That the Head of Housing and Communities in consultation with the Chair of the Communities Committee to establish a partnership with an existing deliverer of lotteries in the marketplace (an External Lottery Manager – ELM) for the lottery to be run and managed.
 - (3) That the Head of Housing and Communities in consultation with the Chair of the Communities Committee to carry out the licence application process.
 - (4) That the Committee recommend funding for this project to the Policy and Resources Committee
- 2.5 The Communities Committee were in agreement that it should be set-up, but as the funding for it would fall outside the existing budgetary framework they were not able to agree how it could be funded. They did discuss whether Members should be asked to consider allocating a portion of their Members Grants to pay for the set-up of this lottery, however they did not wish to do this.

3 Proposals

- 3.1 Once the good causes lottery project is established, ticket sales would cover the ongoing costs for the External Lottery Manager (ELM) that would lead it. Additionally, it is felt that the internal staff requirement for its ongoing management can be covered by existing resources within the Communities team.
- 3.2 However, there is a funding requirement for the set-up costs for this project, both for the ELM and the internal staff time needed. It is expected that the first year's costs for the ELM would be £5800. It is also anticipated that in order to set-up the project, there would be a need for an additional 1 day a weeks time for an officer within the Communities Team – this would be £5000. A total of £10,800 is required for the set-up of this scheme.
- 3.3 Consideration has been given as to whether the set-up of the scheme could be managed within the communities' team without additional temporary resource, but other work streams would need to be deprioritised. Given the recent restructure within the team and reduction in resource, this is not recommended.
- 3.4 There is no existing budget or reserve currently identified for the set-up of this project and would therefore fall outside of the budgetary framework and the need for a decision by this Committee as to how this can be funded.
- 3.5 The Recommendations for the Committee to consider are:
- 1) For Members to decide whether to proceed with the Good Causes Community Lottery following the recommendation from Communities Committee.
 - 2) Should Members agree to proceed with the Good Causes Community Lottery, to consider how this should be funded. Options include:

- a) To use General Reserves to fund the set-up costs.
- b) To ask all Members to allocate a portion of their Members Grant towards the set-up costs – although this option was not recommended by Communities Committee.
- c) To utilise another funding option as felt appropriate by the Committee.

4 Alternative Options

- 3.5 To not provide funding – This option is not recommended as a discussion was undertaken by the Communities Committee at their meeting on the 6th September regarding the potential delivery options for this project, along with the need for it. This Committee felt that the good causes lottery should be taken forward and it was felt that using an External Lottery Manager (ELM) rather than in-house was the preferred option. Detailed pros and cons for delivery options as considered by the Communities Committee can be found in Appendix I. As funding to support the voluntary sector may become more difficult to find by the Council, this lottery would provide an alternative mechanism by which to ensure some support is provided.

5 Consultation Undertaken or Proposed

- 5.1 Consultation was undertaken with other local authorities that are running such lotteries. This is summarised in Appendix 1.
- 5.2 Consultation was undertaken with the Communities Committee at their meeting on the 6th September where it was agreed that a good causes lottery should be set-up. Although they agreed they do wish for this to be set-up, they were not able to agree the funding as it would fall outside of the existing budgetary framework.

6 Implications

Issue	Implications
Corporate Plan	This links to Priority 3: Tackling deprivation and creating equal opportunities for everyone
Financial, Resource and Property	<p>Set up and operating costs for the ELM are shown in Table 5 of Appendix I. Year 1 is £5800 and Year 2 £4300 – although the second year costs should be recovered through ticket sales .</p> <p>There are resource implications for staffing the setup of the scheme which are to an extent unknown. Officers feel the resource requirement to implement this would be 1 day a week for 6 months – it is estimated that this would cost £5000. Once the scheme is set-up, the ongoing management would be covered by existing staff resource.</p> <p>Funding this project would falls outside the budgetary framework as there is no specific budget or reserve is identified. As such, a</p>

	<p>decision on how this project can be funded is required from the Policy and Resources Committee.</p> <p>Although the Communities Committee did not agree that Members should be asked to contribute from their Members Grants, this remains an option for funding.</p> <p>The funding could also be taken from General Reserves, although this would increase the budget gap for this financial year and corresponding savings will need to be made elsewhere.</p>
Legal, Statutory and Procurement	<p>Two responsible Officers will need to be appointed to hold the licence and submit the necessary Remote Society Operating Licence application to the Gambling Commission.</p> <p>The contract between the Council and the ELM will have contractual liabilities. It is understood that the ELMs use standard terms and conditions for their services and it is known that other local authorities have found them acceptable. The Council will ensure that its Legal Department are fully involved in the appointment and contract negotiation process to ensure that all contractual liabilities taken on are acceptable.</p>
Crime and Disorder	None identified at this stage
Environment and Climate/Ecological Emergency	None identified at this stage
Health and Wellbeing	None identified at this stage
Safeguarding of Children, Young People and Vulnerable Adults	<p>The contract to be agreed with the ELM will cover statutory obligations, including Child Safety, Equalities and Safeguarding policies. It will also encompass the issue of gambling responsibly. In addition, the Council will share information about gambling responsibly and this risk will be monitored by the Safeguarding Officer.</p>
Risk Management and Health and Safety	<p>These are detailed in Appendix I</p> <p>The contract to be agreed with the ELM will include a requirement on them to maintain an up-to-date risk assessment relating to the provision of the service and make this available to the Council.</p> <p>This is a potentially low-risk scheme, which requires low investment, to cover officer time and external implementation support, initial licence fees and annual licence fees.</p> <p>The contract with the ELM would include provision to terminate with 3 months' notice if tickets sales are not projected to be high enough to cover the Council's year 2 and onward costs.</p> <p>However, this risk would only be low if the lottery is run in partnership with an ELM; if it was to be run in house, the risks in terms of investment could be extremely high.</p>

Equality and Diversity	EIA to be carried out. Details within Appendix 1
Privacy and Data Protection	None identified at this stage

7 Appendices

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

- Appendix I: Business Case for Community Lottery Fund

8 Background Papers

- None

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Appendix 1: Setting up a Local Authority Good Causes Lottery – Business case

1.0 Introduction

- 1.1 Local authorities have been able to set up community lotteries since legislation was passed in 2007. There are currently 68 local authorities licensed to run lotteries by the Gambling Commission and regulated under the Gambling Act 2005. It works by enabling good causes to help themselves with the local authority facilitating this by holding the operating licence in an umbrella manner.
- 1.2 Although the Council provides financial support to the voluntary sector in Swale, increasing budget pressures are making this difficult.
- 1.3 A community lottery model has the potential to enhance and extend the Council's support, benefiting more local causes and residents. It extends the Council's support because a wider range of groups will be eligible to participate in the community lottery than are supported through the current funding structures. In addition, the community lottery model makes the Council the facilitator instead of the provider.

2.0 Society Lotteries

- 2.1 Lotteries are a way for smaller organisations to raise income. They are regulated by the Gambling Act 2005. There are different types of lotteries available; this proposal falls within the category of 'society lotteries'.
- 2.2 Society lotteries are promoted for the benefit of a non-commercial society. A society is non-commercial and conducted for:
- Charitable purposes;
 - The purpose of enabling participation in, or of supporting sport, athletics or a cultural activity;
 - Any other non-commercial purpose other than that of private gain.
- 2.3 There are two variants of society lotteries, the main difference being who issues the licence - local authorities permit small lotteries and the Gambling Commission permits large lotteries.

A large society lottery:

- Has proceeds that exceed £20,000 for a single draw;
- Has aggregate proceeds from lotteries in excess of £250,000 in any one year.

A small society lottery:

- Does not have proceeds that exceed £20,000 for a single draw;
- Does not have aggregate proceeds from lotteries in excess of £250,000 in any one year.

- 2.4 The most common Local Authority Community Lottery used is a large society lottery. Through research conducted, it has been found that large society lotteries have been set up by other local authorities including Aylesbury Vale, Portsmouth City Council, Melton Borough Council, Gloucester City Council, Dover District Council, Blably District Council, Tunbridge Wells Borough Council, Sevenoaks District Council, Ashford Borough Council, Tandridge Council and Hart District Council.

2.5 A local lottery such as the ones which operate in the above councils has a set of aims and unique selling point (USP) that resonates with supporters. This is because the scheme will focus on:

- Delivering the proceeds locally – A district wide lottery that delivers benefits only to local causes, unlike any other provider – supporters can be assured that the proceeds will stay in the district.
- Maximising benefits to the community – To bolster support and to help in continuing the good work the Council already does. Supporters will be offered the option of choosing a particular good cause.
- Minimising costs – The appointment of an External Lottery Manager with a tried and tested digital platform enables the scheme to be largely self-financing.
- Delivering winners locally – Whilst anyone can play, it is likely that supporters will be locally based and hence it is easier to maximise the value from winners' stories and thereby encourage more participation.

2.6 Facilitating a wider benefit – Whilst the lottery will help current funding of good causes, it will also enable local good causes to fundraise in partnership with the Council and hence enables the Council to help good causes to help themselves. It will also enable access to lottery-type funding which may not have been accessed due to barriers such as licensing, administration or ability to support such an endeavour

3.0 Partnership with an External Lottery Manager (ELM)

3.1 Setting up a partnership with an existing deliverer of lotteries in the market place (an External Lottery Manager – ELM), in effect means 'buying into' an existing lottery manager's products. As such the Council would be commissioning experts in the field to run the lottery. This ensures minimal risk to the council compared to trying to run a lottery directly as the ELM holds responsibility for the sale process, insurance of winnings etc. and is also licensed by the Gambling Commission to do this. The ELM is also able to act as a specialist advisor to the Council and provides necessary compliance training in the package

3.2 The ELM will:

- Manage the prize fund and associated insurance;
- Build the website and provide marketing materials;
- Get local good causes to sign up to the lottery and get their own webpage;
- Ask good causes to encourage their supporters to buy tickets online;
- Enable people to buy tickets per week and choose the cause they want to support;
- Conduct the draw every Saturday night and notify the winners;
- Distribute the funds to the local good causes every month and provide regular detailed reports to the Council;
- Comply with all licensing requirements including any reporting.

- 3.3 There is a one-off set up fee for the adoption of the platform, but thereafter the arrangement is financed at the point of ticket sale as the ELM takes a percentage of the ticket price. It is therefore not technically a procurement.
- 3.4 The Council will not handle any transactions other than receiving its share of the income on a monthly basis. The Council will have a contract agreement with the ELM.
- 3.5 Looking at councils who are currently operating a Good Cause Lottery, the most common way to operate is as follows:
- £1 ticket per week with a weekly draw
 - Only playable online
 - Funded only via Direct Debit (no cash), rolling monthly card payment, or block ticket purchase with a single payment for 3, 6 or 12 months
 - 6 number self-selected ticket
 - Delivered via an ELM
- 3.6 Research shows that some council lotteries work on a minimum play of one ticket per week for a minimum 4 week subscription or one off 5 week payment. This is taken monthly from the supporter's account, and thus equates to a minimum monthly expenditure for the supporter.
- 3.7 It is clear that the ticket price has a significant bearing on the success of the lottery. A high ticket price reduces the administration costs, which in turn leaves more money available for good causes.
- 3.8 Research into other councils who have reviewed their scheme shows that Aylesbury Vale District Council's proposal for review of their community lottery concluded that research indicates there is a significant drop-off in the take-up rates (up to a potential 69% less participation, equating to around 50% less revenue) if a ticket is priced at £2 instead of £1.
- 3.9 A high ticket price also has the potential to reduce participation due to resistance to the (inaccurate) perception that council would be generating 'profit' from charitable enterprise.
- 3.10 It is the research into the public perception of appropriate lottery ticket pricing that is the most significant factor to consider when selecting a preferred model for the lottery. A £2 entry would also place the model in direct competition with the National Lottery.
- 3.11 Discussions with an ELM running over 80 lotteries for local authorities, schools, charities, unions and societies has found that estimated percentage of eligible population participating is between 0.5% and 1.6% with the average number of tickets being bought per supporter per week being 1.8.
- 3.12 Table 1 below shows the income that could be generated dependant upon the number of supporters and what this number of supporters is as a percentage of Swale Borough Councils 16 years and over population (93,400 based on 2021 NOMIS data). Although it should be noted that you do not have to live in the area to

play the lottery – family members/friends living in other parts of the country are able to play, which does increase the scope.

Ticket Price	% of SBC Supporter population	No. of Supporters	Tickets bought per week	No. of weeks	Gross Return	Good Causes (50%)	SBC Admin. (10%)	Prizes (20%)	External Lottery Manager Organisation (17%)	VAT (3%)
£1	0.5 %	467	Av. 1.8	52	£43,711	£21,855	£4,371	£8,742	£7,430	£1,311
£1	1.0 %	934	Av. 1.8	52	£87,423	£43,711	£8,743	£17,484	£14,862	£2,623
£1	1.6 %	1494	Av. 1.8	52	£139,838	£69,919	£13,984	£27,967.60	£23,722	£4,195

3.13 If the take up of the borough’s supporter population is at 0.5% with each supporter purchasing the average 1.8 tickets per week it could be generating gross sales of £43,711 per annum. If it achieves 1%, it would generate £87,423 per annum and 1.6% would generate £139,838. It is difficult to predict the level of income generation, but the discussions with 5 councils shows the average net return for good causes ranges from between £30,000 and £40,000 per annum. In addition, Tunbridge Wells and Tandridge Councils achieved total gross incomes of £55,405 and £139,262 respectively in their first year.

3.14 Looking at how other councils manage their schemes, distribution of proceeds from each ticket sold would be in the region of the figures set out below in Table 2.

	% allocation	£ allocation per ticket	Comment
Good causes	50	£0.50	This is far in excess of the minimum (20%) required by the legislation governing lotteries and other popular lotteries (National Lottery 25%; Postcode Lottery 32%; and Health Lottery 20.3%).
Prizes	20	£0.20	To fund prizes of £1,000 and below.
ELM	17	£0.17	To pay for the External Lottery Manager’s running costs including the cost of the insurance policy they will hold for funding the top prize of £25,000.
SBC admin	10	£0.10	To cover the annual Gambling Commission licensing fee, Lotteries Council membership and marketing. The Gambling Commission permits the local authority to use net proceeds of such lotteries for any purpose for which they have the power to incur expenditure. Any remaining funds can be allocated through our current funding arrangements for VCS.
VAT	3	£0.03	
Total	100	£1.00	

3.15 The prize structure offers supporters the opportunity to win prizes of up to £25,000. The odds of winning the ‘grand prize’ are the same as this is an insured prize and

supporters select their numbers of choice. The prize structure and odds for the draws are set out in the table 3 below.

	Winning odds	£ prize
6 numbers	1,000,000:1	£25,000
5 numbers	55,556:1	£2,000
4 numbers	5,556:1	£250
3 numbers	556:1	£25
2 numbers	56:1	3 free tickets

- 3.16 There are no financial implications to the Council if ticket sales drop and no minimum number of tickets to sell. The ELM will manage the prize fund and any associated insurance so the Council will not be exposed to any risk. The contract with the ELM must be for an initial term of 12 months and it is usual to give 3 months' notice to terminate after this initial term. Speaking to an ELM, they have advised that if ticket sales were so low in the first 9-months that it was projected that gross sales would not enable the Council to cover its Year 2 onward costs, three months' notice could be given and the contract would end after one year. notice can be given. The Council would then not renew its licensing or need to pay for marketing.
- 3.17 Whilst the business model identifies the operating costs picked up by the ELM and taken from ticket sales there are still costs that fall to the Council. Table 4 below sets out the approximate set-up and operating costs. The ongoing costs will be funded from the 10% proceeds apportionment to the Council.

Requirement	Year 1 Cost (estimated)	Year 2 ongoing Cost (estimated)
Remote Society Operating Licence Annual Fee (based on proceeds from lottery being under £100k per annum & a first-year 25% discount on full cost of £348)	£261	£348 or £692*
Remote Society Operating Licence Application Fee (based on proceeds from Lottery being under £100k per annum)	£147	£147 or £220**
Lotteries Council Membership	£385 (only £199 paid at time of applying for Operating Licence)	£385
External Lottery Manager Organisation set up costs	£5,000 plus VAT	
Marketing and Promotional materials and activity		£3,000
Total	£5,793*** plus VAT	£3,880 or £4,297****

*The cost of the Remote Society Operating Licence annual fee is dependent on the annual proceeds from the lottery. Where proceeds are up to £100k per annum, the annual fee is £348. For proceeds between £100-500k, the annual fee increases to £692.

**Cost of application fees dependent on annual proceeds from lottery. £147 for up to £100,000. £220 for £100,000 to £500,000.

- 3.18 All other administration costs, website costs, hosting etc. are borne by the ELM. This includes handling all financial transactions in a similar manner to that with a conveyancing solicitor holds money for clients. The top prize is an insured sum, and the prize fund pot is built over time to cover all other winnings. If the prize fund pot was to grow

unnecessarily large the scheme can hold additional prize draws to ensure distribution in accordance with the licence. Prize funds cannot be used for any other purpose.

- 3.19 The Council will be responsible for approving the applications of those good causes wishing to sign up to the community lottery. The aim will be to enable a wide range of organisations and groups to apply to sign up including charities, clubs, associations, societies, community interest companies, social enterprises and schools (for extracurricular activities that benefit the wider community).
- 3.20 Looking at other councils, the following groups are eligible to register as a local good cause with the Council's Community Lottery provided they meet the terms and conditions of the lottery:
- Community Interest Companies
 - Social Enterprises
 - Schools may apply for extracurricular activities that do not form part of the core offer provided by the school and that benefit the wider community.
 - Churches and faith groups may only apply for projects that are open to the wider community where the primary aim of the project is not to promote any religion or faith.
- 3.21 In all of the Councils researched, eligible local good causes must:
- Agree to work with the appointed ELM (responsible for managing the Council's Community Lottery) to ensure full compliance with the Community Lottery scheme.
 - Operate within the Borough/District, providing facilities, activities or services for the benefit of its residents.
 - Be able to demonstrate the service it is providing by giving details of its activities and the number of beneficiaries in the Borough or District.
 - Have a committee or board of decision makers, a constitution and a bank account.
 - Actively promote equality and safeguarding within its structure and operations.
 - Have spent all previous funding received from the Borough or District in accordance with the funding award conditions attached to them.
- 3.22 The Councils researched all said that the following will not be eligible to join a Council's Community Lottery as a local good cause:
- Any organisation that the Council deems to be a political party, has the nature of a political party, or is engaged in campaigning for a political purpose or cause.
 - Groups that do not benefit local residents.
 - Individuals.
 - Organisations which aim to distribute a profit.
 - Organisations with no established management committee/board of trustees.

4.0 Process of setting up the Lottery

- 4.1 The Council will need to appoint an ELM. Although most other local authorities have used and recommended the organisation Gatherwell. The Council would need to approach other ELM organisations to get a comparison.
- 4.2 The Council would need to undertake the licence application process. The ELM will provide assistance with template policies to accompany the licence as well as the production of a Communications and Marketing Strategy and with the launch to good causes and subsequent ticket sales.

5.0 Good Causes

- 5.1 The Council will be responsible for approving the applications of those good causes wishing to sign up to the community lottery. The aim will be to enable a wide range of organisations and groups to apply to sign up including charities, clubs, associations, societies, community interest companies, social enterprises and schools (for extracurricular activities that benefit the wider community).

- 5.2 Looking at other councils the following groups are eligible to register as a local good cause with the Council's Community Lottery provided they meet the terms and conditions of the lottery

- Charities
- Clubs
- Associations
- Societies
- Community Interest Companies
- Social Enterprises
- Schools may apply for extracurricular activities that do not form part of the core offer provided by the school and that benefit the wider community.
- Churches and faith groups may only apply for projects that are open to the wider community where the primary aim of the project is not to promote any religion or faith.

- 5.3 In all of the Councils researched, eligible local good causes must:

- Agree to work with the appointed ELM (responsible for managing the Council's Community Lottery) to ensure full compliance with the Community Lottery scheme.
- Operate within the Borough/District, providing facilities, activities or services for the benefit of its residents.
- Be able to demonstrate the service it is providing by giving details of its activities and the number of beneficiaries in the Borough or District.
- Have a committee of board of decision makers, a constitution and a bank account.
- Actively promote equality and safeguarding within its structure and operations.
- Have spent all previous funding received from the Borough or District in accordance with the funding award conditions attached to them.

- 5.4 The Councils researched all said that the following will not be eligible to join a Council's Community Lottery as a local good cause:
- Any organisation that the Council deems to be a political party, has the nature of a political party, or is engaged in campaigning for a political purpose or cause.
 - Groups that do not benefit local residents.
 - Individuals.
 - Organisations which aim to distribute a profit.
 - Organisations with no established management committee/board of trustees.

6.0 Gambling

6.1 Lotteries are the most common type of gambling activity across the world and considered to be a 'low risk' form with respect to the emergence of problem gambling. This is due to its relatively controlled form. The proposed Lottery scheme will help mitigate against many of the issues related to addictive gambling by:

- Being only playable via direct debit (no cash) and by pre-arranged sign up;
- There is no 'instant' gratification or 'instant reward' to taking part;
- There will be no 'high profile' activity surrounding the draw;
- The Lottery website will contain a section providing links to gambling support organisations.

6.2 Due to these factors, it is not anticipated that a Council-run Lottery would significantly increase problem gambling, and the benefits to good causes in the district from the proceeds of the lottery would outweigh possible negative issues.

7.0 Next steps

7.1 If approved, the Council will need to appoint an ELM. Although most other local authorities have used and recommended the organisation Gatherwell, the Council would need to approach other ELM organisations to get a comparison.

7.2 The Council would need to undertake the licence application process. The ELM will provide assistance with template policies to accompany the licence as well as the production of a Communications and Marketing Strategy and with the launch to good causes and subsequent ticket sales.

7.3 The Gambling Commission currently has a turnaround target of 16 weeks for new applications, but during this time the ELM is able to develop the platform bespoke to the Council (a name would need to be chosen and website name secured) and complete project implementation based on ticket sales planned from estimated date for award of the licence.

8.0 Consultation with other local authorities

8.1 Four local authorities currently running community lotteries were contacted and asked a series of questions about set up and management. One local authority who were unsuccessful in running a community lottery and did not use Gatherwell as its ELM was also contacted. The key matters arising were:

- All four local authorities consulted use Gatherwell as their ELM. However, Gatherwell do have competitors and the Council will therefore approach other ELM organisations to get a comparison. Existing Council officers will complete this. The Gambling Commission requires that ELMs are licensed and registered with them so the Council will ensure this is a requirement in the tender documentation.
- It was reported that to set up and launch their community lottery required more officer time than for running it. Based on the consultation, the Council has timetabled for officer time of 1 day per week for a six-month period to allow for the set up (including to appoint the ELM) and launch and 1 day per month thereafter to promote the lottery and pass any queries received to the ELM. This scheme will be managed and monitored by the Communities Manager and team using existing staff.
- Local authorities establishing and running a community lottery conclude that this is ethically no different to the local authority applying for funding generated through lotteries for projects (i.e. the National Lottery). Lotteries are the most common form of gambling activity and are considered to be low risk in respect of problem gambling due to their relatively controlled format. However, it remains essential that measures are taken to ensure that a community lottery is implemented and run appropriately. The Council will share information about gambling responsibly and the Safeguarding officer will monitor this issue. The Council will also appoint a fully experienced ELM that is trained to be able to manage any issues relating to problem gambling and mitigate against many of the issues related to addictive gambling by making the lottery:
 - Playable online via registered sign up and by non-cash methods
 - Have no instant gratification or instant reward involved
 - Be fully compliant with the Gambling Commission licensing code of practice
 - Restrict the tickets to a maximum of 20 per supporter
- Similarly to the other local authorities consulted, the Council will become a member of The Lotteries Council initially paying £199 to become a provisional member whilst in the process of applying for a lottery licence from the Gambling Commission. Once licensed the Council will pay an additional £186 for full membership. Thereafter the annual membership fee is £385. The benefits of this membership include: access to updates on current market sector activities; free consultation with solicitor specialising in gambling and licensing advice; VAT and Taxation Specialist; Data Protection Adviser; free IBAS (betting adjudication service) dispute resolution service; use of various logos on marketing materials. In addition, the Lotteries Council make a group payment to GambleAware an independent grant-making charity using best practice in commissioning assessment, planning, evaluation and outcome reporting to support effective, evidence-informed, quality assured prevention of gambling harms.
- One key lesson learnt that was identified by several of the five local authorities was the need to take time to engage with local good causes to secure enthusiastic leads that know how the lottery works such that they can continuously promote it. One local authority decided to close the community lottery they had implemented with ELM Hive Lotto after 2 years due to poor marketing and low sales. The Council will therefore work with the Swale Voluntary and Community Sector to start this engagement and work with the appointed ELM and the Council's Communications Team to develop and implement a sustainable marketing strategy.

9.0 Other Options Considered

9.1 In considering this report, Committee can choose to:

- I. Do nothing
- II. Deliver in house
- III. Deliver through existing partner

<p>i) Do nothing</p> <p>Under this option, the status quo remains with no lottery in place</p>	
Strengths	Weaknesses
<p>The council continues to reap the benefits of the status quo. These include good PR for helping community groups, attracting more money into the organisations and thus the district</p>	<p>The Council may be faced with the future financial challenge to keep offering discretionary funding at the current level, unless they choose to prioritise it at the expense of another, potentially key services. There is no planned alternative to assist with the type of funding of these types of activities in the medium-long term.</p>
<p>ii) Deliver in-house</p> <p>This option would require the establishment of the necessary posts and systems to run a lottery in house. This has not been fully costed, but it is considered somewhere in the region of a £100-120k for set-up costs alone. This would include a lottery manager and the necessary development of software systems to enable the lottery to run. The Council also need to secure the relevant insurance to cover lottery prizes.</p>	
Strengths	Weaknesses
<p>The Council could keep supporting community causes thus continuing towards delivering corporate objectives.</p> <p>There could be a comfortable fit with the commercial approach of going into new territory and looking for alternative ways of working.</p>	<p>The Council does not have the internal expertise to set up the software for an online lottery. This would have to be brought in at commercial rates. The Council would need to develop a completely new area of operation for the lottery. This would involve at the very least a lottery manager and support assistants as well as having to source software to run the lottery itself and associated operating costs.</p> <p>No experience at all in this field and so no knowledge of how to deal with potential difficulties.</p> <p>There could be a negative perception from the public and charities that the Council is</p>

	potentially trying to take business from good causes.
<p>iii) Deliver through an external provider</p> <p>This option would see a partnership with an existing deliverer of lotteries in the market place (an External Lottery Manager – ELM).</p> <p>This in effect means ‘buying into’ an existing lottery manager’s products.</p>	
Strengths	Weaknesses
<p>The Council would be commissioning experts in the field to run the lottery which would be much lower risk – less chance of malfunctioning, legal errors etc.</p> <p>An ELM takes care of complexities around lottery licences etc.</p> <p>The Council could keep supporting community causes thus continuing towards delivering corporate objectives.</p> <p>Positive PR for the Council brand.</p> <p>This may be a more comfortable fit with the commercial approach than option ii) above, as it would be less costly and very low risk and could also be a strong example of partnership working.</p>	<p>The ELM will take a percentage of the ticket price.</p> <p>There could be a negative perception from the public and charities that the Council is potentially trying to take business from good causes – although in part this is mitigated by using an ELM.</p> <p>There could be a negative perception from the public that they already pay their council tax and the Council is trying to take more of their money.</p>

9.2 Taking into account the above analysis, this business case concludes that the best option is iii) Delivery through an external provider. This is primarily due to the now proven business model and delivery method with other councils as well as the minimised investment and risk.

10.0 Legal Implications and Risk Assessment Statement

- 10.1 Two responsible Officers will need to be appointed to hold the licence and submit the necessary Remote Society Operating Licence application to the Gambling Commission, with responsibility for making these appointments delegated to the Chief Executive.
- 10.2 The contract between the Council and the ELM will have contractual liabilities. It is understood that the ELMs use standard terms and conditions for their services and it is known that other local authorities have found them acceptable. The Council will ensure that its Legal Department are fully involved in the appointment and contract negotiation process to ensure that all contractual liabilities taken on are acceptable.
- 10.3 The contract to be agreed with the ELM will cover statutory obligations, including Child Safety, Equalities and Safeguarding policies. It will also encompass the issue

of gambling responsibly. In addition, the Council will share information about gambling responsibly and this risk will be monitored by the Community Services Manager.

- 10.4 The contract to be agreed with the ELM will include a requirement on them to maintain an up-to-date risk assessment relating to the provision of the service and make this available to the Council.

11.0 Risk and Benefit Analysis

	Risk	Benefits
Financial	<p>This is a potentially low-risk scheme, which requires low investment, to cover officer time and external implementation support, initial licence fees and annual licence fees. Running a lottery in partnership with an ELM, it is estimated that ongoing costs would not exceed £5,000 per annum.</p> <p>The contract with the ELM would include provision to terminate with 3 months' notice if tickets sales are not projected to be high enough to cover the Council's year 2 and onward costs.</p> <p>However, this risk would only be low if the lottery is run in partnership with an ELM. If it was to be run in house, the risks in terms of investment could be extremely high.</p>	<p>Staff costs would be reduced if the Council chooses to operate a lottery with an external lottery manager - ELM. This option would mean the Council would facilitate self-help for community groups wishing to fundraise. A percentage of the ticket price goes directly to good causes, similar to other lotteries that operate.</p>
Reputational	<p>There is the possibility of damage to the council's reputation, in the unlikely case that the lottery becomes connected to corruption or avoidable failure (i.e through poor marketing).</p> <p>The Council's reputation could also be damaged in the event that it launches the lottery and has to close it due to lack of interest. (However, the Council could still argue it tried to do something in difficult circumstances).</p> <p>There could also be a negative reaction from residents who may</p>	<p>The Council has a reputation as a dynamic council which leads the way. If the Council chooses to operate a lottery with an experienced ELM they will jointly promote it as a facilitation of community fundraising in a difficult economic climate The key message communicated</p>

	perceive the lottery to be a stealth tax, as they already pay their council tax.	about a lottery would be that is empowering and enabling communities to help themselves.
Political	Discretionary giving is something that has come to be part of what councils do and has come to be depended on by different pockets of the wider community. It not only creates a degree of prestige for the organisation but also individual members who support those causes and sit on decision panels. Some of this impact could be lost.	The proposed eligibility criteria for good causes means that a lottery would deliver the benefits for the local community. Giving to good causes brings prestige to members serving their communities. A lottery could enable similar prestige.
Commercial	Some critics may perceive this idea to encourage gambling, which, in extreme cases, could lead to addiction and is not something a council should be doing. With 185,000 charities in the UK, it could be a risk to set up another avenue of charitable giving. The Council could also be criticised for taking business from other charity lotteries. However, the proposed option gives local good causes a potentially more effective facility with which to fundraise, rather than labour-intensive raffles etc. and would be giving opportunities to smaller groups.	There are already a number of charity and local authority run lotteries and this does not appear to be a problem. If the Council chooses to use an experienced ELM, they do not promote gambling in a hard-hitting way; the emphasis is on helping the community. For participants there is a much higher probability of winning the jackpot, compared to the national lottery. With the growth in technology, operating an online lottery would provide multiple opportunities to access potential supporters and for them to easily participate (using a range of digital devices). A Community Lottery would give more to good causes than, say

		<p>the national lottery.</p> <p>Camelot, the best known lottery provider, is seen as a successful commercial company. The lottery has the potential to have positive commercial associations.</p>
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12.0 Equality Assessment

- 12.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this report directly impact on end users. The impact has been analysed and does not vary between groups of people. The scheme has the potential to positively impact people with protected characteristics, as they are likely to benefit from services or activities provided by the good causes. However, until community groups sign up to the scheme, we won't know which people with protected characteristics will most likely benefit.
- 12.2 People without a bank account or payment cards may feel excluded as they will be unable to take part. However, officers consider this a proportionate approach to achieving a legitimate aim, which in this case is to reduce the risk of gambling addiction. We expect a cautious response from religious groups who may not agree with gambling as a method of raising income. However, marketing the scheme with the promotion of good causes as its focus should help to remove concerns. The results of this analysis are set out immediately below.

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The Contract to be agreed with the ELM will include obligations on the ELM to comply fully with the Council's commitment to ensuring that the service is non-discriminatory and that residents can access the service taking account of any vulnerability.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	The Community Lottery will raise funds for local causes that support and promote equality of opportunity to some of the most vulnerable residents.

c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		No negative impacts identified
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13.0 Procurement

13.1 The consideration is that we are effectively buying into an existing and working model (via a contract with an ELM), rather than establishing our own team that runs the lottery in-house.

14.0 Resources (staffing)

14.1 This is a new area of work which would be envisaged to be incorporated within existing staff resource within Communities. This team has seen its resources reduced following recent restructure.

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Policy & Resources Committee Meeting	
Meeting Date	18 October 2023
Report Title	Corporate Peer Challenge Action Plan
EMT Lead	Larissa Reed – Chief Executive
Head of Service	Philip Sutcliffe – Communications & Policy Manager
Lead Officer	Janet Dart – Policy & Engagement Officer
Classification	Open
Recommendations	1. To agree the Swale Corporate Peer Challenge Action Plan prior to it being published on the Swale Borough Council website.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to ask the Policy & Resources Committee to consider and agree the Swale Corporate Peer Challenge Action Plan prior to it being published on the Swale Borough Council website.

2 Background

- 2.1 In March 2023 the Swale Borough Council undertook a Local Government Association (LGA) Corporate Peer Challenge. Councillors and officers from other similar councils spent a week at Swale House looking at how we operate as a council.
- 2.2 Peer challenges are improvement-focused and tailored to meet a Council's needs by providing challenge and sharing learning.
- 2.3 The Peer team consisted of cross-party members and senior officers. Cross-party members and officers from across the organisation were interviewed as were partners such as Kent County Council, the local Members of Parliament, the Police, local businesses, representatives from the voluntary sector, parish/town councils and members of the public. In total they had 44 meetings and spoke to 70 people. Members of the team visited the Isle of Sheppey as part of the review.
- 2.4 On 21 June 2023, three of the Peer Challenge Team returned to give a presentation setting out their findings and key recommendations.
- 2.5 Following this the Peer Challenge Team provided a detailed feedback report containing ten key recommendations. Members were given the opportunity to request amendments to the report before it was published on 10 October 2023 (Appendix I).

- 2.6 Members and senior officers have met to consider the recommendations and have together drafted an Action Plan which members of the Policy & Resources Committee are being asked to consider and agree this evening (Appendix II).

3 Proposals

- 3.1 To agree the Swale Corporate Peer Challenge Action Plan prior to it being published on the Swale Borough Council website.

4 Alternative Options Considered and Rejected

- 4.1 No alternative options were considered other than the 'do nothing' option. This was rejected because Members and officers were fully involved in the development of the Action Plan.

5 Consultation Undertaken or Proposed

- 5.1 Committee Chairs, Group Leaders and the Senior Management Team were consulted during the preparation of the Action Plan and again once all comments had been collated and the final draft prepared.

6 Implications

Issue	Implications
Corporate Plan	The Corporate Plan is currently being updated and if the actions are agreed, any relating to the Corporate Plan will be incorporated into the document.
Financial, Resource and Property	Consideration will need to be given as to how actions that need resource will be funded.
Legal, Statutory and Procurement	None identified at this stage.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	The development of values and behaviours and the member/officer protocol will need careful consideration to ensure that everyone in the organisation is positively impacted by their implementation.
Safeguarding of Children, Young	None identified at this stage.

People and Vulnerable Adults	
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	Any changes that are implemented as a result of the Action Plan that necessitate any Policy or Strategy changes may require Equality Impact Assessments to be carried out.
Privacy and Data Protection	None identified at this stage.

7 Appendices

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

Appendix I: *LGA Corporate Peer Challenge Feedback Report.*

Appendix II: *Swale Corporate Peer Challenge Action Plan.*

8 Background Papers

None.

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LGA Corporate Peer Challenge

Swale Borough Council

13th – 16th March 2023

Feedback report





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1. Executive summary

Swale Borough Council provides district Council services to an area of North Kent, including the Isle of Sheppey, Faversham, Sittingbourne, and surrounding rural villages. Elected members and the workforce have much to be proud of over the past few years, including providing good core service, impressive and well-run shared services arrangements with other Kent authorities, and having a response to the Covid-19 pandemic that showed high levels of adaptability and innovation, and which was praised by partners and residents.

A success of the Council, which they should be rightly proud of and celebrate, is securing £20 million in 2022 of Government Levelling Up Funding (LUF) for the Sheerness Project. The work of officers, members, and partners in crafting a project that met the funding scope, in a limited bidding window, coalescing around this bid as allies for the good of the community on the Isle of Sheppey, is an excellent example of a good working partnership as well as strong political ambition and leadership.

The fund will enable the Council to transform the Sheerness town centre, turning the Beachfields seafront into a community hotspot including a new café, and extending the healthy living centre to include an outdoor gym, soft-play, and adventure golf areas. Funding will also expand the further education college and make space for new offices and studios for local small businesses.

The knowledge within the Council about Swale the place and the challenge for its communities is impressive, with the excitement and passion for the LUF project among members and staff evident to the review team. The resourcing and management of successful LUF bids is a challenge for all those successful councils. Resources will need to be prioritised and allocated in order to deliver the scale of projects.

In recent years, the Council has championed a local offer, with a focus on ward-based activities and priorities, leading to the successful delivery of many local projects. The Council's Corporate Plan runs from 2020 to 2023 with priorities and projects having been refreshed post-pandemic. The Council is embarking upon a process of creating a new Corporate Plan, with the new 2023 administration led by a new Council Leader, around a coalition of 3 parties. It is important that the Corporate Plan is co-created in the Council and with the residents. It is also essential for the effective working of the

Council in the future that this plan is clear, encourages collaboration, and sets a vision and priorities that reflect the current realities in the borough. These include the need to effectively manage legacy projects and define the scope of activity that is possible with the Council's reduced spending power and limited Council reserves. As a result, it is likely there will be fewer opportunities for spend on locally championed projects, as there were in previous years. Through refreshing the Corporate Plan, Swale Borough Council can build a vision for Swale the place and prioritise what needs to be achieved in the next 4 years. This also creates an opportunity to reset the existing relationships between members and officers, as well as members of all political groups, and with partners and residents.

The democratic make-up of the Council is complex, with the Council managing through coalition administrations since 2019. At the time of the review, the Council was a 'rainbow coalition' with an Independent Leader; since the May 2023 local elections, the Council remains in a coalition, however the leadership has moved to the Labour Party. During the previous administration, Swale moved from a cabinet to a committee system, with the new system still embedding at the time of the review.

Members' ability to hold a stable and functioning administration, including setting the 2023/24 budget is a testament to the dedication of the Councillors to overcome differences, seek compromise where they can, and ultimately, work for the overall good of the community. These are strengths that the team recognised and recommend the Council celebrate and harness for the challenges ahead.

At the time of the review, the team identified issues and tensions in the way some members and staff communicate with each other. These will need concerted time and effort to improve. It is imperative that time and resources are invested in building relationships within the coalition as well as between all members across the political groups, encouraging their participation and building their knowledge of the successes and challenges of the Council. Swale Council should seek ways to provide opportunities for officers and members to collaborate more and encourage a culture of trust in officer expertise in operational delivery. Improving relationships between members and officers at all levels will help to support the administration's ability to operate as a coalition, provide effective political leadership and strategic direction.

The Council benefits from recognised and visible leadership from both the Leader and

the Chief Executive. The professionalism and commitment of the workforce, in particular the Directors and Heads of Service, are an asset to the organisation, with officers showing high levels of dedication and motivation to serve the organisation and be effective leaders in their organisation and place. Staff expressed wanting to see a more clearly defined strategic direction for the Council for the next 4 years.

The Council has many strong partnerships in place, with Swale described as “*an enthusiastic partner*”, and “*with members that genuinely want to make a difference for local people*”. Swale’s work on the cost-of-living crisis was highlighted by partners in the voluntary and community sector (VCS) as an example of where Swale Council was leading the field in responding to new and emerging needs in their community with speed, humility, and proactivity. VCS partners are keen to be part of more formal arrangements with Swale Council and expressed an appetite to build on the existing positive relationships and work more collaboratively with the Council.

During the review the comment was made that “innovation is a contact sport” and there is opportunity to broaden and deepen the relationships with businesses in the area, using them to help deliver some of the ambitions the Council has for its communities.

Swale, like many Councils, has experienced a history of reduced grant funding and is working hard to manage that alongside the current pressures with inflation, post-Covid-19 costs, and the cost-of-living crisis. There is a good understanding of the Council’s financial position across members and officers. The Council has spending controls in place and savings targets identified across service areas and understands the need to proactively work on ensuring these are monitored and owned by both members and officers. The financial position in Swale has changed in recent years, Central government funding has declined, and the Council’s financial reserves are low whilst the Council works to maintain the running of services. This leaves the authority, and many authorities throughout the country, in difficult and unfamiliar territory, needing to further sharpen focus on finances, committing to and delivering savings to ensure they can deliver core services to their residents in the coming years. Upon deciding priorities and the levels of services that can be provided, ensuring these are communicated to residents and stakeholders, will be key to maintaining trust with communities and partners.

The Council needs to rally its members and staff at this critical juncture as it moves to a refreshed Corporate Plan for 2023 to 2027, scheduled for delivery in the Autumn/Winter. Now is also the time to seize the opportunity to refocus the Council on an overall strategic vision for the place, elevating members to a position of setting the strategy and vision, then monitoring its delivery and giving officers the direction needed to create, manage, and deliver the operational activities to achieve the priorities and targets set by the political leaders at the Council.

2. Key recommendations

There are a number of observations and suggestions within the main section of the report. The following are the peer team's key recommendations to the Council:

2.1. Work at pace to develop a new Corporate Plan that has a clear and well-defined strategic vision with strategic priorities, owned by members and clearly communicated to staff, residents and partners.

Having a Corporate Plan, supported by the agreed budget and a financial sustainability plan, is crucial for ensuring all staff, members and stakeholders understand what the Council is seeking to achieve and how staff, members, partners, and stakeholders can share the responsibility in delivering these goals. Now is the time to work together to agree on and deliver a new Council Corporate Plan

2.2. Develop and embed joint values and behaviours for Swale BC members and officers.

It is important that joint values for the organisation are in place, lived and modelled by all the senior leaders in the organisation. Having these in place will help the Council develop a culture of trust and respect between members and officers.

2.3. Develop a robust and detailed savings plan, ensuring clear ownership of projects/plans by the administration and officers.

Develop a savings plan with both members and officer accountability, and proactively manage this, alongside day-to-day active fiscal management, and controls. Have regular conversations with staff, members, and budget holders communicating Swale's budget position, and instilling ownership of savings plans and projects across the

organisation.

2.4. Continue to work on the member/officer protocol and work to improve member/officer relationships.

There is room for improvement in the levels of collaboration, mutual understanding, and tone of communication between some elected members and staff. Work on this has started, with defining and managing ways of working between members and officers, through the member/officer protocol; it is recommended that work on improving relationships be considered a priority for the new administration.

2.5. Develop a comprehensive induction and support programme for members which includes the statutory roles of the Council, budget responsibilities, and building internal/external positive relationships.

It is important that members are supported to deliver their roles and responsibilities as elected members. Building relationships both internally and externally will enrich the Council and enable groups and external partners to all pull together. Introduce briefings for all members on key issues, providing the opportunity to have open discussions across all parties. These should include training and briefings on financial understanding and monitoring, to enable effective financial scrutiny and decision-making.

2.6. Conduct a review of committee meetings including the number of meetings and capacity to support their frequency. Test further opportunities for wider scrutiny and challenge within the committee system.

Review the number of committees looking at opportunities to reduce duplication and increase efficiency. Also, look at ways of enabling scrutiny as part of the committee system.

2.7. Maximise your links with small and big businesses. Tap into their work on corporate social responsibility activity, employment opportunities and how these can support your local priorities.

Use the current opportunity and goodwill in the business sector to capitalise on the relationships built with the business community during and after the pandemic. With

many large businesses in the borough, proactively engaging with the whole sector could help deliver Swale's ambitions for economic development and expand the apprenticeship and training ambitions and opportunities for local people.

2.8. Prioritise work on developing your communications and engagement strategy.

Having these strategies in place will help to ensure information from the Council to residents, and between members and staff flows effectively. These will be key to ensuring the smooth dissemination of key messages, goals, and initiatives both internally and externally. Swale having clear and well-defined strategies in this area will help with keeping members, staff, and residents informed, aligned, and engaged, fostering a sense of clarity and purpose alongside the new Corporate Plan.

2.9. Celebrate and communicate the Council's successes.

It is important that Swale Borough Council celebrate and effectively communicate the successes of the Council. Doing so will help to boost staff morale, reinforce a positive organisational culture, and may enhance the Council's external reputation.

2.10. Closely monitor the impact of the 34-hour week, considering the impact on the organisation and residents.

It is important to recognise that this policy is a departure from the customary working practices within the Council and local authority sector. Acknowledge that it carries risks as well as benefits. Work to balance the innovative spirit of the policy with a data-driven monitoring and review process to help identify and mitigate risks and inject timely contingencies as needed.

3. Summary of the peer challenge approach

3.1. The peer team

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected the focus of the peer challenge and peers were selected on the basis of their relevant expertise. The peers were:

- Ian Davidson, Chief Executive at Tendring DC

- Cllr Hannah Dalton, Leader at Epsom and Ewell BC
- Cllr Duncan McGinty, Leader at Sedgemoor DC
- Cllr Elizabeth Dennis-Harburg, Leader at North Herts DC
- Claire Hughes, Corporate Director and Monitoring Officer, Cheltenham BC and Stroud DC
- Marshall Scott, NGDP management trainee at The Local Government Association
- Rebecca Ireland, LGA Peer Challenge Manager

3.2. Scope and focus

The peer team considered the following five themes, which form the core components of all Corporate Peer Challenges. These areas are critical to the Council's performance and improvement.

1. **Local priorities and outcomes** – Are the Council's priorities clear and informed by the local context? Is the Council delivering effectively on its priorities?
2. **Organisational and place leadership** – Does the Council provide effective local leadership? Are there good relationships with partner organisations and local communities?
3. **Governance and culture** – Are there clear and robust governance arrangements? Is there a culture of challenge and scrutiny?
4. **Financial planning and management** – Does the Council have a grip on its current financial position? Does the Council have a strategy and a plan to address its financial challenges?
5. **Capacity for improvement** – Is the organisation able to support the delivery of local priorities? Does the Council have the capacity to improve?

In addition to these themes, the Council asked six additional questions:

1. We would be especially interested in peers' views on how they perceive the effectiveness of the current leadership approach.

2. We would appreciate the peers' views on the appropriateness of this number of committees and a view on how effectively they currently operate.
3. We would welcome a view of the peers on the level of strategic versus operational input from members of the committees.
4. We would be especially interested in peers' views on how effective the mechanisms we are using to build trust are.
5. We would be especially interested in peers' views on the appropriateness of our approach to scrutiny within the committee system.
6. We would be especially interested in peers' views on how officers and members can work together to achieve the savings targets required, whilst not stopping members from delivering their ambitions.

These questions will be addressed within the feedback section of this report.

3.3. The peer challenge process

Peer challenges are improvement focused; it is important to stress that this was not an inspection. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw, and material that they read.

The peer team prepared by reviewing a range of documents and information to ensure they were familiar with the Council and the challenges it is facing. The team then spent four days onsite at Swale Borough Council during which they:

- Gathered information and views from more than 44 meetings, in addition to further research and reading.
- Visited the Isle of Sheppey.
- Spoke to more than 70 people including a range of Council staff together with members, members of parish councils and external stakeholders.

This report provides a summary of the peer team's findings. In presenting feedback, they have done so as fellow local government officers and members.

4. Feedback

4.1. Local priorities and outcomes

The vision and priorities for Swale Borough Council are combined within Swale's current Corporate Plan, 'Working together for a better borough', published in 2020 to cover the period 2020 to 2023, and a set of current prioritised projects. The plan is based on four overarching priorities and twenty specific objectives.

The priorities are:

- Building the right homes in the right places and supporting quality jobs for all
- Investing in our environment and responding positively to global challenges
- Tackling deprivation and creating equal opportunities for everyone
- Renewing local democracy and making the Council fit for the future

Alongside these, sit approximately 150-member priority projects, ranked in status to assist officers in knowing the Council's priorities. Many have been successfully completed using legacy funding that will not be available to the Council in future years.

The borough of Swale is remarkably diverse with a historic market town, a traditional seaside resort, and an industrialised market town, alongside rural villages. The demographics are similarly diverse with a mix of affluent areas and less affluent communities. In 2019, the indices of multiple deprivation showed Swale's overall position had deteriorated relative to other places, with the borough now the 69th most disadvantaged of 317 shire districts in England, and the second most disadvantaged in Kent. The area's economy has diversified and now has strengths in manufacturing and distribution alongside high-skilled activities including innovative technology and in life sciences. However, much of the borough's employment is still toward the lower end of the skills spectrum and the average weekly earnings are significantly below regional and national averages. Tackling this inequality and deprivation is a key priority of the Council and achieving improvements for residents will require focus and the help of statutory and non-statutory partners.

During the review, the peer team were shown several examples of successful projects meeting local priorities and needs, including the extensive work to manage Covid-19 working alongside partners in the community, a highly praised cost-of-living response

and public sphere work across the borough including the renovation and restoration of existing buildings to provide space for community activities and investment to improve the quality of public spaces. Alongside this, the Council is working hard with other statutory bodies to meet wider needs, including the health needs of the residents of the Isle of Sheppey, with the peer team hearing about the support of the Council in expanding health provision on the island to facilitate services that enable more diagnostic and treatment services on-site in the health centre.

The Council's ambition to tackle deprivation can be seen in their work to secure the Levelling up Funding (LUF) for Sheerness and in their commitment as a strategic partner in education and health to improve outcomes and the well-being of residents on the Isle of Sheppey. Members and staff frequently expressed their aspirations for the communities they serve, including describing ongoing work to influence and improve the educational outcomes for children attending the Oasis Academy Secondary School, quoting the small numbers of students (10%) achieving grade 5 or above in English and Maths GCSE (the local authority average is 46% and the national average is 43%).

Officers and members at Swale Borough Council work extremely hard to deliver good services to the local community. In recent years, the Council has positioned itself to champion *the local offer*, seeking enhanced engagement with local communities and delivering projects on the member priority list. This work is in line with their Corporate Plan priority of renewing local democracy and striving to make the Council fit for the future. One plan priority and a notable aspiration of members was moving from a cabinet to committee system in 2022. In doing so, members have sought to renew local democracy through increased member participation in decision making by extending the number of Councillors directly involved in Council decision making and influencing the strategic direction of the Council via the committee system.

At the time of the peer review, pre-2023 local elections, members and officers were looking forward to creating a new Corporate Plan with a set of revised values. Additionally, the team heard aspirations from members on how the revised plan could strengthen their strategic leadership role in the Council.

There can be inherent uncertainty before elections and sometimes the workforce perceives a vacuum or gap when one system or plan ends, and another begins. The

team encountered staff and members expressing uncertainty about the future direction of the Council and the ability to make seismic changes to the lives of the communities served by a coalition administration. Beyond this, the peer team judged there to be a powerful desire and ambition for the Council to be more strategic, forward-looking, and have a definable vision and lived values. This was married with concerns that members' activity had become more operational of late.

The Council should prioritise updating and reviewing its tourism and visitor strategy and action plan to ensure it remains relevant and effective in meeting the needs of tourists and the local community. A proactive approach by the Council will help to attract more tourists, boosting the local economy and helping to preserve the cultural and natural heritage of the area.

The Council has targets in their Climate and Ecological Emergency Action adopted in April 2020 to make the Council's operations carbon neutral in five years and the borough carbon neutral by 2030. Thoughtful consideration should be given to whether the current plans are likely to be delivered and if not, what changes the Council needs to make.

The peer team observed that members and officers understood their local communities and were able to appreciate the diverse needs of communities and the value of having robust ward-based information. There is an opportunity through the development of the new Corporate Plan to strengthen the use of data and intelligence information across the Council and between services. The peer team also identified several key Council policies that need refreshing to support the delivery of a Corporate Plan.

4.2. Organisational and place leadership

Swale Borough Council have an ambitious political leadership that is dedicated to delivering improvements and better outcomes for the community. The Council is supported by an active and dedicated Chief Executive (CEX) and senior leadership team.

The Leader of the Council at the time of the review demonstrated a clear desire to improve and nurture local democracy, working hard in the coalition to foster wider participation by Councillors in decision-making within the Council structures as well as

understanding of community issues. The 'new' Leader is also keen on developing values and relationships with staff.

The CEX has been praised for her strong and decisive leadership, with partners speaking highly of her place leadership and ability to bring stakeholders together. It was also noted that communication from the Council with external agencies has improved under the current senior leadership team.

A committed and knowledgeable workforce supports the Council, with changes made in the senior leadership team in the last 18 months to align the staff team with evolving business needs. The workforce actively engages in multi-agency collaboration and cultivates strong relationships within the Council and with other statutory bodies. The team heard how the Council demonstrated exemplary leadership during the pandemic and has continued this work with the voluntary and community sector (VCS) and residents, taking proactive measures to address cost-of-living concerns.

Swale Council plays an active role in advocating for the needs of the community to Kent County Council and are keen partners with other Kent Authorities looking at opportunities to work together through shared services models and lobby as a group on issues that affect them all. As an active partner, the Council works to contribute to bringing about strategic and systemic changes in healthcare, policing, and education, aiming to enhance outcomes for Swale residents. The coordination of these partnerships necessitates the Council's time and strategic leadership. The Council also collaborates with local businesses, recognising the importance of fostering a thriving economic environment in the area.

Despite changes in the local economy, residents still face challenges in finding skilled work at average or above-average wages. Influencing change in this area, as well as addressing the growing housing needs of the community, requires strong political commitment to advocate for residents. The Council is actively working to meet housing pressures and has developed strong relationships with housing associations operating in the borough. The Council's priorities include not only supporting the delivery of the right homes in the right places but also ensuring that these schemes include training, job creation, and creating desirable places for people to live, work, and spend their free time, benefiting the overall Swale economy.

The Council has established impressive relationships with various sectors in the

community, with the VCS representatives seen by the review team, speaking about the strong relationships they have established with Council departments and staff.

However, there is still room for growth and improvement. The creation of an engagement strategy will help the Council to manage how the organisation engages with the wider community partners and business sector taking account of the staff resources available and ensuring the Council is leveraging these relationships to help deliver on Swale's priorities.

The creation of a new engagement strategy is also an opportunity for the Council to look at how they might use different communication mediums, incorporating digital solutions where appropriate, to engage across service areas with residents and partners. It is important that the Council appreciates and utilises the skills and knowledge of its members and officers. Collecting good quality information, including from exercises like residents' surveys and staff surveys can be a useful way to engage with residents and staff and enable the Council to assess needs, develop policies, evaluate services, and promote transparency.

The policy team within Swale Council has struggled with a lack of resources, which has been acknowledged by the Council; this has led to the suspension of some activities including completing a resident survey and work to renew and refresh key existing policies and strategies. The impact of this has been felt in the organisation and although another post has recently been added, the Council might wish to review the capacity within the team to deliver their duties and support the delivery of a suite of updated and new policies that will underpin the activity of the Council through its new Corporate Plan. Having key strategies and policies in place enables the Council to engage with its residents effectively, deliver high-quality services, and make informed decisions that benefit the community, whilst ensuring activity is prioritised and within the Council's resource limits.

The Council should be rightly proud of some of its achievements in place-making within the area, with multiple projects delivered including Masterton House and the redeveloped playground on Beachfields site. It demonstrates its ambitions for area improvements through successful investments in regeneration and restoration projects and how it is prioritised within the Council to work on the successful LUF bid.

However, the team also observed place-based activities that were localised and

project-based, without a clear demonstrable link to the overarching and strategic priorities of the Council. Key strategic policy documents should underpin this work, with projects not progressing without robust business plans.

Swale Borough Council should prioritise the creation of a revised communications strategy to enhance communication both within and outside the Council. Effective communication is essential for the success of both the officer and political leadership of the Council and the bedrock for forming good organisational relationships. The team heard examples of positive practices, including weekly housekeeping emails and a detailed and user-friendly intranet system. These initiatives demonstrate the Council's commitment to transparency and efficient information-sharing.

In May 2023, the Council implemented a major change to working hours and practices, transitioning to a 34-hour week, and closing the Council offices on Friday afternoons. The understanding of how this would operate in practice varied among the groups the team spoke to while on-site with the Council. The team heard in one session that “the 34-hour week represents lots of change that people weren’t expecting” and support for the change was mixed. This is a new and untested change to working practices and service delivery for all involved, and close monitoring of this change’s impact on the organisation and residents is essential. The impact of this change will vary among different groups, and it is vital that the monitoring mechanisms implemented are sophisticated enough to collect information that enables good analysis of short- and medium-term service trends, staff satisfaction, and wellbeing metrics.

The Council has a strong and developed well-being offer for staff, and the team heard praise and positive feedback from members and staff for the recognition programme ‘Swale Stars’ event.

The team noted that the Council offices have empty floors and noticeboards with out-of-date information. There has been some investment in the building, but further investment in the overall workspace would enhance the well-being offer for staff and may offer revenue generating opportunities.

There is a lot of ambition and positive activity on place-shaping, reducing inequalities, and working on regeneration and restoration in the area. There is a clear political appetite to continue to deliver programmes of importance to local leaders but also an appreciation of the reduced financial capacity of the Council to do so. Work on building

relationships between the political leadership and the senior staff team is key to the Council's success and will be addressed later in this report.

4.3. Governance and culture

The Council has a good approach to governance and an appetite to ensure there is effective scrutiny and challenge within the committee system.

The recent review of the constitution conducted by the Council is a testament to their commitment to good governance and transparency. This review process ensures that the Council's constitution remains up-to-date, relevant, and aligned with the needs and aspirations of the community. It is a positive development that highlights the Council's dedication to ensuring that its operations are conducted in an efficient and accountable manner.

The transition from a cabinet to committee system, although still in the process of embedding, has contributed to increased inclusivity for members in decision-making. This shift allows for a broader range of perspectives and expertise to be considered, ensuring that decisions are comprehensive and representative of the diverse opinions within the Council. This change demonstrates the Council's commitment to creating a democratic and inclusive environment where every member's voice is heard and valued.

Currently, the Council consists of five service committees, four regulatory committees, and four area committees. Each committee is comprised of 12 to 15 members who convene at regular intervals to discuss pertinent matters. The committee meetings serve as a platform for scrutiny, enabling focused examinations of specific topics.

The Council has made considerable progress in transitioning to the committee system, and as part of their commitment to continuous improvement, the team recommends that a thorough review be conducted of how the current system is operating. This would include reviewing the number of meetings, size, frequency, and the capacity within the staff team to support this. The review team noted that other councils of a similar size operate successful committee systems with less frequent meetings and smaller size committees.

It is also recommended that the Council tests further opportunities for wider scrutiny and challenge. To enhance the effectiveness of scrutiny and further develop the

Council's approach, there is an opportunity to empower the committees with greater ownership of their forward plans, budgets, performance monitoring and new objectives outlined in the Corporate Plan. By granting more autonomy to the committees, the Council can foster a sense of responsibility and accountability while ensuring alignment with broader Council goals. The committee system review will enable the Council to optimise and refine the current arrangements.

The reports presented to the committees are of excellent quality, built upon a solid foundation encapsulated in a corporate template that ensures consistency. However, it is worth noting that, on occasion, there have been references to "reports to follow." The Council must be cautious not to normalise this practice, as it could potentially lead to delays in decision-making processes or debates lacking the necessary information.

It is vital to establish robust mechanisms and processes to ensure that audit recommendations marked as "high risk" are promptly addressed and subsequently monitored. This proactive approach will help mitigate potential risks and strengthen the Council's overall governance framework.

In addition to effective scrutiny and risk management, the Council recognises the importance of maintaining key corporate documents such as the Asset Management Strategy, Risk Strategy, Communications Strategy, and Project Management Framework. Regular reviews of these documents will ensure that they remain up-to-date and aligned with the Council's evolving objectives and priorities; work on this will need to be planned and resourced.

The peer team also recommend that the Council look to refresh and relaunch its organisational values alongside the new Corporate Plan. A values framework sets the tone for how a Council deals with customers, partnerships, and stakeholders, and it is an important part of building a collaborative and healthy culture in an organisation.

A significant step towards fostering a harmonious and respectful working environment is the recent adoption of the LGA Model Code of Conduct by the Council. It is imperative for Council business that everyone within the Council operates in a respectful manner, treating each other with dignity and professionalism. In adhering to this code of conduct, members are setting an example of mutual respect and creating a positive atmosphere for constructive dialogue and decision-making processes.

While the peer team heard of some positive member-to-member and member-to-

officer relationships within the Council, it is evident that there is still much work to be done in building an environment of trust and respectful challenge in some parts of the Council. It is crucial for the Council to foster an atmosphere where differing opinions are welcomed, and constructive debates or challenge are encouraged. By promoting open, honest, and respectful member-to-member and member-to-officer communication, the Council can create an environment of trust and collaboration, leading to more effective decision-making processes benefiting the entire community.

The team observed strained relationships between the Leader and senior staff within the Council at the time of the review. The team also heard examples of members being uncomfortable about the way some other members spoke to staff, and staff being unhappy about the method and tone of challenges in meetings and committees. Adopting the LGA Model Code of Conduct is a positive step, and the team would recommend exploring the support of the LGA and member peers.

The Council recognises that improving relationships will lead to more effective decision-making and operational management, and ultimately benefit the constituents served by the Council. The peer team recommend that time and resources be invested in building stronger and more trusting relationships between members and staff. By ensuring both staff and members are clear about their roles and responsibilities, space is created for a respectful, constructive challenge. Improving the relationships should be a priority area for the Council, and they will also be crucial for the organisation's workforce stability, satisfaction, and staff retention, at a time when workforce challenges in the sector are acute.

By addressing the communication gaps, aligning priorities, building trust, and clarifying roles, the Council can work towards resolving these issues and fostering a more collaborative, productive, and respectful environment.

Overall, the Council's ability to manage through a coalition administration, adopt a model code of conduct, review the constitution, and transition to a committee system all in the last 18 months is commendable. These efforts demonstrate the Council's commitment to good governance, inclusivity, and working for the overall benefit of the community. With continued dedication and a sharp focus on building positive relationships, the Council has the potential to create a more effective and cohesive working environment for the betterment of the Council.

4.4. Financial planning and management

Members and the executive team at Swale Council know the financial position and understand the difficult financial climate that local government are currently operating in. Swale, like many Councils, has experienced a history of reduced grant funding and is working hard to manage that alongside the current pressures with inflation, post-Covid-19 costs, and the cost-of-living crisis. There is a good understanding of the Council's financial position across members, though more work could be done to instil greater financial ownership and accountability in committees.

The Council has spending controls in place and savings targets identified across service areas and understands the need to proactively work on ensuring they are monitored and owned by both members and officers. Work has started, led by the new s.151 officer, to increase financial literacy and transparency in the organisation.

The resourcing and management of successful LUF bids is a challenge for all those successful councils. To resource and deliver £20m projects is hugely challenging. The Council is rightly proud of the successful bid, but resources will need to be allocated in order to deliver the scale of projects.

The financial position in Swale has changed in recent years, with the Council's reserves reduced, needing to be used to maintain the running of the Council as central government funding has declined. This leaves the authority, and many authorities throughout the country, in difficult and unfamiliar territory, needing to have an incredibly sharp focus on the finances, and committing to and delivering savings to ensure they can deliver core services to their residents. Understanding the financial position and communicating the Council's priorities to officers, residents and stakeholders will be key to ensuring and maintaining a focus on what is able to be delivered and building trust with communities and partners.

Questions were posed to the team while on-site as to how to lead and motivate members and set a vision that is rooted in local democracy, without the funding that Swale had historically to deliver some of the very local priorities and projects the members championed. This dilemma is one that many Councils are facing as the financial position of Councils continues to become more perilous. What the team did observe were dedicated and knowledgeable members who were keen to deliver for residents, including ensuring core services are excellent value for money and

completed on time.

Swale should ensure it has a strong communications and engagement strategy in place to help enable two-way communication with the members and the community it serves on any changes the Council may need to make to ensure a balanced budget.

The budget challenges require the Council to explore opportunities and review the resource base at the Council, ensuring the resources available are in the right places. There is an opportunity to review the Council's assets and ensure they are working for the Council. However, this work requires an effective project team, political buy-in for the objectives, and time, as changes to an asset base often take years to complete and for benefits to be felt.

The peer team found the financial monitoring at Swale to be satisfactory with the Medium-Term Financial Plan (MTFP) in place and updated reflecting the changing financial position of the Council and wider changes to the sector. It is important that any expected changes in statutory requirements are also incorporated into the MTFP.

Swale residents, many on low and medium incomes, struggle to access affordable, good quality accommodation. Demand for Council help with housing is increasing, and there is significant pressure for homelessness services, with increasing numbers of residents needing temporary accommodation. The Council are working to mitigate some of the causes of homelessness with a more prevention-led service, but the lack of affordable accommodation is a national issue including in Swale; thus, further pressure will be put on the Council to step in and provide costly temporary accommodation to fill the gap. The Council is alive to the issue and has put forward mitigation proposals alongside its work with the local housing association sector to support the creation of more affordable homes. Costs in this area are a concern for the Council and are being closely monitored.

4.5. Capacity for improvement

The Council has a positive and committed workforce exemplified by the dedication of staff during the pandemic, leading and exceeding expectations in responding to Covid-19. It is important that the Council takes to time to celebrate its successes and thank staff and members for their hard work, making them feel valued and appreciated.

The peer team found the workforce highly motivated. A new vision with prioritisation of

activity, if clearly communicated vertically through the organisational tiers, will set the Council on a strong path to delivering the desired outputs. Given the opportunity, staff will develop innovative ideas for smarter ways of working and mechanisms should be put in place to capture and test these. The Council could consider developing a framework for these opportunities to be explored.

To optimise the Council's operations, there must be a prioritisation of all activities by members and staff, and these need to be budgeted for. The new Corporate Plan should address this. It is imperative to identify key areas that require immediate attention and allocate resources accordingly. The team have recommended that several key strategies and policies be refreshed. As part of this it is essential that the policy team and staff managing external communication and engagement are resourced to complete these activities. This will ensure that the Council's efforts align with its strategic goals and objectives as well as the resources available.

The development of the Corporate Plan presents an opportunity to invigorate the Council. Use this opportunity to not only to harness this new energy and enthusiasm of members but also engage them, as a springboard for refocusing the organisation's activities and re-evaluating its values. Emphasising a renewed sense of purpose and vision will foster a positive environment that encourages innovation, collaboration, and continuous improvement. Use the collaboration time in creating the plan as an opportunity to make sure information flows both ways and in easily accessible formats.

Another crucial aspect that will impact Swale's capacity to improve is the quality of relationships within the Council. The Council should invest in relationship building, providing space for open dialogue, discussion, and healthy debate that allows for the exchange of diverse perspectives and promotes informed decision-making. Encouraging respectful challenge within the Council ensures that decisions are thoroughly scrutinised and leads to stronger outcomes. Behaviour that does not meet the high standards expected should be dealt with under processes defined in the Code of Conduct. The leaders in the Council should use this time post-election as an opportunity to draw a line under previous disagreements and reset, modelling this behaviour for the wider Councillor group and workforce.

To meet aspirations on economic development the Council should look to harness the goodwill and new relationships forged in the pandemic to widen their communication

and work with both small and large businesses.

LUF has shown how building successful coalitions, to effect change is possible. Effective coalition-building whether that be politically in an administration or amongst external partners requires active engagement and participation from all members. Ensuring that every member is adequately informed and able to contribute constructively necessitates investment in resources such as information-sharing platforms, training programmes, and coordination mechanisms. Only through such comprehensive support can the Council foster meaningful collaborations that lead to impactful change.


Lastly, the Council should prioritise the design and implementation of a robust and useful induction, training, and information session for its members. Introducing briefings for all members on key issues, will help increase the knowledge base across all members and provide the opportunity for open discussions across all parties. This should include training and briefings on financial understanding and effectiveness. Investing in their development and equipping them with the necessary knowledge and skills is crucial for effective governance. Providing comprehensive training on relevant policies, procedures, and governance principles ensures that members can confidently fulfil their roles and contribute meaningfully to the Council's work.

In conclusion, this peer review highlights several key observations and offers advice that the Council should consider and can help in the Council's journey of continuous improvement. By leveraging the strength of its workforce, prioritising activities through the creation of a new corporate plan, refocusing its activities and values, and investing in relationships, the Council can enhance its performance and effectiveness. These recommendations aim to guide the Council towards achieving its goals while adapting to the evolving needs of the community it serves.

5. Next steps

It is recognised that senior political and managerial leadership will want to consider, discuss, and reflect on these findings.

Both the peer team and LGA are keen to build on the relationships formed through the peer challenge. The CPC process includes a six-month check-in session, which



provides space for the Council's senior leadership to update peers on its progress against the action plan and discuss next steps.

In the meantime, Will Brookes, Principal Adviser for the South East, is the main contact between your authority and the Local Government Association. Will is available to discuss any further support the Council requires.

William.Brooks@local.gov.uk.

Corporate Peer Challenge Action Plan

October 2023



In March 2023 the council took part in a Local Government Association Corporate Peer Challenge. Peer challenges are delivered by experienced member and officer peers from across the country. The make-up of the peer team reflected the focus of the peer challenge and peers were selected based on their relevant expertise.

The peer team considered the following five themes which form the core components of all Corporate Peer Challenges.

These areas are critical to councils' performance and improvement.

1. Local priorities and outcomes -

Are the council's priorities clear and informed by the local context?

Is the council delivering effectively on its priorities?

2. Organisational and place leadership -

Does the council provide effective local leadership? Are there good relationships with partner organisations and local communities?

3. Governance and culture -

Are there clear and robust governance arrangements?

Is there a culture of respect, challenge and scrutiny?

4. Financial planning and management -

Does the council have a good understanding of its current financial position? Does the council have a strategy and a clear plan to address its financial challenges?

5. Capacity for improvement -

Is the organisation able to support delivery of local priorities?

Does the council have the capacity to improve?

In addition to these themes, the council asked six additional questions:

1. how they perceive the effectiveness of the current leadership approach;
2. what they thought about the appropriateness of the number of committees and how effectively they currently operate;
3. what they thought about the level of strategic versus operational input from members of the committees;
4. how effective the mechanisms we are using to build trust are;
5. how appropriate is our approach to scrutiny within the committee system; and
6. how officers and members can work together to achieve the savings targets required, whilst not stopping members from delivering their ambitions.

The Peers highlighted 10 key recommendations and this action plan outlines the council's response to make the changes required

Recommendation 1 - Work at pace to develop a new Corporate Plan that has a clear and well-defined strategic vision with strategic priorities, owned by members and clearly communicated to staff, residents and partners.

Recommendation 2 - Develop and embed joint values and behaviours for Swale members and officers.

Recommendation 3 - Develop a robust and detailed savings plan, ensuring clear ownership of projects/plans by the administration and officers.

Recommendation 4 - Continue to work on the member/officer protocol and work to improve member/officer relationships.

Recommendation 5 - Develop a comprehensive induction and support programme for members which includes the statutory roles of the Council, budget responsibilities, and building internal/external positive relationships.

Recommendation 6 - Conduct a review of committee meetings including the number of meetings and capacity to support their frequency. Test further opportunities for wider scrutiny and challenge within the committee system.

Recommendation 7 - Maximise your links with small and big businesses. Tap into their work on corporate social responsibility activity, employment opportunities and how these can support your local priorities.

Recommendation 8 - Prioritise work on developing your communications and engagement strategy.

Recommendation 9 - Celebrate and communicate the council's successes.

Recommendation 10 - Closely monitor the impact of the 34-hour week, considering the impact on the organisation and residents.

<p>Recommendation:</p>	<p>Work at pace to develop a new Corporate Plan that has a clear and well-defined strategic vision with strategic priorities, owned by members and clearly communicated to staff, residents and partners.</p>	
<p>What the Peers said:</p>	<p>Having a Corporate Plan, supported by the agreed budget and a financial sustainability plan, is crucial for ensuring all staff, members and stakeholders understand what the council is seeking to achieve and how staff, members, partners, and stakeholders can share the responsibility in delivering these goals. Now is the time to work together to agree on and deliver a new Corporate Plan.</p>	<p>Target date:</p>
<p>What do we plan to do:</p>	<ol style="list-style-type: none"> 1. We have started to develop the new Corporate Plan with the administration and officers working together to agree the strategic priorities. 2. We will analyse the feedback parish/town councils and residents have given at Area Committees following the presentation of the proposed priorities at the September 2023 round of meetings. 3. We will develop the strategic priorities in more detail by Service Committee Chairs and Vice-Chairs working with heads of service, to make sure that everyone understands how they will be achieved within the agreed budget. 4. We will carry out sessions with staff, members, partners and stakeholders to communicate what the council is seeking to achieve and to encourage shared responsibility in delivering the goals. 	<p>February 2024</p>

Recommendation:	Develop and embed joint values and behaviours for Swale members and officers.	
What the Peers said:	It is important that joint values for the organisation are in place, lived and modelled by all the senior leaders in the organisation. Having these in place will help the council develop a culture of trust and respect between members and officers.	Target date:
What do we plan to do:	<ol style="list-style-type: none"> 1. We plan to hold sessions with members and officers at all levels to agree and develop joint values and behaviours. 2. We will work with Members to agree how the values and behaviours fit with the staff code of conduct, the member code of conduct and the officer/member protocol. 3. We will provide training in neurodivergence to assist with everyone having a better understanding of individuals different ways of working, learning, communicating, and perceiving the environment. 4. Once the joint values and behaviours have been agreed we will ensure they are embedded and promoted in the organisation through regular Member and officer training sessions. 	End March 2024

<p>Recommendation:</p>	<p>Develop a robust and detailed savings plan, ensuring clear ownership of projects/plans by the administration and officers.</p>	
<p>What the Peers said:</p>	<p>Develop a savings plan with both the administration and officer accountability, and proactively manage this, alongside day-to-day active fiscal management, and controls. Have regular conversations with staff, members, and budget holders communicating Swale’s budget position, and instilling ownership of savings plans and projects across the organisation.</p>	<p>Target date:</p>
<p>What do we plan to do:</p>	<ol style="list-style-type: none"> 1. We will work towards communicating the budget position to staff and members on a regular basis. This will be done through regular all-staff briefings and six-monthly budget briefings with all members. 2. We will provide accountable managers and the administration with more in-depth briefings on the budget position which will include information on overachieving and underachieving income streams, risks and budget gaps to assist with making decisions on savings plans and projects. 3. The finance sub-group will continue to work on developing measures to recommend to Full Council to ensure the council set a balanced budget and have a robust Medium Term Financial Plan. 4. These actions will ensure that the administration will have clarity on the budget position and the requirement for savings in the short term and in future years. 	<p>End February 2024</p>

Recommendation:	Continue to work on the member/officer protocol and work to improve member/officer relationships.	
What the Peers said:	There is room for improvement in the levels of collaboration, mutual understanding, and tone of communication between some elected members and staff. Work on this has started, with defining and managing ways of working between members and officers, through the member/officer protocol; it is recommended that work on improving relationships be considered a priority for the new administration.	Target date:
What do we plan to do:	<ol style="list-style-type: none"> 1. The work on developing joint values and behaviours will assist with achieving mutual understanding and tone of communication between some elected members and staff. 2. We will take a proposed protocol, which unions will have been consulted on, to the Standards Committee. Once agreed it will be communicated to members and staff. 3. The Communications Strategy to reflect how the member/officer protocol should be communicated. 4. We will put more robust mechanisms in place to better communicate the issues raised at exit interviews and take action where necessary. 5. We will put in place a safe-space for people to talk about problems that may arise with member/officer relationships and provide external mediation where necessary. 	January 2024

Recommendation:	Develop a comprehensive induction and support programme for members which includes the statutory roles of the council, budget responsibilities, and building internal/external positive relationships.	
What the Peers said:	It is important that members are supported to deliver their roles and responsibilities as elected members. Building relationships both internally and externally will enrich the council and enable groups and external partners to all pull together. Introduce briefings for all members on key issues, providing the opportunity to have open discussions across all parties. These should include training and briefings on financial understanding and monitoring, to enable effective financial scrutiny and decision-making.	Target date:
What do we plan to do:	<ol style="list-style-type: none"> 1. Although there is already an extensive member training programme in place, we will carry out a review with members to identify any gaps. 2. We will implement a four-year rolling training programme for members including refresher training and to ensure continued reinforcement of principals. 3. We will record training sessions so they are available for members to watch at a later date. 4. We will link members to the Employee Assistance Programme. 5. We will set up two-way training with external partners so that members understand how they work with the council and partners understand local government and political processes. 	This work is ongoing year-on-year

Recommendation:	Conduct a review of committee meetings including the number of meetings and capacity to support their frequency. Test further opportunities for wider scrutiny and challenge within the committee system.	
What the Peers said:	Review the number of committees looking at opportunities to reduce duplication and increase efficiency. Also, look at ways of enabling scrutiny as part of the committee system.	Target date:
What do we plan to do:	<ol style="list-style-type: none"> 1. We will work with the Leader to conduct a review of committees including the number of committees, the frequency of meetings and agenda items. 2. We will discuss with members how scrutiny is carried out and develop an annual scrutiny programme within the committee system. 	May 2024

Recommendation:	Maximise your links with small and big businesses. Tap into their work on corporate social responsibility activity, employment opportunities and how these can support your local priorities.	
What the Peers said:	Use the current opportunity and goodwill in the business sector to capitalise on the relationships built with the business community during and after the pandemic. With many large businesses in the borough, proactively engaging with the whole sector could help deliver Swale's ambitions for economic development and expand the apprenticeship and training ambitions and opportunities for local people.	Target date:
What do we plan to do:	<ol style="list-style-type: none"> 1. We will agree with members expectations and resource within existing budgets to work with businesses. 2. There are already a number of established links with local businesses, the council's vision is to develop further engagement with businesses and how we work with them. 3. We will signpost and co-ordinate relationships between businesses to maximise links and encourage joint working. 4. We will share the council's unspent Apprenticeship Levy with businesses that can develop a programme that will benefit the council and businesses. 	Work is ongoing and linked with the Corporate Plan

<p>Recommendation:</p>	<p>Prioritise work on developing your communications and engagement strategy.</p>	
<p>What the Peers said:</p>	<p>Having these strategies in place will help to ensure information from the council to residents, and between members and staff flows effectively. These will be key to ensuring the smooth dissemination of key messages, goals, and initiatives both internally and externally. Swale having clear and well-defined strategies in this area will help with keeping members, staff, and residents informed, aligned, and engaged, fostering a sense of clarity and purpose alongside the new Corporate Plan.</p>	<p>Target date:</p>
<p>What do we plan to do:</p>	<ol style="list-style-type: none"> 1. We are in the process of developing a corporate communications strategy alongside the Corporate Plan. 2. The strategy will ensure there is an effective flow of information both externally with residents and internally with members and staff. 3. We will encourage and train members and staff to be proactive in photographing and filming news of the Council’s achievements. 4. We will encourage and train members and appropriate staff to effectively use social media to communicate news of the Council’s achievements and share information that is of value to residents. 5. We will provide more diverse information on cultural events. The communications team will develop a diary of cultural events, including awareness days. 6. We will give accessibility guidance to members and staff to ensure that any communications are easily accessible to all residents equally. 7. We are developing different approaches to community engagement to ensure effective consultation takes place. 	<p>February 2024.</p> <p>Other actions will be ongoing year-on-year</p>

<p>Recommendation:</p>	<p>Celebrate and communicate the Council’s successes.</p>	
<p>What the Peers said:</p>	<p>It is important that Swale Borough Council celebrate and effectively communicate the successes of the council. Doing so will help to boost staff morale, reinforce a positive organisational culture, and may enhance the council’s external reputation.</p>	<p>Target date:</p>
<p>What do we plan to do:</p>	<ol style="list-style-type: none"> 1. We will improve service engagement and information sharing from and to service areas. 2. We will celebrate and communicate staff achievements. This year we have reintroduced the Swale Stars awards which celebrates staff achievements. Feedback from staff has been positive. 3. We include an award for external partner engagement. 	<p>This work is ongoing year-on-year</p>

Recommendation:	Closely monitor the impact of the 34-hour week, considering the impact on the organisation and residents.	
What the Peers said:	It is important to recognise that this policy is a departure from the customary working practices within the council and local authority sector. Acknowledge that it carries risks as well as benefits. Work to balance the innovative spirit of the policy with a data-driven monitoring and review process to help identify and mitigate risks and inject timely contingencies as needed.	Target date:
What do we plan to do:	<ol style="list-style-type: none"> 1. We carry out monthly staff surveys to monitor the impact of the introduction of the 34-hour week. We will share the findings with members. 2. We will capture individual teams' views and ensure regular discussions at team meetings and one to one check-ins with staff are taking place. Heads of service will make themselves available at drop-in sessions should staff feel more comfortable giving feedback in that way. 3. We will ensure the feedback managers receive from staff is passed onto the 34-hour implementation group. 4. We will run sessions with officers before the permanent move to a 34-hour week takes place. 	January 2024

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Policy and Resources Committee Forward Decisions Plan – 18 October 2023 meeting

Report title, background information and recommendation(s)	Date of meeting	Open or exempt?	Lead Officer and report author
Q2 Budget Monitoring	29 November 2023	Open	Head of Service: Lisa Fillery Report author: Claire Stanbury
Draft Budget	29 November 2023	Open	Head of Service: Lisa Fillery Report author: Claire Stanbury
South Thames Gateway Building Control Business Plan	29 November 2023	Open	Head of Service: Joanne Johnson Report Author: Joanne Johnson
Procurement of Consultancy Services	29 November 2023	Open	Head of Service: Claire Stanbury Report Author: Charlotte Knowles
Treasury and Investment Strategy	7 February 2024	Open	Head of Service: Lisa Fillery Report author: Claire Stanbury
Capital Strategy	7 February 2024	Open	Head of Service: Lisa Fillery Report author: Claire Stanbury
Minimum Revenue Provision (MRP) Policy	7 February 2024	Open	Head of Service: Lisa Fillery Report author: Claire Stanbury
Sheerness Marine Town Conservation Area Reviews	7 February 2024	Open	Head of Service: Joanne Johnson Report Author: Jhilmil Kishore
Faversham Neighbourhood Plan	20 March 2024	Open	Head of Service: Joanne Johnson Report Author: Natalie Earl

Faversham Town and Faversham Preston Next Conservation Area Review	20 Mach 2024	Open	Head of Service: Joanne Johnson Report Author: Jhilmil Kishore
Q3 Budget Monitoring	20 March 2024	Open	Head of Service: Lisa Fillery Report author: Claire Stanbury
Final Budget	7 February 2024	Open	Head of Service: Lisa Fillery Report author: Claire Stanbury

Policy and Resources Committee 18 October 2023

Recommendations for approval

Planning and Transportation Policy Working Group – 19 September 2023.

Minute No. 297 – Terms of Reference

- (1) That the Terms of Reference for the Planning and Transportation Policy Working Group be agreed subject to the removal of the word 'subcommittee' from the third paragraph.*

Minute No. 298 – Scheme of Delegation – Proposed Changes

- (1) That the Scheme of Delegations and Committee Procedure Rules, as set-out in tables 1 and 2 of the report, be updated to include the comments of the PTPWG and referred back to the PTPWG prior to proposing any changes to the Constitution Working Group.*

Minute No. 299 - Local Plan Review - Next Steps Discussion Paper

- (1) That the Policy and Resources Committee defer a decision as to a timescale for the future stages of the Local Plan Review until such a time as the national planning landscape is clearer, but independent of this process, to proceed to develop the evidence base regarding local development need and potential, with this process to be wholly reflective of local circumstance rather than central targets.*

Minute No. 300 - Medway Estuary and Swale Management Plan and Partnership (MEAS)

- (1) That the proposed approach regarding partnership working on the Medway Estuary and Swale Coastal Flood Risk Management (MEAS) Programme be noted.*
- (2) That the Policy and Resources Committee agree that the Council joined the Partnership.*

Minute No. 301 - Briefing on Kent County Council's consultation on the Local Transport Plan for Kent

- (1) That the content of the consultation be noted.*
- (2) That Swale Borough Council's views on the consultation document be noted.*

Minute No. 302 - Kent County Council's Enhanced Partnership, Local Focus

- (1) That a Local Focus Group (LFG) as part of KCC's Enhanced Partnership hierarchy be set-up.*

- (2) ***That the LFG reported to the Planning and Transportation Policy Working Group (PTPWG) with the Chair and Vice-Chair of the PTPWG attending the LFG, with representatives from each of the four Area Committees.***

Minute No. 303 - Bredgar Conservation Area Appraisal

- (1) ***That the content of the public consultation draft of the character appraisal and management strategy document produced for the review, and the representations made on this by interested parties, as set-out in the report appendices be noted.***
- (2) ***That the Policy and Resources Committee supported and agreed the changes to the review document proposed in response to the representations.***

Minute No. 304 - Hartlip Conservation Area Appraisal

- (1) ***That the content of the public consultation draft of the character appraisal and management strategy document produced for the review, and the representations made on this by interested parties, as set out in the report appendices be noted.***
- (2) ***That the Policy and Resources Committee supported and agreed the changes to the review document proposed in response to the representations.***