

HERITAGE, CULTURE AND LEISURE COMMITTEE MEETING

Date: Tuesday 31 October 2017
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Mrs Blackmore, Butler, Ells (Vice-Chairman), Fort, Hastie,
Mrs Hinder, Lewins, Pickett (Chairman) and Mrs Wilson

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Issued on Monday 23 October 2017

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

ALTERNATIVE FORMATS

The reports included in Part I of this agenda can be available in alternative formats. For further information about this service, or to arrange for special facilities to be provided at the meeting, please contact committeeservices@maidstone.gov.uk or 01622 602272. To find out more about the work of the Committee, please visit www.maidstone.gov.uk.

PUBLIC SPEAKING

In order to book a slot to speak at this meeting of the Heritage, Culture and Leisure Committee, please contact 01622 602272 or by email on committeeservices@maidstone.gov.uk by 5 p.m. one clear working day before the meeting. If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

Should you wish to refer any decisions contained in these minutes of Policy and Resources Committee, please submit a Decision Referral Form, signed by three Councillors, to the Head of Policy and Communications by: **19 September 2017**

MAIDSTONE BOROUGH COUNCIL

Heritage, Culture and Leisure Committee

MINUTES OF THE MEETING HELD ON TUESDAY 5 SEPTEMBER 2017

Present: Councillor Pickett (Chairman), Councillors Mrs Blackmore, Butler, Ells, Fort, Hastie, Lewins, Perry, and Mrs Wilson

Also Present: Councillor Naghi

36. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillor Mrs Hinder.

37. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Perry was substituting for Councillor Mrs Hinder.

38. **URGENT ITEMS**

There were no urgent items.

39. **NOTIFICATION OF VISITING MEMBERS**

It was noted that Councillor Naghi was present as a Visiting Member and wished to speak on Agenda Item 15 – Tourism Destination Management Plan Update.

40. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members and Officers.

41. **DISCLOSURES OF LOBBYING**

It was noted that Councillors Ells, Hastie and Lewins had been lobbied on Agenda Item 14 – Disposal of Land at Hayle Place.

42. **EXEMPT ITEMS**

RESOLVED: That all items be taken in public as proposed.

43. **MINUTES OF THE MEETING HELD ON 4 JULY 2017**

RESOLVED: That the minutes of the meeting held on 4 July 2017 be approved as a correct record and signed.

44. PRESENTATION OF PETITIONS

There were no petitions.

45. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

46. COMMITTEE WORK PROGRAMME

The Chairman informed the Committee that the Plaques and People Protocol and the Biodiversity Action Plan had been moved to the meeting of this Committee on 31 October 2017.

In response to a question from the Committee, the Director of Finance and Business Improvement confirmed that the Council's policy on land disposal had been considered at the Policy and Resources Committee on 25 July 2017 and that it would be considered by Full Council on 27 September 2017.

RESOLVED: That the Committee Work Programme be noted.

Note: Councillor Blackmore arrived at 6.35 p.m. before consideration of this item.

47. CHANGE TO THE ORDER OF BUSINESS

The Chairman suggested that Agenda Item 15 – Tourism Destination Management Plan Update be considered as the next item of business, as a member of the public had registered to speak.

RESOLVED: That Agenda Item 15 – Tourism Destination Management Plan Update be considered by the Committee as the next item of business.

48. TOURISM DESTINATION MANAGEMENT PLAN UPDATE

The MCL Marketing and Sales Manager presented the Destination Management Plan – Action Plan Progress Update to the Committee.

It was noted that:

- The Destination Management Plan (DMP) was created through stakeholder engagement.
- The DMP was a strategy that provided the direction for the day to day work of the Council's tourism section.
- The key objective of the DMP was to prioritise those visitor markets that could bring growth to Maidstone's tourism economy.

- The DMP Action Plan was created by stakeholders with the intention of providing a practical programme of additional tourism actions, which were being delivered by stakeholders and partners where they were achievable.
- The DMP Board reviewed the action plan quarterly, although one meeting this year had to be cancelled due to resourcing reasons.
- An update event would be held for stakeholders and partners in October or November, but that the details had not been confirmed yet.

Ian Tucker, of the Maidstone River Partnership, updated the Committee on the work of the community group, whose aim was to make the river an attraction in its own right and give the river its own sense of identity. The Committee thanked Ian and his group for all the work that they continued to do.

The Committee raised concerns about:

- The Member representation on the smaller working groups involved with the DMP; and
- The lack of communication regarding events within the Borough, both with Members and the public.

In response, Officers advised that the sub groups that had met previously would only meet when there was a new project, as they were primarily task and finish groups. Officers assured the Committee that there would be a high level of communication with both Members and the public going forward.

The Committee suggested that the huge collaborative effort between all the different organisations involved in the DMP be promoted in the Borough Insight magazine and that the DMP Action Plan should be updated to contain all the contributors and volunteers that were involved.

It was noted that Councillor Naghi, present as a Visiting Member, addressed the Committee on this item.

RESOLVED:

1. That current progress via the Destination Management Plan be noted.
2. That further detail be included in the next report to acknowledge all contributors and volunteers.

49. KEY PERFORMANCE INDICATOR UPDATE Q1 17/18 HCL

The Performance and Information Manager presented the Key Performance Indicator Update Report to the Committee.

The Committee were advised that:

- In Quarter 1, one Key Performance Indicator (KPI) had achieved its target, one KPI was within ten percent of its target, and three KPIs had not achieved their target.
- Methodologies for collecting data were being reviewed to see if there were more accurate or robust ways to do so.

It was noted that the Committee was concerned with the footfall at the Museum and Visitor Information Centre. Officers informed the Committee that the low figure was due in part to the closure of the Ancient Lives Gallery for renovation. The Committee noted that Officers were considering purchasing electronic counters to ensure that the figure was accurate. Officers were requested to look at benchmarking against other similar museums in order to compare the amount of visitor information enquiries.

In response to a question, Officers informed the Committee that the Festivals, Events, and Parks income target be removed for the following reasons:

- The indicator is already measured through budget monitoring;
- The rationale for including the indicator was unclear;
- The Committee had a large amount of KPIs already; and
- It was unclear what the Committee wanted to measure with this indicator.

RESOLVED:

1. That the summary of performance for Quarter 1 of 2017/18 for Key Performance Indicators (KPIs) be noted.
2. That the indicator for Festival, Events, and Parks be removed.

50. FIRST QUARTER BUDGET MONITORING 2017/18

The Director of Finance and Business Improvement made a presentation to the Committee relating to budgets within the Committee's remit for the first quarter of 2017/18.

The Committee noted that for the first quarter, there had been an overall underspend of £33,401 against the budget. It was highlighted to the Committee that, after an overspend last year, Mote Park Café had performed in line with the budget for the first quarter of this year.

RESOLVED: That the revenue position at the end of the first quarter and the actions being taken or proposed to improve the position where significant variances have been identified be noted.

51. DISPOSAL OF LAND AT HAYLE PLACE

The Leisure Manager presented this item to the Committee.

The Committee noted that:

- Disposal of the two parcels of land would transfer the maintenance responsibility to The Hayle Park Nature Reserve Trust.
- It was suggested that these parcels of land should be transferred to The Hayle Park Nature Reserve Trust via a leasehold agreement.
- As this land was worth less than £100,000, disposal could proceed under officer delegation following advertisement.

In response to a question, the Officer informed the Committee that the two parcels of land would become part of The Hayle Park Nature Reserve Trust.

RESOLVED:

1. That the two parcels of land to the north of Hayle County Park (as shown in Appendix 1) be declared as surplus to operational requirements.
2. That a Public Notice, pursuant to Section 123 of the Local Government Act 1972, be placed in a local newspaper in order to consult local residents.

52. DURATION OF MEETING

6.30 p.m. 8.02 to p.m.

Heritage, Culture and Leisure Committee Work Programme 2017/18

Report Title	Work Stream	Committee	Month	Lead	Report Author
Biodiversity Action Plan	New/Updates to Strategies & Policies	HCL	28/11/17	Jennifer Shepherd	TBC
Second Quarter Budget Monitoring	Corporate Finance and Budgets	HCL	28/11/17	Ellie Dunnet	Paul Holland
Q2 Performance Report 2017/18	Updates, Monitoring Reports and Reviews	HCL	28/11/17	Angela Woodhouse	Anna Collier
Plaques and People Protocol	New/Updates to Strategies & Policies	HCL	18/12/17	David Pickett	Orla Sweeney
Museum Future Governance Options	Changes to Services & Commissioning	HCL	18/12/17	External	Victoria Barlow
Festival and Events Update	Updates, Monitoring Reports and Reviews	HCL	18/12/17	Dawn Hudd	Laura Dickson
Fees & Charges	Corporate Finance and Budgets	HCL	30/01/18	Mark Green	Ellie Dunnet
Medium Term Financial Strategy & Budget Proposals 2018/19	Corporate Finance and Budgets	HCL	30/01/18	Mark Green	Ellie Dunnet
Strategic Plan Action Plan 2018/19	Corporate Planning	HCL	30/01/18	Angela Woodhouse	Angela Woodhouse
Tourism Destination Management Plan - Progress Update	Updates, Monitoring Reports and Reviews	HCL	06/03/18	Dawn Hudd	Laura Dickson
Setting new Key Performance Indicators (please note that there will be workshops with each committee prior to the report in January/February)	Corporate Planning	HCL	06/03/18	Angela Woodhouse	Anna Collier
Q3 Performance Report 2017/18	Updates, Monitoring Reports and Reviews	HCL	06/03/18	Angela Woodhouse	Anna Collier

HERITAGE, CULTURE AND LEISURE COMMITTEE

31 October 2017

Maidstone Play Area Policy

Final Decision-Maker	Heritage, Culture and Leisure Committee
Lead Head of Service/Lead Director	Dawn Hudd, Head of Regeneration and Economic Development
Lead Officer and Report Author	Jason Taylor, Leisure Manager
Classification	Public
Wards affected	All

Executive Summary

This report is a supporting document to the Maidstone Parks and Open Spaces 10 Year Strategic Plan 2017 – 2027, which this Committee adopted on 4th July 2017.

It builds on the £1.8m investment on play areas improvements over the last two years which was based on a standard of most residents living within a 12 minute walk of a good quality play area.

This report describes how Maidstone Borough Council (MBC) will ensure that a quality environment continues to be provided for play and young people’s social interaction in the future within the current financial climate.

This report makes the following recommendations to this Committee:

1. To agree to the implementation of a £200,000 Parish Play Area Grants Scheme over a two year period, which will support Parish Councils in improving strategically important play areas that they own.
2. To agree that non-strategic play areas, belonging to MBC, will be retained as green space and that play equipment in these areas will not be replaced when it is beyond economical repair.

Timetable

Meeting	Date
Heritage Culture and Leisure Committee	31 October 2017

Maidstone Play Area Policy

1. INTRODUCTION AND BACKGROUND

- 1.1 This report is a supporting document to the Maidstone Parks and Open Spaces 10 Year Strategic Plan 2017 – 2027, which HCL Committee adopted on 4th July 2017.
- 1.2 This report describes how MBC will ensure that a quality environment continues to be provided for play and young people's social interaction in a challenging budget setting. It has been prepared in line with national guidance on play; it also links to the Maidstone Local Plan and the Green and Blue Infrastructure Strategy.
- 1.3 The recommendations in this report support the £1.8 million of capital improvements that have already taken place over last two years which has seen 32 play areas replaced or improved in line with the 12 minute standard. This investment was agreed by the Cabinet Member for Communities and Leisure Services in May 2015.
- 1.4 There are 120 play areas across Maidstone Borough, 73 of which are owned by MBC. The remainder are owned by other organisations including Parish Councils, Kent County Council and Housing Associations.
- 1.5 Following the quality scoring of all play areas across the borough in 2011, it was identified that it would take up to forty years to replace all of MBC's play areas with the resources available at the time. Taking into account that the average useful life of a play area is 15-20 years, it was obvious that the situation was not sustainable and that the standard of play areas would continue to deteriorate. The pressure on council budgets has increased significantly since 2012 and the position is only likely to get harder in the future.
- 1.6 With this in mind a complete review of all of the play areas in the borough was carried out in 2012. This review looked not only at the standard of all play areas but also their distribution across the borough.
- 1.7 This review concluded that 51 out of 69 MBC play areas needed improvement, or would need work within 5 years to reach/maintain green or amber standard, as defined in the play scoring matrix. It also highlighted that there was no set standard for play provision across the borough and that there were some potential areas of over provision in the borough.
- 1.8 A number of options were considered and following consideration by scrutiny committee it was proposed that a borough wide strategic play provision standard, based on the 'majority of residents being a maximum of 12 minutes' walk from an amber or green play area', should be progressed. This has led to 32 of MBCs Strategic Play Areas being replaced or improved.

- 1.9 The identification of strategic play areas led to the implementation of a £1.8m Play Area Capital Improvement Programme, including a £200,000 allowance to fund a grant scheme to support Parish Councils who owned Play Areas which formed part of the borough wide Strategic Play Network.
 - 1.10 The Play Area Capital Improvement works are now nearing completion and a summary of that project will be presented to HCL Committee in the near future.
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2. MAIDSTONE PLAY POLICY

- 2.1 This committee adopted the Maidstone Parks and Open Spaces 10 Year Strategic Plan 2017 – 2027 in July this year, which sets out a route map for the short, medium and longer term development of Maidstone’s parks and open spaces.
- 2.2 To ensure all residents have sufficient access to greenspace the Council has adopted open space quantity standards. These indicate the minimum size for greenspace types and the area to be provided per thousand residents, as well as the maximum distance that any resident should have to travel to a greenspace. The standards were devised to ensure that adequate greenspaces are provided on new housing developments; but they have also been applied across the rest of the borough to help ensure that all residents have access to all types of open space.
- 2.3 Through considering all these factors alongside the location and size of planned housing developments, those areas of the borough where there is currently a deficit or over-provision (or will be in future) have been identified. These standards also include standards for play, but provision for quantity is only part of the picture, the quality and type of provision is also important.
- 2.4 With this in mind the Council has looked at the volume of play provision for all age groups across the borough in order to raise the overall quality and standard of play area facilities, including areas aimed at teenagers. This standard of provision will also be set alongside key objectives and targets.

Play Area Classifications

- 2.5 It is important to understand the context within which play areas provide opportunities for local communities to explore parks and open spaces further. The Council’s play areas are ranked into the following three categories.

2.5.1 Destination Play Areas

These play areas are visited not only by the local community but by park users from outside the borough. They provide a much wider range of play activities to engage in, are located in heavily used open spaces and act as a brand for the Council. Park users identify with these areas for a family day out and are supported by other facilities such as car parking, toilets,

café/food facilities and good walking routes. Mote Park Main Play Area and Cobtree Manor Park Play Area are those which are ranked as destination Play Areas.

2.5.2 District Play Areas

These are larger locally placed play areas mainly used by their local communities and some passing visitors to the borough. They are characterised by a large number of play activities aimed at a wide age range and supported by a large footfall. Some of these areas also have other supporting facilities such as car parks, toilets and other sporting facilities (tennis courts, bowling greens and multi-use games areas). The play areas that are classified as District Play Areas are Clare Park, Parkwood, Penenden Heath, South Park, and Whatman Park

2.5.3 Local Neighbourhood Play Areas

These are play areas used by the immediate local community. They feature a limited range of dynamic play equipment such as slides, swings and climbing frames. These play areas are also found in local villages and parish areas. The majority of the 120 play areas across the borough are classed as Local Neighbourhood Play Areas, some examples are Shepway Green, Baring Heath, Albert Reed Gardens, Camden Street and Lime Trees at Staplehurst.

Strategically Important Play Areas owned by MBC

- 2.6 To understand the distribution of play area provision for different age ranges in terms of quality, a mapping exercise was carried out in 2013 to identify the distribution of the three different categories of play areas across the borough. This showed areas of over and under provision across different areas and which areas suffered from a lack of quality.
- 2.7 A maximum walking time of 12 minutes from home from one of the three categories of play area, was considered reasonable and within easy reach for all age groups, with the large majority of households in the borough being within this range. Physical barriers such as the River Medway, main roads and railways were taken into account in the mapping process.
 - 2.7.1 In order to target resources where they can be most effective and ensure that the most used play areas are kept to a high standard a network of significant sites were designated as 'Strategically Important Play Areas' (SIPAs). This network of SIPA's is based on the "majority of residents in the borough being within 12 minutes' walk of a good quality play area". The reason that this is the majority and not all residents, is that in the more remote rural areas it would not be possible to provide all residents with easy access to a play area, but the network does cover most towns and villages.
 - 2.7.2 The map showing this network of SIPA's can be seen in Appendix I.
 - 2.7.3 There are 78 SIPA's across the borough comprising of the three different categories. These SIPA's have the following ownership: 41 MBC, 33 parish

councils, 3 trusts and one Kent County Council. If there was more than one play area in a location, the one chosen as being strategically important was the one that was most centrally located, accessible to the most people, provided the best facilities and in the best condition.

2.7.4 The table below shows the list of all of the SIPA's, where they are located and who they are maintained by. It also shows the play areas that were improved or replaces as part of the capital improvements carried out in the last 2 years.

ref no	Strategically Important Play Area Name	Servicing	Ward	Responsibility	Play Area Category	Improved 2016/17
1	Mote Park (Main)	Borough Wide	Shepway North	MBC	Destination	*
2	Cobtree Manor Park	Borough Wide	Boxley	Trust	Destination	
3	Whatman	River Walk	Bridge	MBC	District	*
4	Penenden Heath Play Area	Borough Wide	East	MBC	District	*
5	Clare Park	Fant and Bridge	Fant	MBC	District	*
6	Park Wood Recreation Ground	Park Wood	Park Wood	MBC	District	
7	South Park Play Area	East Tovil	High Street	MBC	District	*
8	Teston County Park	Teston	Barming	KCC	Local Neighbourhood	
9	Adisham Drive	Allington North	Allington	MBC	Local Neighbourhood	*
10	Braunstone Drive	Allington North	Allington	MBC	Local Neighbourhood	*
11	Corben Close	Allington South	Allington	MBC	Local Neighbourhood	*
12	Giddyhorne Lane	Allington South	Allington	MBC	Local Neighbourhood	
13	Midley Close	Allington North	Allington	MBC	Local Neighbourhood	*
14	Timber Tops Play Area	Lordswood	Boxley	MBC	Local Neighbourhood	*
15	Weaving Heath	Grove Green	Boxley	MBC	Local Neighbourhood	
16	Cornwallis Park	Tonbridge Road	Bridge	MBC	Local Neighbourhood	*
17	Groveswood Drive North	Grove Green	Detling & Thurnham	MBC	Local Neighbourhood	*
18	Foxden Drive	Downswood	Downswood & Otham	MBC	Local Neighbourhood	*
19	Mallards Way	Downswood	Downswood & Otham	MBC	Local Neighbourhood	*
20	Ashurst Road	Vinters Park	East	MBC	Local Neighbourhood	
21	Camden Street	Town Centre	East	MBC	Local Neighbourhood	
22	Foley Park	Town Centre North	East	MBC	Local Neighbourhood	
23	Upper Fulling Pits	Vinters Park	East	MBC	Local Neighbourhood	*
24	Gatland Lane	Barming and Fant	Fant	MBC	Local Neighbourhood	*
25	Barming Heath	Heath and Barming	Heath	MBC	Local Neighbourhood	*
26	Nettlestead Village Hall	Nettlestead	Marden & Yalding	MBC	Local Neighbourhood	*
27	Arundel Street	Town Centre	North	MBC	Local Neighbourhood	
28	Brookbank	Sandling	North	MBC	Local Neighbourhood	*
29	Chillington Street	Town Centre	North	MBC	Local Neighbourhood	
30	Dickens Road	Ringlestone	North	MBC	Local Neighbourhood	*
31	St Francis Close	Penenden Heath	North	MBC	Local Neighbourhood	*
32	Lockham Farm Avenue	Park Wood	Park Wood	MBC	Local Neighbourhood	*
33	Queen Elizabeth Square	Park Wood	Park Wood	MBC	Local Neighbourhood	*
34	Stratford Drive	Park Wood	Park Wood	MBC	Local Neighbourhood	*
35	Mote Park (Natural Play)	Borough Wide	Shepway North	MBC	Local Neighbourhood	
36	School Lane (Mote Park)	Shepway	Shepway North	MBC	Local Neighbourhood	
37	Shepway Green	Shepway	Shepway North	MBC	Local Neighbourhood	
38	Senacre Square	Senacre	Shepway South	MBC	Local Neighbourhood	*
39	Stevenswood	Shepway	Shepway South	MBC	Local Neighbourhood	
40	Mangravet Recreation Ground	Mangravet	South	MBC	Local Neighbourhood	
41	Bridge Mill Way	West Tovil	South	MBC	Local Neighbourhood	*
42	Albert Reed Gardens	Tovil Green	South	MBC	Local Neighbourhood	
43	Lime Trees	Staplehurst	Staplehurst	MBC	Local Neighbourhood	*

44	South Street	Barming	Barming	Parish	Local Neighbourhood	
45	Teston Village Green	Teston	Barming	Parish	Local Neighbourhood	
46	Boughton Monchelsea Village Hall	Boughton Monchelsea	Boughton Monchelsea & Chart Sutton	Parish	Local Neighbourhood	
47	Chart Sutton Play Area	Chart Sutton	Boughton Monchelsea & Chart Sutton	Parish	Local Neighbourhood	
48	Bredhurst Village Hall Play Area	Bredhurst	Boxley	Parish	Local Neighbourhood	
49	Cornwallis Avenue	Linton	Coxheath & Hunton	Parish	Local Neighbourhood	
50	Coxheath Village Hall Play Area	Coxheath	Coxheath & Hunton	Parish	Local Neighbourhood	
51	East Farleigh Play Area	East Farleigh	Coxheath & Hunton	Parish	Local Neighbourhood	
52	Gallants Lane	Coxheath	Coxheath & Hunton	Parish	Local Neighbourhood	
53	Hunton Play Area	Hunton	Coxheath & Hunton	Parish	Local Neighbourhood	
54	West Farleigh Play Area	West Farleigh	Coxheath & Hunton	Parish	Local Neighbourhood	
55	Stoneacre Play Area	Otham	Downswood & Otham	Parish	Local Neighbourhood	
56	Glebe Field Play Area	Harrietsham	Harrietsham & Lenham	Parish	Local Neighbourhood	
57	Ham Lane Play Area	Lenham	Harrietsham & Lenham	Parish	Local Neighbourhood	
58	William Pit Youth Area	Lenham	Harrietsham & Lenham	Parish	Local Neighbourhood	
59	Days Green Play Area	Headcorn	Headcorn	Parish	Local Neighbourhood	
60	East Sutton Play Area	East Sutton	Headcorn	Parish	Local Neighbourhood	
61	Kingswood Village Hall Play Area	Kingswood	Headcorn	Parish	Local Neighbourhood	
62	Ulcombe Play Area	Ulcombe	Headcorn	Parish	Local Neighbourhood	
63	Leeds Play Area	Leeds	Leeds	Parish	Local Neighbourhood	
64	King George V Play Area	Loose	Loose	Parish	Local Neighbourhood	
65	Collier Street Play Area	Collier Street	Marden & Yalding	Parish	Local Neighbourhood	
66	Laddingford Play Area	Laddingford	Marden & Yalding	Parish	Local Neighbourhood	
67	Marden Playing Fields	Marden	Marden & Yalding	Parish	Local Neighbourhood	
68	School Villas, Nettlestead	Nettlestead	Marden & Yalding	Parish	Local Neighbourhood	
69	The Kintons	Yalding	Marden & Yalding	Parish	Local Neighbourhood	
70	Cardwell Play Area	Hollingbourne	North Downs	Parish	Local Neighbourhood	
71	Stockbury Play Area	Stockbury	North Downs	Parish	Local Neighbourhood	
72	Wormshill Play Area	Wormshill	North Downs	Parish	Local Neighbourhood	
73	Surrenden Road Play Area	Staplehurst	Staplehurst	Parish	Local Neighbourhood	
74	Langley Play Area	Langley	Sutton Valence & Langley	Parish	Local Neighbourhood	
75	Sutton Valence Village Hall Play Area	Sutton Valence	Sutton Valence & Langley	Parish	Local Neighbourhood	
76	Jubilee Playing Field	Staplehurst	Staplehurst	Parish	Local Neighbourhood	
77	Church Landway	Bearsted	Bearsted	Trust	Local Neighbourhood	
78	Collis Millennium Green	Town Centre South	High Street	Trust	Local Neighbourhood	

2.9 Strategically Important Play Areas Owned by Parish Councils

2.9.1 The 33 Parish owned play areas form an important part of the SIPA network providing play opportunities to residents in rural areas not covered by MBC provision. These areas also need to be maintained to an acceptable standard by the Parish Councils and as such are included when borough wide scoring of play areas is carried out.

2.9.2 To support the SIPA network outside the scope of MBC play areas £200,000 was made available as part of the £1.8m Play Area Improvements Programme for a Parish Play Area Grants Scheme over a two year period.

2.9.3 The grant will be:

- Available to all parish councils that have a SIPA.

- To a maximum of £10,000 per parish council, unless a compelling case can be made for a higher amount.
- Used only for capital improvements.
- Ideally match funded by the parish council or from other sources.

2.9.4 An application and scoring process will be set up and managed by MBC. If the grant scheme is approved then information regarding the process will be sent to all parish councils. The Kent Association of Local Councils will be consulted on the application and award process.

2.9.5 If this committee approve the Parish SIPA Grant Scheme it will be implemented from April 2018 and all schemes must be completed by the end of March 2020.

Non-Strategically Important Play Areas

2.9.6 The play areas not considered to be part of the network of SIPA's are referred to as Non-Strategic Play Areas (NSPA).

2.9.7 Those MBC Play Areas considered NSPA, of which there are 20, will not in future be maintained or refurbished using MBC revenue or capital resources. The equipment in these play areas will be decommissioned over a period of time as it comes to the end of its useful life.

2.9.8 These play areas may however be refurbished if funding is available from other sources such as Section 106 Developer Contributions.

2.9.9 NSIPA's will be offered to the Parish Councils, Housing Trusts and other Community Groups to take over, and if no interested parties come forward, the play equipment will be removed when it is no longer serviceable and the land retained as green space.

2.9.10 There will be no financial resources available to support the transfer of these NSIPA's but MBC will be able to provide information on maintenance requirements, funding available, legislation relating to public play areas as well as assistance with play area inspections.

The table below shows all of NSIPA's belonging to MBC.

ref No.	MBC Owned Non - Strategic Play Area	Servicing	Ward	Play Area Category
1	Woolley Road	Senacre	Shepway South	Local Neighbourhood
2	Westmorland Close	Shepway South	Shepway South	Local Neighbourhood
3	Juniper Close	Allington	Allington	Local Neighbourhood
4	Franklin Drive	Grove Green	Boxley	Local Neighbourhood
5	Reinden Grove, Downswood	Downswood	Downswood	Local Neighbourhood
6	Riverhead Close	Allington	Allington	Local Neighbourhood
7	Somerset Road	Shepway	Sheepway North	Local Neighbourhood

8	Whitebeam Drive	Coxheath	Coxheath and Hunton	Local Neighbourhood
9	Keswick Drive	Allington	Allington	Local Neighbourhood
10	Cockpits	Marden	Marden and Yalding	Local Neighbourhood
11	Perverel Drive	Grove Green	Detling and Thurnham	Local Neighbourhood
12	Crownfields	Grove Green	Detling and Thurnham	Local Neighbourhood
13	Fairhurst Drive	Dean Street	Coxheath and Hunton	Local Neighbourhood
14	Bedgebury Cl	Vinters Park	East	Local Neighbourhood
15	Roseholme	Fant	Fant	Local Neighbourhood
16	Fountain Park	South	South	Local Neighbourhood
17	James Street	Town Centre	East	Local Neighbourhood
18	Shaw Close	Penenden Heath	East	Local Neighbourhood
19	Freshlands Road	Queens Rd	Heath	Local Neighbourhood
20	Shepherds Gate Drive	Grove Gn	Boxley	Local Neighbourhood

Measuring Success

- 2.10 Following the completion of the Play Area Improvement Programme which targets improvements to MBC SIPA's, all play areas in the borough will be rescored against the same criteria used in 2011. This will enable an assessment to be made of the then current condition of all play areas across the borough. This will enable future resources to be targeted going forward in the areas where they will have the biggest impact.

Future Considerations

- 2.11 Following the completion of the Play Area Improvement Programme which will be completed shortly, all MBC play areas will be in a good condition. However it is important that we remember that these play areas will need replacing in the future and that financial provision is made for this.
- 2.12 Most play areas will last for up to 20 years; based on the recent improvement project the average cost to replace each play area is around £40,000. Bearing in mind that this report proposes that MBC retain 42 Strategic Play areas, the ongoing continued cost to replace these factoring in deterioration will be in the region of £1,680,000, at current prices over the next 20 years. It is likely that no play areas will need replacing within the next 5 years so capital replacement budgets in the region of £100,000 per year will have to be put in place to reflect this from 2022.

3 AVAILABLE OPTIONS

3.1 Funding Parish Play Areas

The implementation of a £200k Parish Play Area Grants Scheme over a two year period will contribute towards Parish Councils improving the SIPA's that they own. This in turn will ensure that the overall quality of the SIPA's across the borough is maintained.

Alternatively, the committee could decide not to fund work in SIPA's owned by Parish Councils and the Parish Councils could continue to wholly fund their SIPA's.

3.2 Non-strategic play areas owned by MBC

Agree that any non-strategic play areas belonging to MBC will be retained as green space and play equipment will not be replaced when it is beyond economical repair. It was inherent in the allocation of funding to strategic play areas that replacement of equipment in non-strategic play areas would not be funded.

4 PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 To implement a £200k Parish Play Area Grants Scheme over a two year period. This will support Parish Councils in improving strategically important play areas that they own; this will enable and ensure that the quality of the SIPA's across the borough is maintained.

4.2 That equipment in any non-strategic play areas belonging to MBC will not be replaced when it is beyond economical repair, the equipment will be removed and the area retained as green space. With the decreasing resources available it is not possible to continue to maintain play areas which do not form part of the strategic network across the borough. It is better to have fewer good quality play areas that are accessible to most residents, than many poor quality play areas.

5 RISK

5.1 Unless MBC agree that any non-strategic play area equipment belonging to them will not be replaced when it is beyond economical repair each one will have to be dealt with on an individual basis which will create unnecessary work and time delays and result in the same outcome due to budget constraints.

5.2 There is a risk of injury to users if play area equipment is not kept in good condition or left open beyond its useful life. This in turn represents a reputational risk to the Council.

6 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 Following the 2012 Play Review and prior to the £1.8 million of capital improvement works taking place, an extensive consultation was carried

out.

- 6.2 This was advertised at all play areas and online. All parish and ward councillors were contacted as were community groups.
- 6.3 As a result of the consultation a number questions were raised regarding the choice of the particular SIPA's over other play area, and the walking distance from particular play areas. All of these were reviewed but the only adjustment that was made was that it was suggested that Peverel Drive Play Area be retained as a non-strategic play area. The equipment at this site has since been replaced using a S106 developer contribution.
- 6.4 A summary of the results of this consultation can be seen at http://www.maidstone.gov.uk/_data/assets/pdf_file/0008/54782/Play-Area-Strategy-Consultation-Results.pdf
-

7 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Following committee's approval of the Parish Play Area Grant Scheme, the relevant parishes and the Kent Association of Local Councils will be contacted with details of the Parish Play Area Grant Scheme.
- 7.2 Officers will produce a simple guide and application process for the Parish Play Area Grant Scheme.
- 7.3 On final completion of the Play Area Improvement Programme all play areas in the borough will be rescored on the same basis as in 2011.
-

8 CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Providing a Safe and Clean Environment	Head of Regeneration & Economic Development.
Risk Management	The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.	Head of Regeneration & Economic Development.
Financial	This project is funded in the current capital programme.	Section 151 Officer &

		Finance Team
Staffing	There will be no staffing implications.	Head of Environment & Street Scene.
Legal	The provision of play areas is not a statutory function, however they contribute to the wider community. Compliance with this policy will assist the Council in ensuring those play areas in commission are of a satisfactory standard which is essential as equipment which is not fit for purpose could be a contributory factor to injuries occurring which may then result in an increase in insurance claims being made against the Council.	Interim Deputy Head of Legal Partnership
Equalities	Having an agreed standard will ensure that all residents have access to good quality play areas.	Head of Regeneration & Economic Development.
Crime and Disorder	No implications.	

9 REPORT APPENDICES

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

- Appendix I: Map showing the proposed network of Strategically Important Play Areas

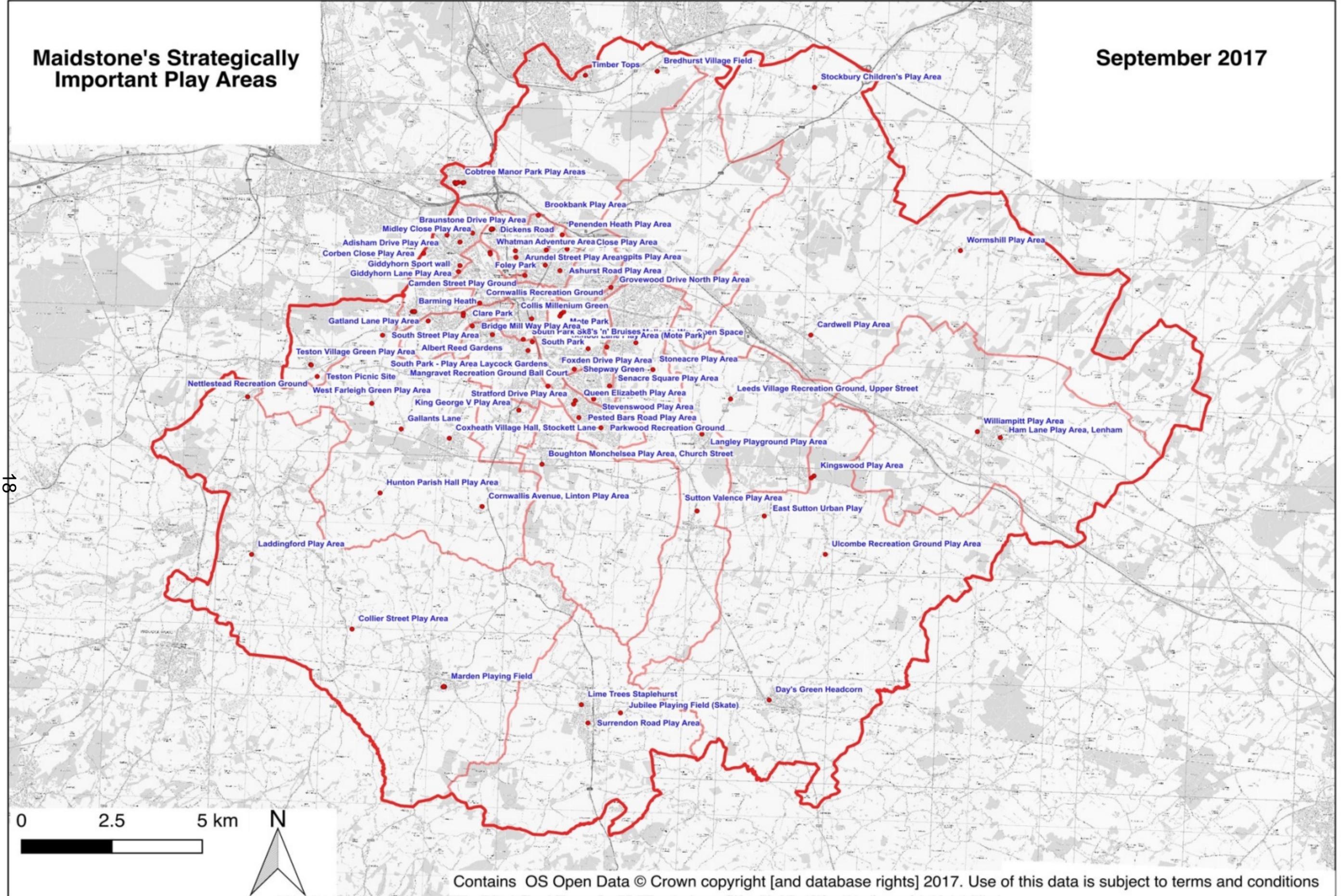
10 BACKGROUND PAPERS

The results of the play area consultation carried out prior to the capital works taking place can be seen at:

http://www.maidstone.gov.uk/_data/assets/pdf_file/0008/54782/Play-Area-Strategy-Consultation-Results.pdf

Maidstone's Strategically Important Play Areas

September 2017



Heritage, Culture and Leisure Committee	31 October 2017
Is the final decision on the recommendations in this exempt report to be made at this meeting?	Yes

Disposal of Land Adjacent to Gallagher Stadium

Final Decision-Maker	Heritage, Culture and Leisure Committee
Lead Head of Service	Director of Finance and Business Improvement
Lead Officer and Report Author	Lucy Stroud – Corporate Property Manager
Classification	Public
Wards affected	North Ward

<p>This report makes the following recommendations to the final decision maker:</p> <ol style="list-style-type: none"> 1. That the Committee agrees to declare the open space adjacent to the Gallagher Stadium, as outlined in red on the attached plan in Appendix I, as surplus to operational requirements. 2. That the Committee agrees to authorise the placing of a public notice pursuant of Section 123 of the Local Government Act 1972 advertising the proposed disposal of the land. 3. That the Committee agrees that the land should be disposed to the Football Club for a term of 99 years at a peppercorn rent. 4. That the Director of Finance and Business Improvement uses delegated powers to conclude the lease negotiations.
<p>This report relates to the following corporate priorities:</p> <p>The football stadium regularly attracts large numbers of football fans, many of whom will go into the town, supporting the local economy.</p>

Timetable	
Meeting	Date
Heritage, Culture and Leisure Committee	31 October 2017

Disposal of Land Adjacent to Gallagher Stadium

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report recommends that the Committee agrees to declare the land adjacent to the Gallagher Stadium surplus to operational requirements and to place a public notice in the Kent Messenger newspaper advertising the disposal.
- 1.2 If the Committee agrees that the land is surplus to requirements, it is invited to consider the method by which the land should be disposed, the options of which are set out in this report.

2. INTRODUCTION AND BACKGROUND

- 2.1 Maidstone United Football Club has approached Officers to request that a strip of land adjacent to the Stadium be transferred to the Club to enable the creation of a private access way as part of a new pedestrian exit from the Stadium.
- 2.2 As a result of promotion to the National Conference League, the Club has had to increase capacity from 3,000 spectators to at least 4,000. This has been achieved by building a new north stand, increasing capacity to 4,200.
- 2.3 We understand that the Club wishes to build terraces on the west side of the stadium, which is currently undeveloped with spectators simply standing behind the touchline. As this area is currently used as an exit route for the north stand, a new private access way will be needed behind the proposed new terraces in order to allow spectators to exit the north stand. The land in Appendix 1 is approximately 330 square metres and will be enclosed within a new boundary fence.
- 2.4 The land is currently an informal grass path and runs parallel to the public footpath connecting the river towpath to the footbridge. If the Council disposes of the land to allow construction of the private access way, the Club will instruct an ecologist to maintain a watching brief during the construction period to ensure no harm comes to any wildlife. Officers have met with representatives from the Club and their ecologist to confirm that the construction of the private access way will have minimal impact on the biodiversity in the area.
- 2.5 The proposed disposal is subject to the Council's policy on disposal of property, set out in Appendix II. The policy states that the Council will not usually dispose of public open space, but on occasions it may be beneficial to dispose of a small or discrete area of open space. The policy states that the Council will use leasehold disposal if there is a benefit in retaining freehold title, for example to ensure that the Council's responsibilities in relation to the land are maintained in perpetuity. In this case, the strategic location of the land, close to the town centre and adjoining trees and bushes that form a green barrier between the football stadium and the river and towpath, means that there is a strategic benefit to the Council in

retaining freehold ownership. This report therefore recommends that the land is disposed of by means of a long lease.

3. AVAILABLE OPTIONS

- 3.1 The Committee could choose to declare the land surplus, advertise the intention to dispose, and continue to negotiate the disposal with the Club. There are two options for disposing of the land, either by a leasehold disposal or by transfer of the freehold.
- 3.2 Should the Committee decide to declare the land surplus it could be disposed of by way of a long leasehold of 99 years and at a peppercorn rent. This option would allow the Club to construct the access way and ensure that the stadium has safe pedestrian exit from the north stand. A leasehold disposal could be agreed at a peppercorn rent because, in line with the Council's Disposal Policy, the asset would remain within the Council's ownership but provide significant benefits to the Club and ultimately the community by means of stadium improvements.
- 3.3 Alternatively, the Committee could decide to declare the land surplus and dispose of the freehold interest in the land for market value. A current valuation of the land would be undertaken by independent valuers and the transfer of the land would have to include an overage clause to ensure that the Council is compensated for the loss of opportunity should the Club sell the land in future.
- 3.4 Discussions have taken place with Maidstone United Football Club about both potential disposal routes. The Club has expressed a preference for a freehold disposal on a number of grounds, principally the following:
- they do not wish to accept restrictions on the use of the land as the precise use may vary over the lifetime of the lease
 - they foresee that an ongoing lease agreement will create additional complexity and cost for them
 - the Football Club performs a social and community function and makes a significant contribution to the life of the town

The Club is aware that a freehold disposal would be contrary to the Council's disposal policy.

- 3.5 The final option available to the Committee is not to declare the land surplus, and retain it as open space.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The Committee is recommended to declare the land surplus, place the public notice, and considering any objections that may be received as a result of the notice, proceed with a leasehold disposal at a peppercorn rent.
- 4.2 Disposing of the land is in keeping with the Council's Disposal Policy because there are direct community benefits from facilitating expansion of

the football stadium, and wider benefits to the economy of the town. It is for these reasons that it is recommended that the rent be a peppercorn rather than a market rent, and that the leasehold disposal is the preferred option despite being for less than best consideration.

- 4.3 A leasehold disposal will provide the Club the land it requires to construct the new access way and provide a safe pedestrian route from the stadium. Agreeing a peppercorn rent ensures that the Club is not financially constrained by the lease and their plans are not hampered by additional funding requirements.
- 4.4 A leasehold disposal is recommended as opposed to a freehold disposal as the Council has an ongoing strategic interest in the site because of its location.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Heritage, Culture and Leisure Committee previously considered this matter on the 4th April 2017, at which time it was decided to not declare the land surplus and that the possibility of granting a licence to the Club be considered.
- 5.2 A licence is not an appropriate method of disposal because it allows shared use of the land. The access way that the Club desires to create will be fenced and only available to use by spectators within the stadium. Therefore a leasehold or a freehold disposal are the only available options.
- 5.3 Consultation will be through the publication of the Section 123 public notice.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Following the public notice appearing in the Kent Messenger newspaper, and allowing a period for objections and comments, further negotiations will take place with the Club based on the method of disposal that the Committee decide upon.
- 6.2 Negotiations with the Club will be taken by the Director of Finance and Business Improvement under delegated authority.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The football stadium regularly attracts large numbers of football fans, many of whom will go into the town, supporting the local economy.	Director of Finance & Business Improvement

Risk Management	No impact.	
Financial	The financial implications are set out in the report.	Director of Finance and Business Improvement
Staffing	No impact.	
Legal	<p>The Council may dispose of land held in any manner it wishes but the Council may not dispose of land, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.</p> <p>There is an exception to this general rule where the Council is able to dispose of a site for less than its market value, if the Council can demonstrate the disposal will help to secure the improvement of the economic, social or environmental wellbeing of the whole or any part of its area and the undervalue does not exceed £2 million.</p> <p>All disposals also need to comply with the European Commission's State Aid Rules. The undervalue proposed in this report will not exceed the De Minimis Regulation of the European Commission. If it is agreed to dispose of the land at an undervalue, a record of the state aid must be kept.</p>	Team Leader Property & Regeneration
Equality Impact Needs Assessment	No impact.	
Environmental/Sustainable Development	No impact	
Community Safety	No impact.	
Human Rights Act	No impact.	
Procurement	No impact.	

Asset Management	The asset will be disposed of.	
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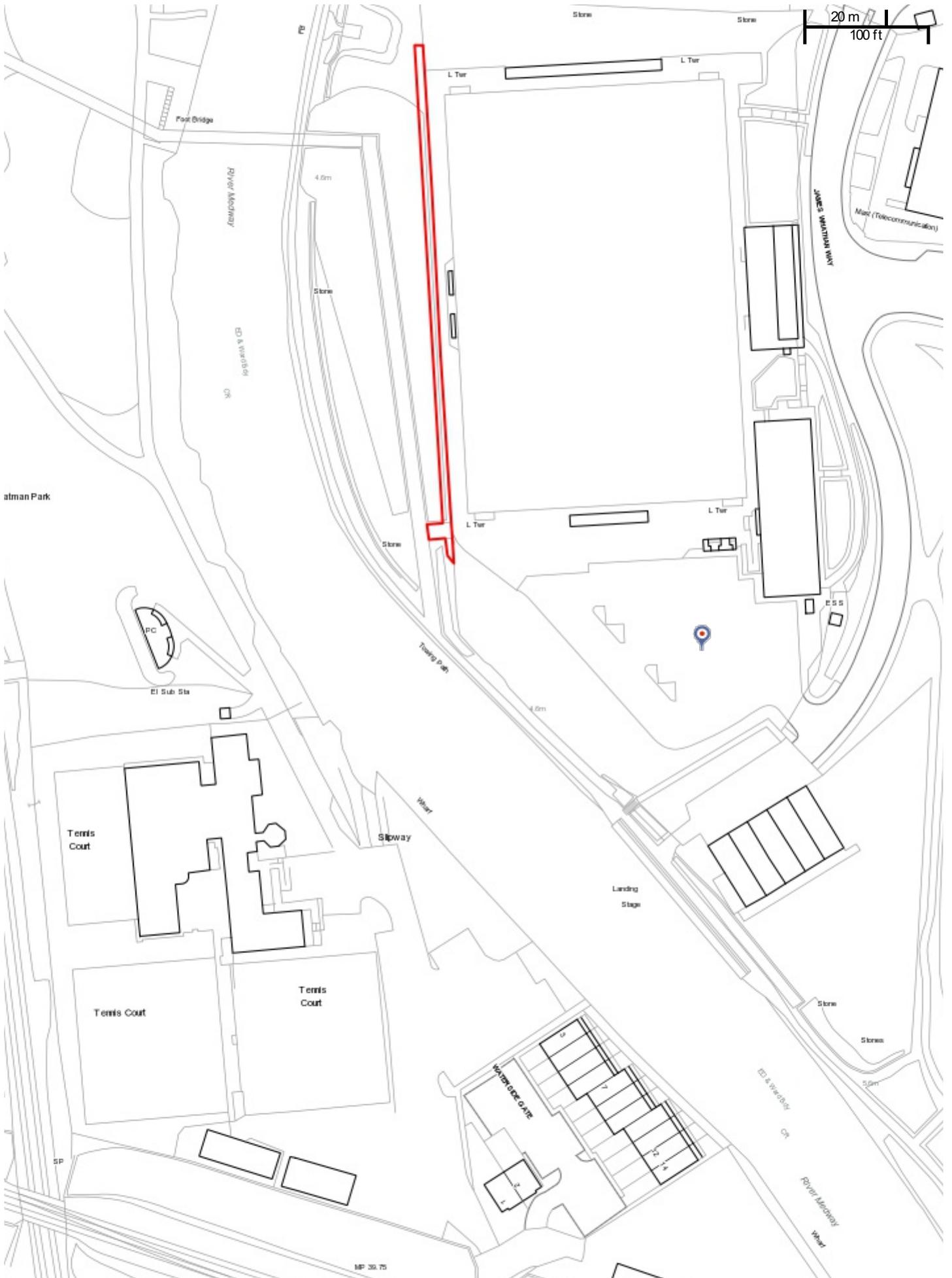
8. REPORT APPENDICES

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

- Appendix I: Site Plan
 - Appendix II: Maidstone Borough Council Policy on Disposal of Property
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9. BACKGROUND PAPERS

- 9.1 Heritage, Culture and Leisure Decision 4th April 2017 - <https://services.maidstone.gov.uk/meetings/documents/g2691/Decisions%2004th-Apr-2017%2018.30%20Heritage%20Culture%20and%20Leisure%20Committee.pdf?T=2>



Maidstone Borough Council Policy on Disposal of Property

Introduction

Disposals are a means of generating a capital receipt, facilitating regeneration or redevelopment and the transfer of community assets. Therefore, the Council's policy is to dispose of council owned land and buildings ("Property") if certain circumstances and criteria are met.

The Value of Retaining Property

When deciding whether Property is suitable for disposal, officers will assess the Property against a set of criteria. Initially it should be considered whether the Property should be retained for a strategic reason or for the delivery of Council services, now or potentially in the future, for example, by providing community facilities, supporting the Local Development Framework or facilitating regeneration or redevelopment. The loss of development potential and the loss of amenity value should also be considered. If it is decided that it is not appropriate to dispose of Property for these reasons, a clear record will be kept as to the reasons why the property is to be retained, together with a review date. Such considerations should include consultation with other Council services to see if they have a present or future requirement for the Property for the benefit of their service.

Operational Property

Operational Property is held and used by the Council for the direct delivery of services for which it has either a statutory or discretionary responsibility. It should be assessed for disposal by way of its economic or useful life and whether the Property could be improved by refurbishment or better usage as an alternative to disposal.

Investment Property

Investment Property held by the Council for revenue generation purposes should be assessed by its potential for improved rates of return by either better asset management, or disposal and re-investment of the receipt.

Open Space

On occasions, it might be beneficial to both the Council and the community, to dispose of a small or discrete area of open space. For example, this might be a strip of unused land which is currently open space, but is required to enable a development of a larger area of land; or it might be an area of open space which could benefit the community if the Council transferred it to a third party. In all such circumstances, the Council will have regard in its decision to the Council's Parks and Open Spaces 10 Year Strategic Plan 2017 – 27, which itself ties in with other policies, such as the Local Plan and The Economic Development Strategy.

Considerations

If the Property is considered surplus and/or there is greater benefit in disposing of the Property, officers and/or members should consider the issues set out below. In all cases, consideration should be given to the timing of the disposal and whether market conditions

are favourable at the current time or whether it would be more beneficial to retain the Property until market conditions improve.

It must be confirmed that a disposal of the Property is legal and that there are no restrictive covenants preventing a disposal. There are also legislative requirements of Compulsory Purchase powers and Section 123 of the Local Government Act 1972 which will impact upon disposals. For example, if the Property is currently public open space, the Council must advertise its intention to dispose of the Property in a local newspaper for a period of 14 days and must take into account any representations it receives about the disposal before making a final decision to dispose. (Section 123 of the Local Government Act 1972).

The disposal must also be made for the best consideration (i.e at full market rate). An exception to this requirement is where the disposal will contribute to the promotion or improvement of economic wellbeing; the improvement of social well-being; the promotion or improvement of environmental well-being and; the difference in the value of the land and the price for disposal does not exceed £2 million (General Disposal Consent Regulations 2003).

Methods of Disposal

When, after applying the criteria set out in this Policy, it is decided that the best option for a property is to dispose of it, the Council will issue one of a number of methods for disposal. In most cases, the type of Property will determine the method of disposal.

Freehold Disposal

A freehold disposal is the sale of the whole ownership interest. The Property can be sold with or without future covenants to restrict or protect future use. The Council will use this method when a Property has been assessed as surplus to requirements, and has no future use or benefit. If the Property is to be developed by a third party, the Council will also dispose of the freehold.

Leasehold Disposal

A leasehold disposal is the sale of an interest in the land for a number of years. The Council retains the freehold of the Property.

The Council will use leasehold disposal if a Property is suitable for disposal, but there is a benefit to the Council in retaining freehold title, for example to ensure that the Council's responsibilities in relation to the land are maintained in perpetuity. The Council will usually only dispose of Property to Parish Councils, community groups etc, by way of leasehold disposal. Any leasehold disposal, for any length of term, including short tenancies, would exclude security of tenure under the Landlord and Tenant Act 1954. This prevents the tenant from "holding over" and continuing in the tenancy at the end of the leasehold period and also enables the Council to terminate the tenancy at the end of the leasehold period.

If the Property has development potential at some point in the future, the Council will consider disposing of the Property by way of a short term lease with break clauses so that the land can easily be recovered.

Action Instead of Disposal

In certain cases where the Council does not wish to dispose of its Property, it may be able to grant permanent grants of rights over land. This will generally be in cases where the Council wishes to retain the Property but can allow a third party to use the land without affecting the Council's ability to dispose of the Property in the future. Non-permanent grants of rights might also be granted. These are similar to permanent grants but are time limited.

Criteria

In considering the options for disposing of or retaining Property, analysis will take into account the following criteria:

Property rating

S1-S5. This is a system of scoring used by Property Services where S1 is a high profile Property in the best possible condition, providing an essential service, through to S5 which is a non-operational, non-essential Property, maintained only to meet operational and statutory requirements. The full ratings are shown below

Property Rating classifies property by order of importance;

S1 = Essential service, high profile Property to be in best possible condition

S2 = Essential service, Property to be in good condition operationally.

S3 = Essential service, Property to be reasonable condition to meet operational and statutory requirements.

S4 = Non - essential service, operational Property condition needs to meet minimum operational and statutory requirements

S5 = Non - essential service, non-operational Property maintained to meet statutory requirements only (e.g. surplus assets)

Condition

(A-D). This is a rating of Good, Satisfactory and Poor based on the performance and condition of building elements. The full Condition rating is shown below

A – GOOD - Performing as intended and operating efficiently

B – SATISFACTORY - Performing as intended but minor repairs are required

C – POOR - Exhibits various defects, each of which might not be significant in itself but need attention on a planned basis.

D - Life Expired Exhibits major deterioration. Serious risk of imminent breakdown or is a health and safety hazard

Other

- Running costs – which include utilities, insurance, business rates.
- Occupational efficiency (utilisation) – e.g. reducing m2 per person, increasing occupancy
- Cost of improvement/refurbishment