



OTTERPOOL PARK

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APPLICATION DOCUMENT | **3.19**
GOVERNANCE STRATEGY

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OTTERPOOL PARK

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GOVERNANCE STRATEGY

OTTERPOOL PARK

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1 Introduction

- 1.1 Otterpool Park will be a new garden town in East Kent including a new town centre, local centres, schools, other community facilities and 10,000 new homes. This document supports the outline planning application (OPA) which is for the first 8,500 of these homes. The vision for the development is:

To create a place and a community which is led by landscape and integrates with the existing communities as well as the rural surroundings, to provide new homes, employment facilities within a community structure that demonstrates and achieves the highest level of sustainability in a manner that integrates and benefits the wider district.

- 1.2 The success of Otterpool Park will depend on many factors. These include things such as: good quality design; provision of a mix of homes and commercial spaces to attract a range of people to the site; delivering the community facilities and green infrastructure that enables people to come together; careful phasing and timing of delivery of key infrastructure; and ensuring the development ‘sits’ well into its surroundings. However, underpinning these factors is ensuring that the households, businesses and service providers that come to the site have an interest and a say in its long-term future.
- 1.3 Governance and stewardship are important tenets of the garden city principles and are included in the Otterpool Park Guiding Principles. Putting in place sustainable long-term arrangements for management and maintenance will ensure that the quality of the development at Otterpool Park will be maintained and provide opportunities for community development and involvement.
- 1.4 Given the scale of the proposals, it could take up to 30 years before the development is completed. It is important that governance arrangements are considered from the earliest days of the occupation of the development. These will:
- Assign clear responsibility for the maintenance and management of physical assets and infrastructure;
 - Plan for and provide future assets and/or services; and
 - Allow input and representation to decision-making processes.
- 1.5 This document does not attempt to prescribe detailed governance arrangements for all assets and facilities at this stage. Instead, it sets out a framework which can be discussed with partners and local communities to allow the principles to be secured in legal agreements and inform the preparation of a detailed Business Plan.

2 What is Governance and Long-Term Stewardship?

2.1 Governance is defined as:

“the exercise of political, economic and administrative authority in the management of a place”.

2.2 Long-term stewardship means:

“ensuring that an asset is properly looked after in perpetuity¹”.

2.3 Governance and stewardship underpin how decisions are made and by whom and how the quality of a place can be sustained over the long-term. Having appropriate governance arrangements in place at the outset of a development is regarded as essential to its ultimate success as a ‘place’. It allows legal structures to be put in place that provide a vehicle for the involvement of the local community, that secure long-term resident involvement, allow land to be held in trust and for contributions to be guaranteed for long-term management purposes.

2.4 The Government is allowing flexibility in how Garden Towns are delivered and how their governance and stewardship arrangements are structured. No specific delivery model has been prescribed although there is a requirement for any structure to allow for decisions to be taken effectively².

2.5 There are a wide range of assets and facilities that require governance in order to ensure they continue to be maintained and managed. These include: education, health, sports, open space and green infrastructure, emergency services, transport infrastructure, community facilities, utilities and community housing. There are also many different forms that governance can take, some of which have taken many decades to evolve. However, it is becoming increasingly clear that traditional models of governance can no longer be applied to new developments/facilities and that new approaches are required. These will be discussed in more detail later in this report.

2.6 Whilst governance and stewardship arrangements are vital in maintaining the quality and attractiveness of a development, they are also fundamental in enabling and nurturing community involvement. Research has indicated that, in new developments, having social interaction and social networks locally is strongly linked with higher life satisfaction and lower crime³. In established communities, social networks often grow organically, responding to local opportunities and shared resident interests. These types of groups include sports groups, parents’ groups, local heritage societies etc. Community groups also form around organising local events such as street parties or cultural events.

¹ TCPA, 2014. Built Today, Treasured Tomorrow – a good practice guide to long-term stewardship.

² DCLG, 2016. Locally-Led Garden Villages, Towns and Cities.

³ Social Life and Reading University for Berkeley Group, 2014

3 Key Principles

- 3.1 Governance and stewardship have been a consideration for the proposals at Otterpool Park from its early days. In October 2017, Council Members were asked to approve some key principles which had been identified through research, case studies from elsewhere, site visits and study tours. These principles, which are intended to establish the foundations for this stewardship strategy, are set out below:
- The long-term stewardship of open space, public realm (other than highways) and non-commercial community buildings will be the responsibility of a new body i.e. not Folkestone and Hythe District Council (FHDC);
 - The responsible body will form part of an approach to land value capture for Otterpool Park. Its income is likely to come from a range of sources including income generating assets, endowment and potentially service charges. However, income sources being reinvested in the new community will need to be balanced against income generation to FHDC for investment in facilities and services for residents across the whole district;
 - While a trust or similar structure is likely to be the most suitable vehicle initially, potential future transition to a Town Council should be allowed for. FHDC should retain representation on the body.
 - The body will be community-led (as distinct from a privately-run management company). It should also allow for future residents and businesses to shape the objectives and governance of the organisation, and to influence the design of new community facilities and spaces;
 - High quality management and maintenance over the long-term is of fundamental importance when setting out the objectives of the stewardship body.
- 3.2 Council Members also agreed the scope that this Governance Strategy should broadly cover the following:
- Assets – identifying the assets a new body could manage. In addition to the items listed in the principles above, this could potentially include a wider list of facilities or premises such as: commercial premises or land for income generation; car parks; community-run facilities such as shops or pubs and ducts along streets for utilities.
 - Funding and Sustainability – in order to create a sustainable organisation, what is the optimum method and balance of income streams and the commercial basis on which it will ensure long-term financial sustainability?
 - Decision-making – who will make decisions on assets and at what point in the development – including the timing and extent of involvement of local representatives?
 - Governance – the most appropriate governance structure. This should test models such as a charitable trust or Community Interest Company, or an external body such as the Land Trust.
- 3.3 The approach set out in the remainder of this Strategy reflects this scope although it suggests that at Otterpool Park it may be appropriate to establish more than one governance body to take on responsibility for different assets.
- 3.4 The Strategy also sets out how the core principles are being addressed at a high-level but further work is required to add detail.

4 Consultation and Engagement

- 4.1 As part of the process of preparing this Strategy, Quod ran three workshops in order to specifically discuss governance and stewardship.
- 4.2 The first of these workshops brought together representatives from Stanford, Sellindge, and Lympe Parish Councils as well as representatives from several local community organisations such as Folkestone Sports Centre Trust and Lympe Village Hall. The purpose of this session was to discuss governance principles and understand the views of the parishes in relation to the new facilities proposed at Otterpool Park and their potential role.
- 4.3 The second workshop brought together officers from FHDC and Kent County Council (KCC) as well as representatives from the National Health Service (NHS) and Clinical Commissioning Group (CCG), and Southern Water. This session provided an opportunity to discuss traditional models of governance and the changes that the current political, economic and social climate were resulting in. It gave different service providers the chance highlight links that could be made between different assets and facilities.
- 4.4 The last workshop session involved FHDC Cabinet Members and was designed to provide an update on governance matters and to understand its views and any specific requirements for Otterpool Park.
- 4.5 In addition to the series of workshops outlined above, the masterplan itself has been strongly influenced and shaped by feedback received from service providers as well as from the general public at consultation events.

5 Shaping Governance Arrangements

- 5.1 The starting point in defining governance arrangements is to understand what will be ‘governed’. This section of the Strategy sets out potential approaches to governance and stewardship for the different assets that are proposed at Otterpool Park. This has been informed by the masterplan (which itself has been shaped and influenced through feedback from service providers and stakeholders) and the workshops described in the previous section.

Essential Services

What and When?

Health

- 5.2 The Otterpool Park masterplan allows for up to 12,980sqm (GEA) of healthcare floorspace. This will enable the delivery of the c.3,000sqm of primary care floorspace that the NHS/CCG has requested in pre-application discussions with the Applicant. The masterplan currently shows this floorspace taking the form of a large facility located in/close to the town centre. The NHS has indicated its preference that this facility would be part of a larger ‘hub’ building accommodating other community uses rather than as a standalone facility. Several smaller community facilities are also proposed in the masterplan which could house ancillary healthcare services if necessary.
- 5.3 It is unlikely that the main primary care facility will be required from the first occupation of the development. However, a healthcare presence on-site may be desired from an early stage. This could take the form of a retail unit within the town centre initially prior to the main premises being completed.

Emergency services

- 5.4 Recent discussions with Kent Police and Kent Fire and Rescue have confirmed that no physical presence on-site will be necessary. There is flexibility within the masterplan to provide facilities to house emergency services if requirements change over the build out period. Kent Police have stated that contributions towards staffing will be required through the S106 Agreement.
- 5.5 NHS England has confirmed that provision for ambulance services (if required) could be provided at the proposed health centre/community hub. It is likely that this would take the form of an area of hardstanding and an ancillary structure providing toilets, changing facilities, and kitchen area. At present, there is flexibility within the masterplan and development specification to accommodate this facility if needed.

How and Who?

Health

- 5.6 Traditionally, GP practices would be small and owner-occupied. However, this model is no longer the ‘norm’.
- 5.7 The current expectation at Otterpool Park is for the land for the health facility(ies) to be provided via the S106 Agreement. Discussions between the Applicant and the NHS are ongoing on the detailed terms for this. The NHS has indicated an interest in being part of a wider ‘managed’ community building with the NHS/providers operating their services from the building. Such a building could be provided by a community trust or other management vehicle.

Issues and Opportunities

- 5.8 Models for provision of health services have changed significantly in recent years. At this time, therefore, it is not known how the NHS/CCG will organise healthcare provision in this part of Kent over the longer term. During the consultation process, the NHS/CCG has highlighted its intention to establish more Multi-Speciality Community Provider (MCP) facilities. There is sufficient physical floorspace within the masterplan to accommodate such provision but there will need to be flexibility to allow the detail to be defined at an appropriate time in the development when there are sufficient residents to support such a facility and how it might relate to existing services.

Encompass, Whitstable

Encompass is one of only a handful of multispecialty community providers (MCP) in England and consists of 14 medical practices in Whitstable, Faversham, Canterbury, Ash and Sandwich in Kent. This is a new model of care which seeks to ensure that health and social care is integrated and is based around local needs. The aim is for patients to receive more of their treatment in their communities rather than having to travel to hospital. Five 'Health and Social care hubs' have been developed. These allow people from health and social care organisations to work together to look after specific patients and identify the best interventions for them. These hubs include GPs, social care, mental health, geriatricians, social prescribers and community nurses.



Image: Estuary View Medical Centre, Whitstable (<https://www.whitstablemedicalpractice.co.uk>)

- 5.9 As noted above, the timing of healthcare provision at Otterpool Park is important. The large hub facility should be delivered once there is a critical mass on-site to ensure enough revenue can be generated to sustain it.
- 5.10 There are potential links to be made between healthcare, education, open space, sports facilities and community facilities more generally (including between existing in the local area and new facilities at Otterpool Park). These could be established and maintained through the creation of an Otterpool Park Health and Wellbeing Steering Sub-Group.
- 5.11 Kent Fire and Rescue has highlighted the importance of on-going engagement in relation to the development proposals at Otterpool Park. Of particular importance to the fire service is information on the location of fire hydrants, storage and use of grey water, water pressure and flow, and the adoption of roads (there is an impact on the maintenance and inspection of hydrants on un-adopted roads).
- 5.12 As noted above, Kent Police would typically seek contributions to cover the costs of additional staffing required as a result of the proposed development. Kent Police has also highlighted the importance of

incorporating designing-out crime principles into the proposals and encourage the use of ANPR and CCTV in new developments.

Education

What and When?

Nurseries/early years

- 5.13 Nurseries tend to be provided by the charitable or private sector. Nursery premises are typically provided alongside primary schools or in purpose-built facilities in a town/village centre environment. The timing of delivery will be phased with development with the masterplan making allowance for nursery floorspace to be provided as it required subject to take up by the service providers.

Primary and Secondary Schools

- 5.14 The Otterpool Park masterplan allows for the phased delivery of primary schools (predominantly 2FE in size) and a 10FE secondary school. This approach ensures that school buildings are not provided before they are needed. By delivering and expanding schools as demand arises ensures that school places meet the needs of children living at Otterpool Park rather than attracting children travelling in from elsewhere.
- 5.15 FHDC has highlighted in recent discussions a desire to see an 'education campus' as part of the proposals – namely, to enable the co-location of nursery, primary and secondary (including Special Educational Needs (SEN)) on one site. At present, the Otterpool Park masterplan does not show this arrangement but it is an option that could be explored further if there was a willing operator(s).

How and Who?

Nurseries/early years

- 5.16 Nursery provision will come forward alongside primary schools as they are delivered. There will also be sufficient flexibility in the Use Classes of floorspace within the town and local centres to enable nursery providers to establish facilities in those locations as demand requires it.

Primary and Secondary Schools

- 5.17 KCC has confirmed through consultation that their current approach to school delivery is to secure the land and capital required to build the school via S106 Agreement and then to run a competition to identify a provider.
- 5.18 This process is defined by Government regulations and the Secretary of State for Education has final decision-making powers. Given the scale of opportunity at Otterpool Park and the desire of partners to see community use of facilities, it may be possible to explore a 'joint commissioning' process which sets the criteria for the selection of the school provider but also a wider role in the community.
- 5.19 Schools tend to receive the bulk of their revenue through central government funding although they could secure additional revenue streams by opening their facilities out of hours.

Issues and Opportunities

- 5.20 Discussions between service providers highlighted several areas of overlap between schools and other assets. For example, schools provide an excellent opportunity to deliver Sustainable Urban Drainage

Systems (SUDS) as not only do they ensure good drainage of the school site they can also be used as an educational resource.

- 5.21 Community use of school facilities is often assumed. However, KCC have pointed out in discussions that although they can encourage school providers to open school facilities for use out of school hours it is not a requirement that school operators are bound to adhere to in most cases.
- 5.22 The applicant will explore with KCC opportunities for a joined-up approach at Otterpool Park where service providers work collaboratively to identify the specifications for potential new school operators to meet. These could include requirements such as out-of-hours community use and SUDS curriculum use and maintenance. However, there will be a balance to be struck between ensuring schools play the holistic role desired and not making specifications too onerous for school operators to meet.
- 5.23 Where schools are expected to meet requirements that go above and beyond a standard approach, any implications in terms of facilities may need to be reflected in financial contributions.
- 5.24 The timing of education provision is key. Chilmington Green is highlighted as a good example of where school places are available from the earliest days of occupation albeit off-site. The presence of the school helps to create social connections between new residents. At Alconbury Weald in Cambridgeshire, a primary school was built on-site at a very early stage, which helped to attract new families to the development.

Formal Sports Provision

What and When?

- 5.25 The masterplan makes provision for a range of sports facilities including a sports pavilion, playing fields and a sports hall. Delivery of these facilities is likely to be phased and brought forward in line with population growth.

How and Who?

- 5.26 The land required for sports facilities will typically be transferred to a council (usually district but sometimes town)/management body/community trust/specific sports club or trust via the S106 Agreement and the capital costs for delivering them secured via the S106 and/or a grant. Revenue streams for sports facilities can take several forms including: endowment, fees and charges, grant funding, and/or service charge/precept.

Issues and Opportunities

- 5.27 FHDC currently own and operate many of the community sports facilities in the district. They have the resources and the expertise to do this. They are also happy to work with other providers in an advisory role if they do not become owners/operators of the facilities at Otterpool Park.
- 5.28 Shepway Sports Trust runs several sports facilities in the area and is expanding. It has also been identified as a possible vehicle to take on the management and maintenance of sports facilities at Otterpool Park.
- 5.29 As has been noted under 'Education' above, it should not be assumed that schools will open their sports facilities to the local community. This requirement will need to be established in specifications documents from the outset and school designs customised to enable this to happen as easily as

possible i.e. with minimal management. Community Use Agreements (CUAs) are another mechanism by which school facilities could be secured for community use.

- 5.30 Sports provision is quite strongly linked to the proposed open space and public realm and it is likely that they would benefit from shared governance arrangements.

Open Space, Public Realm and Landscaping

What and When?

- 5.31 Open space, public realm and landscaping will take a variety of forms at Otterpool Park including: large strategic parks, play space, small open spaces, habitat buffers, SUDS (particularly those required for wider drainage), allotments, a cemetery, and general amenity space.
- 5.32 Delivery will be phased across the development to ensure new residents in each phase have easy access to areas of open space.

How and Who?

- 5.33 These spaces/features will be transferred to an operator which could take the form of a trust, parish council, a specialist operator and/or plot developer via the S106 Agreement. The capital costs of delivering the spaces/features will be factored into the S106 Agreement or, in the case of general amenity, placed on the plot developer. The revenue required to manage and maintain these assets could be secured via endowments, service charges/precepts, or grants.

Issues and Opportunities

- 5.34 Discussions around green infrastructure highlighted the importance of defining at an early stage ownership as well as management and maintenance responsibilities.
- 5.35 KCC confirmed that it would be unlikely to have the resources to take on the responsibility for managing the three strategic open spaces that are currently shown in the Otterpool Park masterplan⁴. KCC has confirmed that it would be keen to work with the future operator to ensure those spaces are effectively managed and maintained.
- 5.36 FHDC has expertise in designing and managing strategic parks such as Lower Leas Cliff Park and could potentially take on new strategic spaces.
- 5.37 Where it is practically possible, community involvement will be harnessed in the management and maintenance of green infrastructure. This community involvement will be supported by local council resources and expertise – an example of this happening already in FHDC is the Area Officer programme which is enabling local communities get involved in looking after small areas of open space. Several local parish councils have expressed an interest to become more involved in the management and maintenance of smaller areas of open space.
- 5.38 In order to spread responsibility for the upkeep of spaces, there may be opportunities to link spaces to community facilities, businesses or sports groups.

⁴ These three spaces are currently located: in front of Westenhanger Castle; in the centre of site; and along the river corridor

- 5.39 There is a need to categorise and assign ownership/management responsibilities of open space early in the development. Different governance models could be appropriate for different types of space that reflect the location, type of space and skills required to manage it, but these need to be defined to ensure that no spaces ‘fall through the gap’ and end up unusable or a blight.
- 5.40 There are also potential overlaps between green spaces and footpaths, bridleways, cycleways etc which should be considered – again this highlights the importance of clear definitions of ownerships and management/maintenance responsibilities of assets from an early stage. This will be addressed in the next stage of work to prepare a full register of assets and will be guided by design criteria will be set out in the landscape strategy.

Royal Military Canal

The Romney Marsh Countryside Partnership was set up in 1996 in order to care for the special landscape and wildlife of the Romney Marsh. The partnership is non-profit and aims to encourage people to enjoy and understand the countryside through guided walks, cycle rides, countryside events and children’s activities. The Royal Military Canal is one of several projects the partnership actively manages and promotes. The Canal stretches for 28 miles and has a public footpath along it making it a waymarked long-distance trail. The Royal Military Canal Rural Access and Interpretation Project is supported by the Heritage Lottery Fund and joins together a number of partners including Kent County Council, East Sussex County Council, Ashford Borough Council, Folkestone and Hythe District Council, the Environment Agency, amongst others.

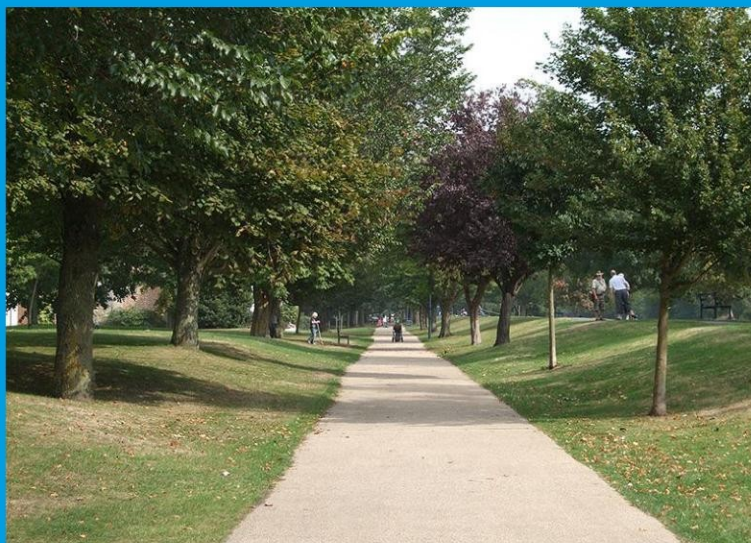


Image: The canal walk - <http://www.rmcp.co.uk/the-royal-military-canal/>

Community Facilities

What and When?

- 5.41 Community facilities will take many different forms including: places of worship; community halls; youth centres; educational facilities e.g. library, training hub; and exhibition/archive space. The Otterpool Park masterplan includes a broad allocation of floorspace that could be used for community uses.

- 5.42 The delivery of community facilities will be phased and brought forward to meet the needs of the new resident population as homes are completed and occupied and will allow future residents to shape proposals.

How and Who?

- 5.43 The land and capital costs for delivering a community facility will be transferred via the S106 Agreement to a trust, parish council or district council.
- 5.44 In the current economic climate and tightening local authority budgets, it is unlikely that FHDC will be able to take on the running of community facilities at Otterpool Park. The preferred approach is for parishes or a local group to run community assets with the support (in an advisory role) of the district council.

The Eden Centre, Edenbridge

The Eden Centre is a £2.2million facility which brings a variety of community organisations and activities together under one roof. There is dedicated space for the Citizen's Advice Bureau and a library (run by Kent County Council) at the Centre. As well as books, the library has DVDs and audiobooks for hire and free PCs are available for use to members. The library has its own children's area and activities and is open six days a week.

The centre has space to accommodate business and community events and activities. It hosts a range of fitness and children's activities throughout the week (Monday to Saturday). There is also a private field adjacent to the centre which can be used for events or by sports teams.

On Sundays the Centre is used by The Eden Church.

Other organisations, such as HOUSE Youth Workers and West Kent Housing also have links to the Centre.



Image: The Eden Centre (<http://www.edenbridgetowncouncil.gov.uk/news/gallery-press/>)

Issues and Opportunities

- 5.45 In the workshop, the parish councils identified the need for consideration to be given to how new facilities relate to current ones and how existing gaps in provision can be addressed.
- 5.46 Libraries, adult education and social care services require flexible spaces to accommodate a range of activities and uses. However, there is a balance to be reached between providing sufficient flexibility whilst also ensuring spaces do not end up with an unassigned purpose.

- 5.47 KCC is generally of the view that community facilities tend to work better from an operational/practical perspective when provided outside of a school environment.
- 5.48 As noted above, health providers are interested in the joint use of a 'hub' type building with other community facilities. The timing and nature of such provision will need to be defined with them and in wider discussion with other providers and the emerging community.
- 5.49 Community facilities will be provided in both larger facilities, in and around the town centre, and in smaller facilities, in local centres. This could result in different governance arrangements being appropriate for each.

Transport Infrastructure

What and When?

- 5.50 Assets in this category include: roads (primary and other); street lighting; street cleaning; parking; footpaths, bridleways and cycle paths, bridges; highways-related SUDS; and bus stops.
- 5.51 Delivery of transport infrastructure is likely to be done on a phase by phase basis although some more strategic/primary routes may be delivered earlier.

How and Who?

- 5.52 KCC tend to expect developers to build the roads and then KCC adopt them.
- 5.53 KCC has confirmed that it is a 'pro-adoption' authority but will only take responsibility for infrastructure that it needs to service the community. This includes things such as primary routes. KCC may take on responsibility for car-parks but not car-courts within residential areas.
- 5.54 KCC also confirmed it would adopt highways-related SUDs, footpaths, bridleways and cycleways but only where these provide sufficient levels of utility to the general public. Any routes that do not meet this criterion would be expected to become the responsibility of the district or a parish council. The upkeep of Public Rights of Way (PRoW) would tend to be the responsibility of KCC.
- 5.55 FHDC also confirmed they would consider adopting car-parks within the scheme as revenue can help to cross-fund other facilities and services. Equally, if car-parks are endowed to a community trust this provides a source of income.

Issues and Opportunities

- 5.56 Whilst KCC will be responsible for the management and maintenance of primary routes, there will be other features such as SUDS relating to wider drainage and green infrastructure that will not come under KCC's remit. It will be important to ensure roles and responsibilities are clearly defined at the outset to ensure all aspects of the development are looked after.

Utilities

What and When?

- 5.57 This covers water, electricity, gas, communications, waste, and refuse.
- 5.58 Utilities, communications, and waste and refuse facilities tend to be installed on a phase-by-phase basis in order to provide services as demand arises for them from the development.

How and Who?

- 5.59 The costs of delivering the utilities on-site (and off-site where upgrades are required) will be met by the joint venture delivery vehicle at a strategic level and the developer of a phase(s), or the utilities company themselves, or a combination of the two.
- 5.60 There are examples of developments where a community trust owns the service ducts and receives incomes from them. This is a model that could be explored at Otterpool Park, along with other potential models of securing long term revenue streams to support wider governance arrangements.
- 5.61 In Kent, waste and refuse responsibilities are shared between KCC and FHDC with KCC being the disposal authority and FHDC the collecting authority. Responsibilities for managing and maintaining infrastructure relating to street waste, green waste, hazardous waste, household waste and commercial waste will need to be defined and agreed early in the development process.

Issues and Opportunities

- 5.62 Utilities companies are moving away from their traditional role of simply providing and maintaining utilities infrastructure with little or no overlap with other services or visibility in the communities that they serve. There is an increasing tendency for utilities companies to increase their presence/visibility at a local level in order to increase awareness of utilities as a resource. A large-scale site such as this could involve a partnership approach and the potential to explore a Multi-Utility Service Company (MUSCo).

Housing

What and When?

- 5.63 The masterplan proposes up to 8,500 new homes at Otterpool Park including houses and apartments and ranging from one to four+ bedrooms in size. These will be provided across different tenures including privately-owned, intermediate, and affordable. Specialist accommodation is also proposed including elderly care.
- 5.64 Housing will be delivered on a phase-by-phase basis. It is expected that the mix of accommodation delivered will be specified through reserved matters applications and dependent on viability and place-making objectives.

How and Who?

- 5.65 There are several ways that the new homes could be delivered. Typically, developers build housing and then transfer them either to: occupiers, housing associations, councils (less common), community land/housing trusts or to specialist providers. Custom/self-build models will also deliver a proportion of the new homes at Otterpool Park.

Issues and Opportunities

- 5.66 There is an aspiration from FHDC to explore opportunities to provide its own community housing potentially including key worker housing and shared equity accommodation, as well as the other affordable components of the development. This could involve a bespoke housing/land delivery vehicle which retained an interest in the land to cross subsidise housing delivery and other Governance arrangements.
- 5.67 The provision of accommodation targeted at over-60s has been identified through consultation and workshops as a priority for the local community. This would enable existing residents to remain in the area when/if they decide to down-size rather than having to move away because of lack of suitable housing stock or high housing prices.

Bringing it Together: Key Principles

- 5.68 This initial review of assets is summarised in the table at Appendix 1. The review suggests that governance arrangements might be split into three categories. These are explored in more detail below.
- 5.69 Firstly, there are items with clear governance arrangements based on agreed and established processes. This includes arrangements for the delivery and adoption of roads, cycleways and pathways, and for schools. There are likely to be specific issues that need to be addressed due to the scale of development and the potential, for example for schools, in partnership working, but there is a good understanding of the scope and requirements.
- 5.70 Secondly, there are two ‘groups’ of assets that have clear overlaps and linkages. These are:
- Community and Health Provision (built assets): for which there is a clear identified requirement but for which the precise scope and approach to delivery will develop over time, and for which there will need to be arrangements to specify provision and define management arrangements;
 - Open Space, Public Realm, Sports and Recreation: the development is intended to have exemplary provision of open space and public realm, linked by sustainable means of access including pathways, bridleways and cycle routes. Embedded within this ‘green infrastructure’ will be SUDS (with a wider drainage role) which will require clear specification and management. It will also house sports pitches, leisure facilities, and playgrounds. This will require very clear specifications for each of the individual spaces and understanding of who will own and manage what. This may be subject to a single common management/governance arrangement but there may be elements that are better managed by other bodies e.g. existing parish councils.
- 5.71 Based on the principles set out in Section 3 (of this Strategy), FHDC would like to see these assets managed by a ‘Trust Arrangement’. Our review suggests that this could either be a single ‘trust body’ or potentially more than one organisation depending on the timing of infrastructure delivery and scope of the role. The key is that any body is fit for purpose and that any organisation tasked with long-term management will have the requisite skills, focus and resources to manage assets to a high standard. The project team will, therefore, explore the options for management based on the practical tasks required and likely capacity of organisations to deliver them.
- 5.72 The third category of assets are those that might have the potential to be either self-governing or provide revenue streams which can help support wider governance. These are principally utilities and housing, but also potentially car-parking and commercial development. The development team will,

therefore, consider the potential management of these assets with potential delivery partners, in the case of housing through the wider development of the housing strategy.

5.73 Details of the preferred governance model for each phase will be required, by the Section 106 Agreement (S106), to be set out in the form of a Business Plan. These Business Plans will identify:

- The land and/or assets and facilities in a phase that will require ownership and long-term stewardship;
- The anticipated costs of managing and maintaining the asset based on actual figures where possible or examples of similar assets;
- Potential sources of income and revenue;
- The most appropriate governance model to apply;
- The timing of implementation of the chosen governance model and any interim measures required;
- Any linkages between different assets that should be reflected and/or considered as part of the governance model.

6 Community Involvement and Accountability

- 6.1 As important as having a clear understanding of the assets which will require stewardship and income sources, is having a process which allows for community involvement in the development of plans, their implementation and long-term governance.
- 6.2 This process will happen in stages. Ultimately, the Garden Town could house up to 25,000 people. This compares to around 4,500 people across the five current parishes at the time of the last Census (2011).
- 6.3 The current outline planning application sets the overall amount and types of development proposed and the broad locations. More detailed plans will be brought forward for each phase which set out in more detail the nature of the buildings, roads, and open space. In producing those plans, the project team will need to use innovative means of engagement to understand the views and perceptions of both current and future potential residents.
- 6.4 The governance structure itself will need to develop over time, as outlined below:
- At the current **planning** stage, the planning permission and legal agreements will need to set out the process and requirements for setting up long-term arrangements and secure the resources for delivering facilities and long-term management of them;
 - At the **delivery** stage, the 'development vehicle' i.e. the body that will build the infrastructure, will need to be established. This body will need to procure the delivery of the infrastructure and put arrangements in place for it to be managed until it is handed over for long term management. In order to develop capacity within any new 'trust' or other arrangements, it is likely that the joint venture 'development vehicle' will retain assets for a time. However, it will seek to set up 'Shadow Board' arrangements for the longer-term management body or bodies, which will allow community involvement and accountability of the 'development vehicle' during this period;
 - At the **legacy** stage, all assets will have been passed over to their permanent owners/operators. Governance arrangements will be fully operational and board/accountability structures will be in place where new organisations are established to manage and/or operate facilities.
- 6.5 The population of the Garden Town will be increasing steadily through this period and the arrangements will need to ensure that new residents, community groups and interest groups will become involved over time. Governance arrangements are likely to include: district, county and parish councils, public service providers, community and voluntary groups and organisations and people with specialist skills who can support the operation of facilities.
- 6.6 As well as the physical assets and facilities, the governance body(ies) will have an on-going role in community development and the provision of services to the local community. The potential for this will be considered as part of the next stage of work in the context of the funding and resources which will be available for such activities.
- 6.7 There are currently five parish councils that cover part of the planning application boundary for the Otterpool Garden Town. The Applicant and FHDC is already engaging with the parishes through consultation generally on the development proposals and specifically on governance issues. This will be an ongoing process as part of developing the detailed governance plan including a review of the provision, how it relates to current activities of the parishes and their desire and capacity to take on assets and engage in short and long-term management arrangements.

- 6.8 There is currently no specific intention to review the boundaries of the current parishes, but a Community Governance Review, in full consultation with the parishes, is likely to take place in the future to respond to the new population that will be living in the area. The assessment of assets identified in the following section will specifically consider those types of new assets (e.g. community space, playgrounds, footpaths, open space) which some or all existing parishes currently manage.

7 Next Steps

- 7.1 There is no 'one size fits all' approach to governance and the new settlement at Otterpool Park is no exception. The approach will need to develop over time and there is no need at this stage to specify precisely how all assets will be managed, provided that legal arrangements ensure that all facilities are funded, that long-term management is secured and that funding for this is in place. The Applicant, and subsequent joint venture 'development vehicle', can then work with partners over time to define who will manage what. Legal agreements will seek to ensure that within this there is the maximum flexibility to allow solutions ranging from current public bodies, parish councils, to existing and new trusts.
- 7.2 The approach will also need to have risk management arrangements in place with fall-back mechanisms to ensure that assets will always be maintained should problems arise.
- 7.3 The table in Appendix 2 shows the main components of the next stage of works. The first is the detailed consideration of the assets with the key stakeholders and the costs associated with their management and operation. This will identify the 'phased' funding requirement including the need for early stage subsidies as the population grows.
- 7.4 The second is an assessment of potential income, including asset-specific income and more general income streams/endowments. As a general principle, the approach to governance will be seeking to ensure that if contributions from households and businesses are included, they are fair and reasonable, and that new residents and businesses do not feel they are being 'double-charged' any governance costs as well as council tax. These two pieces of work will inform the Section 106 which will secure the basic governance framework and resources.
- 7.5 The next stage, before development starts, will be to produce detailed business plans for the assets contained in each phase and the establishment of 'shadow' and 'permanent' governance arrangements.

Appendix 1 – Summary of Initial Review of Assets/Facilities at Otterpool Park

Asset/Facility	Ownership	Management/Maintenance	Operational Funding
Healthcare and Emergency Services			
GP facility/MCP (either standalone or part of a larger community facility)	District Council OR Community Trust	South Kent Coast CCG OR District Council OR Community Trust	NHS England/CCG and/or through sub-letting of rooms to other healthcare providers (if a standalone health facility)
Healthcare presence in smaller community facilities (rents paid to owner/manager)	District Council OR Parish Council OR Community Trust	District Council or Parish Council or Community Trust	NHS England/CCG
Ambulance stand	Community Trust	NHS England	NHS England
Police unit	Kent Police OR District Council OR Community Trust	Kent Police	Kent Police
Education			
Nursery/pre-schools	Nursery operator (private/voluntary/charitable) OR District Council OR Parish Council or Community Trust	Nursery operator (private/voluntary/charitable)	Fees from childcare
Primary schools	KCC OR approved school operator	Approved school operator	DfE
Secondary school	KCC OR approved school operator	Approved school operator	DfE
Sports facilities			
Sports pavilion	Specific club/organisation OR District Council OR Parish Council OR Community Trust	Specific club/organisation OR District Council OR Parish Council OR Community Trust	Endowments AND/OR rental income AND/OR service charges AND/OR precepts
Playing fields	Schools OR specific club/organisation OR District Council OR Parish Council OR Community Trust	Schools OR specific club/organisation OR District Council OR Parish Council OR Community Trust	Endowments AND/OR rental income AND/OR service charges AND/OR precepts
Sports halls	Schools OR specific club/organisation OR District Council OR	Schools OR specific club/organisation OR District Council OR Parish	Endowments AND/OR rental income AND/OR service charges AND/OR precepts

Asset/Facility	Ownership	Management/ Maintenance	Operational Funding
	Parish Council OR Community Trust	Council OR Community Trust	
Open space/green infrastructure			
Strategic open spaces	Specialist Trust OR Community Trust OR FHDC	Specialist Trust OR Community Trust (with support from KCC and FHDC)	Income from any commercial uses in the spaces e.g. cafes AND/OR endowments AND/OR service charge AND/OR grants
Smaller spaces/areas of amenity	Specialist Trust OR Community Trust OR Residents Association	Specialist Trust OR Community Trust OR Residents Association	
Play areas (standalone)	Specialist Trust OR Community Trust	Specialist Trust OR Community Trust	
SUDS (wider drainage role)	Specialist Trust OR Community Trust OR Parish Council OR other organisation e.g. utility company (depending on location)	Specialist Trust OR Community Trust OR Parish Council OR other organisation e.g. utility company (depending on location)	
Allotments	Specialist Trust OR Community Trust OR Parish Council	Village caretaker OR Specialist Trust OR Community Trust	
Cemetery	Specialist Trust OR Community Trust OR Parish Council	Specialist Trust OR Community Trust OR Parish Council	
Habitat	Specialist Trust OR Community Trust OR Parish Council OR other organisation (depending on location)	Specialist Trust OR Community Trust OR Parish Council OR other organisation (depending on location)	
Community Facilities			
Community/Village hall(s)/Youth centres/Libraries etc	Parish Council OR Community Trust OR specific organisation	Parish Council OR Community Trust OR specific organisation	Rental income AND/OR endowments AND/OR service charges AND/OR precepts
Place of worship	Community Trust OR specific organisation	Community Trust OR specific organisation	Rental income AND/OR endowments AND/OR service charges AND/OR precepts
Transport infrastructure			
Primary routes (e.g. roads, pathways, bridleways, cycleways, adopted highways- related SUDS)	Kent County Council	Kent County Council	Kent County Council

Asset/Facility	Ownership	Management/ Maintenance	Operational Funding
Minor/other routes (e.g. shared space greenways, pathways, bridleways, cycleways)	District Council OR Parish Council OR Community Trust	District Council OR Parish Council OR Community Trust	Service charges AND/OR endowments AND/OR precepts
Car-parks	District Council OR Parish Council OR Community Trust	District Council OR Parish Council OR Community Trust	Parking charges
Car-courts	Individual residents OR Residents Associations	Individual residents OR Residents Associations OR specialist	Service charges
Bus stops and bus shelters	Bus operator	Bus operator	Via bus operator
Utilities			
Water	Southern Water OR other alternative water provider	Southern Water OR other alternative water provider	Customer charges
Electricity	UK Power Networks OR ESCO	UK Power Networks OR ESCO	Customer charges
Gas	SGN OR ESCO	SGN OR ESCO OR MUSCO	Customer charges
Communications	Specialist provider	Specialist provider	Customer charges
Waste and refuse e.g. bins and collection points	KCC/FHDC	KCC/FHDC	KCC/FHDC via Council Tax
Community Housing			
Council-led housing	FHDC	FHDC	Rental income and FHDC subsidies

Appendix 2 – Next Stages of Work

Action	Timing	Description
Register of assets and resources	Pre-S106 Agreement	This will identify all assets and facilities likely to form part of the proposals from buildings and land to bins and street-lighting. It should consider aspects (as far as is possible at this stage) such as: ownership, management and maintenance responsibilities, suitable governance models, costs and income streams/assets.
Assessment of income sources	Pre-S106 Agreement	This assessment should include consideration of asset-specific income and more general income streams/endowments.
Business plans	Prior to each reserved matters application (RMA) where assets/facilities are being delivered	These documents should as a minimum: identify the assets and facilities expected to be delivered by the application; anticipated timescales for delivery; any consultation undertaken with relevant stakeholders/service providers; the preferred model for governance (including ownership, management and maintenance responsibilities, legal structure, staffing requirements, costs, compliance with the key principles, relationship to other Business Plans, any transitional arrangements, costs, income stream, risks and next steps).