

## **Minutes of the Faversham Creek Neighbourhood Plan Steering Group Meeting: Tuesday, 10 December 2013**

### Present

Nigel Kay, Faversham Town Councillor (FTC) – Chairman

David Simmons, Mayor, Faversham Town Council

John Coulter, Faversham Town Councillor

Trevor Payne, Faversham Town Councillor

Andrew Osborne, Faversham Creek Consortium Management Group member

Anne Salmon, Faversham Creek Consortium Management Group member

John Sell, Faversham Town Council Planning Agent

Professor Christopher Wright, Faversham Creek Trust

Brenda Chester, Brents Community Association

Kirsty Northwood, Faversham Traders Group

Janet Turner, Faversham Society

### In attendance

Jackie Westlake, Faversham Town Council Clerk – Secretary

Natalie Earl, Senior Planner, Swale Borough Council

Before the start of the meeting, the Chairman took questions from the public. These are attached at Annex A.

### **1. Apologies for absence**

1.1 There were apologies for absence from Cllr Mike Cosgrove and Janice Hennessey.

### **2. Minutes of the last meeting and matters arising.**

2.1 The minutes were agreed

2.2 All matters arising had been dealt with.

The sentence on CIL should read “Parish Councils with a Neighbourhood Plan would get 25% of CIL, uncapped. Where there is no neighbourhood development plan this amount is 15%, subject to a cap of £100 per household in the parish council area per year”

2.3 Debbie Lawther had contacted the Town Clerk and asked the following be added to the minutes as a record “The point to be registered is that the objectives agreed for the Neighbourhood Plan are long and various, and not apparently prioritised or otherwise organised.”

### **3. Communications and engagement**

3.1 Danny Chesterman (DC) gave a brief presentation on a communications and engagement plan for the Neighbourhood Plan, particularly when it reached the pre-submission draft stage. The proposal was to set up a working group to design and organise the community consultation phase of the Neighbourhood Plan, which, on current estimates, would happen in a 4-6 week period starting February 2014.

3.2 The working group would need to consider a number of issues, most importantly covering what the main purpose of engagement would be. DC said he would be prepared to offer three days of his time for free; the other three days would be paid.

3.3 Steering Group members agreed a working group would be a sensible way forward, and would require members with the necessary skills and expertise. It would be important to maintain momentum to keep to the timetable, as far as possible, of a referendum by autumn 2014. Other members of the Town Council could also be on the working group, as well as Steering Group members. BC suggested it should also include other members of the public with the right skills and expertise, and cited the very successful recent public engagement regarding the proposed closure of the Minor Injuries Unit as an example of best practice undertaken in just 4 weeks. Although the Plan was being drafted, the working group should meet as soon as possible to consider the process of engagement as well as the draft itself when it was complete. It was also suggested that the working group could consider the possibility of public meetings at which members of the public and interested groups could give their views.

3.4 Anne Salmon (AS) proposed, seconded by Andrew Osborne (AO) and, on being put to the vote, the Steering Group voted 9 to 1 in favour of presenting the proposal for a communications and engagement working group, with costs, to the Town Council for agreement. There was one abstention.

**ACTION: Resolution to be presented to the Town Council**

#### **4. Update on drafting progress**

4.1 The Steering Group considered the draft chapters for 1 – 6. It was agreed that the drafts were an extremely helpful starting point. AS was thanked for her hard work. Brenda Chester (BC) suggested the Group should consider other successful Neighbourhood Plans, and circulated some of Thame's Plan for comparison. There was some discussion as to whether the NPPF framework was useful, and it was highlighted that the current drafts did reflect the NPPF.

4.2 On the various policies, John Sell (JS) said that the vision and objectives were a good starting point for the development of policies, but there needed to be more discussion about the policy intention and it would be helpful to have a separate meeting. The Group then considered whether a drafting working group could work on the chapters separately, refining them for re-presentation to the Steering Group.

4.3 There was some detailed discussion about Chapter 3 "What the Plan hopes to achieve" as the draft did not include any reference to the regeneration of the Creek as a working waterway. Brenda Chester (BC) proposed, seconded by Chris Wright (CW), that a small working group be set up to take the drafting forward. Andrew Osborne (AO) suggested an amendment to accept the current process and hand the completed pack to

the independent planning consultant when in place. It was felt that the two proposals were not mutually exclusive. On being put to the vote, it was agreed by 10 votes with 1 abstention, to set up a small working group to consider the drafts and continue with the drafting process. The working group would consist of JS, BC, CW, AS and Janet Turner (JT). Natalie Earl (NE) would give planning advice as required.

## **5. Brents Community Association update**

5.1 BC gave a short presentation on the BCA's plans for a community centre and boatyard on Ordnance Wharf (previously circulated) which had been developed as a result of input from its members. The BCA was to have met the previous week but, due to the flooding the meeting had been postponed until January. The BCA wished the plans to form part of the overall Neighbourhood Plan.

5.2 In discussion it was noted that there had been no negotiations with the current landowner. However, this was not a requirement of the NP. Questions were asked about funding for the project and whether it was viable. CW said that there was a potential purchaser for the site, but they did not wish to proceed if the site allocation was to be residential use. He also confirmed that the Faversham Creek Trust was totally behind this project and would work with the BCA to make it a success. BC confirmed that BCA had an adviser working with them who was very experienced in accessing funding for such projects. It was suggested that, as the current allocation was for industrial use, it might be prudent for the purchaser to step in at the earliest opportunity as industrial use value was lower than that for residential use. BC read from Littlehampton Town Councils Neighbourhood Plan, which included proposals for two community projects under the Community Right to Build Orders, in accordance with the Neighbourhood Planning Regulations 2012 and the Localism Act 2011 which provided for the means to obtain deemed planning consent for proposals from eligible community organisations for specific sites and schemes.

5.3 There was some discussion about the difference between viability and deliverability. According to the NPPF, the test of viability assumed a willing owner and the test has to start with the present use of any site. In order to get a competitive return, it might be necessary to consider funding from other sources to boost the sum to what could be considered a competitive return. A member was concerned that there were a number of considerable hurdles to be overcome in order for the plans to be realistic, including the repairs to the sluice gates, the opening of the swing bridge, and the dredging of the inner basin.

5.4 It was suggested that the BCA plans could form one of the two alternatives as suggested in the Town Council's resolution for the site<sup>1</sup>.

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<sup>1</sup> Site 2- Ordnance Wharf

The Town Council is aware that current thinking for this site is different from previous thoughts; there is a stated preference from some to see no residential development adjacent to the inner basin. At this stage the Town Council believes it should remain open minded

Cllr Simmons proposed, seconded by CW, that the Town Council's views be sought on the BCA's proposals as an option for Ordnance Wharf. The vote was 10 in favour, with one abstention.

5.5 CW asked the Steering Group to note the Faversham Creek Trust's regeneration plans for the inner basin and asked for comments at any time.

## **6. Budget**

6.1 There had been no further expenditure on the NP budget since the last meeting.

## **7. Any Other Business**

7.1 The following were raised under AOB:

- Neighbourhood Planning Camps to be held in Oxford and York. BC and JT expressed an interest in attending
- Independent Planning Consultant. NE said that SBC had agreed in principle to fund some of the costs of the consultant. It would be negotiating with Faversham Town Council on the final amount
- Meeting with Ray Harrison. BC asked that meetings by SG members be properly recorded and details placed before the SG, including a meeting that Cllr Mike Henderson had had at the Abbey School. On the meeting with Mr Harrison, AS and JS explained they had met to discuss his report on Swan Quay in the light of their work on the undesignated Heritage Asset List. They had agreed with Mr Harrison's conclusion on the status of a particular building on Swan Quay, but had not discussed a way forward for the site. BC asked that the minutes recorded Mr Harrison's recognised expertise in the area of conservation, and that his work should be taken forward by the SG. CW asked that this be an agenda item for the next meeting
- **ACTION: JW to add to the agenda**
- Sites not currently designated with a specific use class. AO asked that those areas not currently designated should be considered for some minor cosmetic work within the NP e.g. TS Hasard, permissive footpaths, Shepherd Neame lorry park, Iron Wharf, Town Quay, and Provender. All could be included under one chapter heading

## **8. Date of the next meeting**

7.1 Tuesday, 7 January 2014. [Secretary's note: the meeting has now been rearranged for Tuesday, 14 January, 2014.]

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about use classes for this site to enable any alternative to mixed development to be worked up. Use classes mixed development and/or other?

**QUESTIONS FROM MEMBERS OF THE PUBLIC**

The recent flooding was the focus of a number of comments from members of the public. Cllr Kay stated that a representative of the Environment Agency would be invited to attend the next meeting to answer the concerns raised about the Neighbourhood Plan within the context of flood risk.

Q. The Government has reached an agreement with the Association of British Insurers (ABI), called Flood Re, which comes into force in Summer 2015, which will ensure that residential property in flood risk areas can be insured. However, the agreement does not cover commercial property including small businesses, or any property built after 1st January 2009, "to avoid incentivising unwise building in flood risk areas." (information available at <http://tinyurl.com/l47ze8c> and <http://tinyurl.com/ogek5fz> )

The Government projections for rising sea levels (UK Climate Projections, published by Defra) show a minimum anticipated mean sea level rise in the London area of 11.4cm by 2030, 18.4cm by 2050 and 37.3cm by 2095. The maximum projections are 16cm, 25.8cm and 53.1cm respectively. (Source: <http://tinyurl.com/ccrt2q3> )

In addition the raising of the Thames Barrier already creates a second surge after the normal high tide, which is higher still, and this caused a lot of the flooding last Thursday night and Friday. To protect London, a new and higher Thames Barrier will be built in the not too distant future.

To what extent is the Steering Group taking account of these facts as it assesses the viable uses for different sites for the draft Faversham Creek Neighbourhood Plan?

A. The Environment Agency will be invited to attend the next meeting of the Steering Group to answer flood-related questions.

Q. Mr Chairman, you have asked those wanting to put forward alternative proposals to provide full justification and business plans, all within a couple of weeks. Presumably, having had a couple of years, the steering group has done the same for the existing proposals, so may we please see them?

This is not just a question about individual sites, but also about the entire concept, and two things in particular:

1. In the current proposals, all the major sites have large residential blocks with commercial use on the ground floor. What are the estimates for:

(a) the total area of commercial space this would create

(b) the potential uses for this space, given the constraints of proximity to residential accommodation

- (c) the traffic and parking implications for residents, businesses and customers
- (d) the likely level of demand for such space, given the amount of vacant commercial space in the town already and the potential problems of getting insurance and business loans for ground floor creekside property?

2. Footpaths and streetscape:

- (a) what are the estimated costs?
- (b) what assumptions have been made about the level of developer contributions?
- (c) what are the timescales?
- (d) what permissions have been sought?
- (e) who will own and be liable for new stretches of footpath?
- (f) who will be responsible for upkeep and maintenance, what will be the annual cost, and where will the money come from?

Without this information, it is impossible to make an informed comparison between alternative sets of proposals, and if the employment uses and the footpath project cannot be shown to be deliverable, then this plan is being sold under false pretences.

A. The Chairman agreed to take the questions away for a considered response.

Q. What action is being taken concerning Cllr Cosgrove's comments at the last Steering Group meeting?

A. The matter has been referred to the Monitoring Officer at Swale Borough Council.