

Agenda Item No: 10

Report To: Cabinet

Date of Meeting: 6th December 2018

Report Title: HLF Parks for People bid for Victoria Park

Report Author & Job Title: Emma Powell, Open Space Planning Development Officer

Portfolio Holder **Cllr. Mike Bennett**
Portfolio Holder for: **Culture**

Summary: Members endorsed this strategic project as part of the delivery of the Corporate Plan 2015-2020, at the Cabinet meeting 6th April 2017.

Since November 2017 officers have been working to prepare all documentation for the Heritage Lottery Fund Parks for People Stage 2 bid, following a development grant of £167k, which confirms the capital and revenue improvement works, programme of activities and resources to reinvigorate Victoria Park.

Following consultation and support by the Victoria Park and Conningbrook Park Advisory Committee, and feedback from a successful development review meeting with Heritage Lottery Fund early November 2018, the bid is ready for submission and agreement by the Council.

This report presents a detailed summary of the bid totalling circa £4,417,983 and asks members to agree the release of £79,569.48 S106 contributions for the development stage, and agree the allocation of £460,948 S106 contributions and £650,000 Council funding, subject to a successful Round 2 bid from the Heritage Lottery Fund for the delivery phase, which the Council will be informed of in June/July 2019.

Key Decision: YES

Significantly Affected Wards: Borough wide

Recommendations: **The Cabinet is recommended to:-**

- I. Endorse the release of £79,569.48 S106 contributions identified under Financial Implications in the report to support the development stage phase to enable the bid to be completed and submitted;**
- II. Agree to submit the Heritage Lottery Fund Parks**

for People bid as outlined in the report, and approve the Council's total contribution of circa £1,370,398, split between identified S106 contributions, Council reserves, repairs and renewals budget and landscape maintenance costs;

- III. Allow the Head of Culture to agree any minor changes, in consultation with the Portfolio Holder for Culture, to ensure a strong bid is submitted in February 2019.

If the Council's Heritage Lottery Fund bid is successful to:

- IV. Note that the amounts profiled that make up the total Council's contribution could alter given additional S106 contributions may be secured;
- V. Agree for the Director of Finance and Economy to consider and apply appropriate forward funding to offset S106 contributions secured but not received to ensure the delivery of the project is not put at risk;
- VI. Delegate authority to the appropriate Directors and Heads of Service, in consultation with the relevant Portfolio Holders, to put in place all relevant documentation, staff and financial resources, management and monitoring processes, and communications, in order to deliver the project.

Policy Overview:

Corporate Plan:
Priority 3: Active & Creative Ashford *"Planned improvement to key public space and parks – Victoria Park"*
Priority 4: Attractive Ashford – Environment, Countryside, Tourism & Heritage *"To safeguard and conserve our local heritage and areas of outstanding landscape"*

Financial Implications:

The total package of delivery stage works is estimated to cost £4,417,983. This is split between a Heritage Lottery Fund grant of £3,049,900 and a total Council contribution of £1,370,398.

The Council contribution is split and is currently profiled with approximately £460,948 covered by identified S106 contributions, leaving £650,000 from reserves, £157,200 repairs and renewals, £14,500 Corporate Property PV project, £49,250 management and maintenance; in-kind volunteer time £38,500. This includes for all capital costs, professional fees, new staff, activities and events, publicity,

promotion, contingency and inflation.

The Council's contribution is an increase from the R1 bid of £621,700, which is split between £450k from reserves, £157,200 from the repairs and renewals budget and £14,500 corporate property PV project.

The S106 contributions are all to be spent on the 'Victoria Park Improvement Project' as envisaged by Priority 3 of the Corporate Plan.

Legal Implications	If successful award conditions will need to be accepted. The project delivery includes direct contracts with a variety of identified professionals and third party contractors.
Equalities Impact Assessment	See Attached
Other Material Implications:	Continued support from key officers for the delivery of this strategic project
Exempt from Publication:	NO
Background Papers:	The HLF bid documents are in the Members Room for information and are available from the Lead Officer.
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Report Title: HLF Parks for People bid for Victoria Park

Introduction and Background

1. This report updates Members on the positive progress made on producing a Heritage Lottery Fund (HLF) Parks for People bid for capital and revenue investment to Victoria Park and Watercress Fields. This is one of the key strategic projects that contributes to the Council's four corporate plan policies.
2. This report asks Members to endorse the Victoria Park & Watercress Field's HLF bid, and agree to the spending and release of S106 contributions and Council funding for the development and delivery stages.
3. Since November 2017, officers have been working towards submitting the HLF Stage 2 bid, following a development grant of £167k from the HLF, to design capital and revenue improvement works to Victoria Park. Much consultation has taken place with the community, key stakeholders and members.
4. Officers have also been working closely with HLF representatives to hone the bid and have recently passed a review stage. HLF feedback has been crucial to help improve the bid and present a strong and robust submission.
5. The full bid documents are provided in the Members Room and copies are available from the Lead Officer, Emma Powell. Key elements of the bid are attached as Appendices 1 – 5.
6. The project timetable is estimated as follows:
 - HLF bid submission February 2019 with a decision June 2019
 - Project delivery August 2019 – March 2022
 - Continued Park management, to include a key new staff role of Victoria Park Environment Manager – April 2022 onwards.

Heritage Lottery Fund bid – Development Stage

7. The development stage has involved detailed research, engagement and consultation, to inform the park design, activities, management and staffing; and to ensure the project meets the needs of existing and new park users and delivers HLF outcomes for heritage, people and communities.
8. Consultation highlighted key elements and issues with the park, which have shaped the park project. The importance of the river / improvements for wildlife; the condition of the toilets (poor); lack of café provision in the park; antisocial behaviour and not feeling safe in the park; more things to do in the park – events and activities and better play areas were highlighted.
9. As a result of the consultation and members wish to respond to local concerns and improvement ideas, the activities and capital elements anticipated at

Round One have developed, and investment has been increased that addresses these identified needs. The council has also committed to improving areas of the park additional to the bid submission, with Aspire and Property Services leading on specific management and maintenance tasks in the park.

Heritage Lottery Fund bid – Delivery Stage bid

10. The HLF Parks for People bid addresses the issues highlighted by the consultation and provides a focus on the elements and steps required to improve and maintain the park for the long-term benefit of local people and visitors. Key themes include:
 - a. Conserving existing historical and ecological features and sharing stories about them;
 - b. Improving facilities such as toilets, play areas, lighting, car park and path network;
 - c. Providing a café;
 - d. Improving wildlife and river corridor habitats;
 - e. Creating interpretation and educational resources;
 - f. Developing a long-term management and maintenance strategy;
 - g. Providing on site-staff and an in-house team dedicated to the park project;
 - h. Developing an activity and event programme, in partnership with the community and local organisations.
11. **The overarching vision for the project is to work with Ashford’s growing community to make Victoria Park a high quality, well-loved destination; where people feel safe, enjoy well managed facilities, celebrate its rich heritage, and regularly engage with a diverse range of activities, habitats and social opportunities.**
12. To deliver the vision, the project includes a range of activities and capital works, which together will uncover and celebrate the built, social and ecological heritage of Victoria Park and Watercress Fields.
13. The activity plan provides full details of the research, consultation and testing that has taken place to inform activity planning, as well as a detailed, costed action plan setting out all the activities that will be delivered. A summary is provided at Appendix 1.
14. To support the activity programme and deliver improvements for heritage, people and communities, there is a comprehensive programme of capital works. Full details are available in the design report, cost plan and masterplan and a summary and masterplan is provided at Appendix 2 and 3 with expected costs allocated.
15. The Management and Maintenance Plan sets out in detail how project outcomes will be sustained in the long term, including improved maintenance of the park landscape, river corridor, fountain, and buildings, as well as continued staff presence on site, ongoing volunteer opportunities, and a range of activities and events. This is summarised in Appendix 4; the staffing structure for delivering the project is also detailed here.

16. The investment in the park will need to continue after the delivery stage of the project, with the continued presence of on-site staff provided by the Park Manager, and the increased empowerment of the volunteers to deliver community events supported by the existing structures and staff in both environment services, property services and culture.

Financial Implications

17. The development stage cost has increased from £215,890 to £285,369. The increase in costs is due to additional reports and surveys recommended by HLF to provide stronger detail and robust submission; and increased fees associated with extending the development programmes and an increase in the delivery stage capital budget given community consultation.
18. The increase in development stage costs can be covered by income from Environmental Services, and strategic parks S106 contributions which Management team agree is appropriate to support the stage of consultation and design work given its strategic positioning for the town and its heritage importance to the borough.
19. Regarding the delivery stage, the total package of works is estimated to cost £4,417,938, and includes all capital costs, professional fees, new temporary staff, activities and events, publicity, promotion, contingency and inflation.
20. The bid requests a HLF grant of £3,049,900, requiring a council contribution of £1,370,398.
21. The profile of this council contribution is:
 - £460,948 of identified S106 contributions for a range of Victoria Park improvements (refer Appendix 5 for breakdown)
 - £650,000 reserves (£200k already agreed as part of a paper approved by Cabinet in April 2017)
 - £157,200 repairs and renewals base budget
 - £14,500 corporate property PV project
 - £49,250 management and maintenance (in-service contribution)
 - £38,500 volunteer time (in-kind contribution).
22. Members are asked to approve the S106 contributions shown in Appendix 5 and note that there are further S106 contributions that may come forward but have not been allocated to the project given their longer-term payment timescale. However, they may be appropriate to include, which could change the profile of the council's contribution as currently shown above. Members are being asked to allow officers to appropriately apply such shifts to the profile if appropriate and viable to do so.
23. A financial cash flow for the project has been matched against the predicted schedule of S106 payments (estimated on current housing rates). It identifies, after applying payments from HLF that a proportion (currently predicted as 50%) may not be received to support the cash flow required during the delivery of the project over the three years. Therefore, a recommendation is included for Members to consider a delegation to allow the approval of appropriate forward funding that ensures the successful delivery of the project within the timescales expected by the HLF.

24. The bid includes provision of a café. To ensure the viability of this provision, the evidence gathered indicates that favourable rents and support will be required to put in place the right operator and ensure its sustainability in the early years. Members are minded to note the implication on potential income from the café business which will be confirmed when tenders are received as part of the delivery of the project.

Risk Assessment

25. Several key risks have been identified: the HLF bid is not successful; recruiting skilled and experienced staff; tenders for capital works over budget; permissions (planning and Environment Agency) withheld; café operator not secured; S106 not paid in a timely manner to support cash flow.
26. The first risk, of not being successful, has been mitigated as much as is possible (although this is still a competitive bidding processes) by producing a bid which responds to the consultation, and fulfils the expectations of HLF. The draft documents have been assessed by HLF and we believe we have a strong submission. The proportion of funding from the council has strengthened the value, benefit and one would hope the positioning of the bid. It demonstrates the ambition of the council and its commitment to parks for people.
27. Officers have worked with qualified and experienced consultants to produce the bid. This approach has ensured that the bid allows for accurate (QS checked) budgeting, appropriate contingency and inflation. Partnership agencies such as the Environment Agency as well as planning colleagues have been consulted throughout the process. Members of the planning committee will have received a presentation on the masterplan and the elements that will require planning consent. A planning application will be submitted just before the bid goes to HLF; HLF will be notified of the outcome whilst the bid is reviewed.
28. The consultation strongly supported the provision of a café and community hub and the masterplan provides a viable solution in terms of seating areas and kitchen provision. The acknowledgement by the council of the risks associated to the early set up and delivery of a new venture will help to put in place solutions and support aspects that a new business may require.
29. As mentioned above in paragraph 23, a cash flow summary includes detail on when S106 contributions are expected to be paid. Although there is an identified risk that they will not support the delivery timescale, the financial risk is low as the developments have all started.

Equalities Impact Assessment

30. Members are referred to the attached Assessment. The key issues arising are that the project will not have a negative impact on people with protected characteristics. Provision will need to be made to continue providing facilities for people with different abilities and characteristics.

Options and Reason for Recommendation

31. The Victoria Park and Conningbrook Lakes Advisory Committee has helped steer this project and supported officers in the development of the bid, alongside the Cabinet and other key members. This continued support for the bid has been significant and was recognised early on as an important part of Ashford's growth.
32. Extensive consultation has identified significant areas for investment and improvement; without the funding from HLF a diluted project will result in potentially piecemeal and low-key solutions that do not meet the growing needs of local residents or the ambitions of the council.
33. There are no other identified external funding opportunities of a similar scale; this HLF funding stream is now closed and therefore this is the last opportunity to bid for the 'Parks for People' funding stream. Officers have submitted draft documents to the HLF that have passed their review process and show the commitment of the council to meet local needs.
34. With the imminent completion of new homes, a high proportion of which will use the park as their local open space, user numbers are expected to increase and therefore more pressure will be put on existing features. The works detailed in the bid respond to these pressures.

Next Steps

35. If Members are minded to support and endorse the bid and the necessary funding commitments, the Victoria Park Steering Group, involving corporate support from all services, will complete all the necessary minor changes and submit the bid in February 2019. The results of the bid submission will be provided mid 2019. If successful the delivery of the bid and the impact on finances will be from August 2019.

Conclusion

36. Victoria Park is recognised as a highly valued and growing strategic open space and heritage asset for the borough and the council. It is part of the corporate plan, Priority 3: Active & Creative Ashford "*Planned improvement to key public space and parks – Victoria Park*"; Priority 4: Attractive Ashford – Environment, Countryside, Tourism & Heritage "*To safeguard and conserve our local heritage and areas of outstanding landscape*"
37. The park forms an integral part of the Council's commitment to providing and supporting public open space for the borough. The development of this bid has provided the evidence and a clear direction for investment and improvement, to meet the needs of the existing and future community.

Portfolio Holder's Views

38. "A huge amount of consultation and detailed research has gone into this excellent report outlining our Heritage Lottery Fund Parks for People bid to transform Victoria Park to a high quality, safe and well managed open space in the heart of Ashford for a growing community and it has my total support".

CLr Mike Bennett

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HLF Parks for People bid for Victoria Park

Activity Plan summary

1. The activity plan provides full details of the research, consultation and testing that has taken place to inform activity planning, as well as a detailed, costed action plan setting out all the activities that will be delivered over three years.
2. During the consultation people were remarkably consistent in identifying the special things about Victoria Park and Watercress Fields:
 - It is the biggest open space in Ashford – a large green lung right in the heart of the town
 - The Park is on the banks of the River Stour, which is an important wildlife habitat and amenity
 - It forms part of the green corridor, which means people can walk or cycle across Ashford (north, south, east and west) through green spaces
 - The Hubert Fountain is a major feature for the Park, a recognisable icon and a peg for the Park's heritage stories.
3. As a result of desk-based research and the extensive consultation process, the following audiences have been identified as audiences for development:
 - Low income families
 - Low income adults
 - Older, isolated adults with physical and mental ill health
 - Young people (12 – 18 years)
 - Schools (particularly local schools)
 - Families from north Ashford
 - Black, Asian and Minority Ethnic (BAME) groups across all the above categories
4. The relationship with the core audiences, who already use the Park for walking, dog walking, exercising and playing, will be nurtured and deepened.
5. In turn, the activity programme is arranged around 5 key themes:
 - Young people shape the park
 - Activities for community engagement, fun and wellbeing
 - Learning outside the classroom
 - Upskilling and volunteering
 - Resources to deliver the project and sustain outcomes
6. New interpretation will feature the wildlife and heritage of the Park; an activity programme of small and large events, plus a volunteering programme, will engage the community with the Park; new learning resources will be available for schools and there will be opportunities for training and an apprenticeship.

7. There will be four members of HLF funded staff to develop and deliver the project:
 - The Project Manager will be a full-time post for three and a half years. It will be their role to manage the delivery of the capital and interpretation works, manage the HLF delivery team, report to HLF
 - The Volunteer and Community Engagement Officer will be a full-time post for three years. It will be their role to manage the activity and volunteer programme in the Park
 - The Youth Involvement Co-ordinator will be a 0.5 full-time equivalent (FTE) post who will be responsible for delivering the facilities, interpretation and projects that engage young people in the development and delivery of Victoria Park and Watercross Fields
 - The Victoria Park, Park Manager will be a full-time post and will be responsible for leading on the Park Management and Maintenance Plan, supporting volunteers work days and ensuring high horticultural standards.
8. The project will work with and empower the newly created Friends of Victoria Park; provide volunteering opportunities; training opportunities; work with key partners including Kentish Stour Countryside Partnership, Revelation and Victoria Park Nursey (on-site).
9. The cost of the activity programme over three years is £583,460, excluding VAT, contingency and inflation.

HLF Parks for People bid for Victoria Park

Capital works summary

1. The Design Report provides full details of the capital delivery, informed by the consultation results, surveys, historical research and stakeholder input.
2. Fountain and piazza restoration
 - The fountain pool will be made watertight and the pool's coping and cladding will be repaired. The setting of the fountain will be improved by removing insensitive modern additions such as brightly coloured picnic tables and bins, as well as creating more space around the fountain and introducing a low-level planting scheme inspired by the fountain.
3. River corridor
 - Works along the river will improve habitats for important native species, including white-clawed crayfish and water voles, as well as improved river margins with native marginal aquatic planting. Several interventions will make it easier for people to engage with the river, including pond dipping platforms, informal picnic areas and wetland boardwalk. This will be supported by educational activities, volunteering opportunities and improved management of the corridor.
4. Historic landscape
 - The historic park landscape will be restored and explained through tree planting and a range of interpretation measures. Existing entrances and bridges will be improved and made more accessible and welcoming. Improved lighting and sightlines will help to improve perceptions of safety, along with a greater staff presence and more activities in the park. Seating and bins will be repaired and replaced, while new cycling infrastructure will be installed, including parking and repair station.
5. Sensory Garden
 - Works here will include new paths to improve the access and connections with the park, and further removal of vegetation to improve visual connections across the space, and increased light to the stream and pond.
6. Community Hub
 - An improved community hub will be created by refurbishing and extending the existing building and improving its environmental performance. The improved building will include public toilets, community space to support activities, a café, dedicated nursery

space, and small office for park staff. The existing car park will be rationalised and resurfaced to make it more accessible.

7. Park HQ

- The new Park HQ compound will provide space to support volunteering and improve the environmental performance of the site. It will include an equipment store for volunteers and events, as well as space for composting, water butts, and growing plants.

8. Play space

- The existing play areas will be removed and replaced with an improved play space, adjacent to the community hub. The new play space will be more inclusive and accessible, as well as being more sensitively integrated into the historic landscape. The proposed Youth Involvement Coordinator combined with a range of activities, will ensure children are fully involved in the design and implementation of this and other capital works.

9. Adventure play

- The existing adventure play area will be converted to a wetland area with reed bed filtration, dipping platforms and new access paths. The graffiti wall and dirt bike track will be re-created outside of the flood zone, as will new opportunities for self-directed play by children and young people, including den building, damming watercourses, and other adventurous activities.

10. Watercress Fields

- Access for the residents of the adjacent social housing will be improved by creating a new path and access points along the southern boundary of the field. The community orchard will be extended, and management arrangements will be changed to improve ecological value. New interpretation will share hidden stories about this part of the park.

11. The cost of the capital delivery programme over three years is £3,193,229, excluding VAT, contingency and inflation. This split as £2,883,900 capital works, £15,250 anticipated surveys, £294,079 professional fees.



KEY

- 1. Fountain & setting (piazza)
- Tree / shrub clearance
- Resurfacing and creation of grand seating area around fountain
- Repairs to fountain basin
- Creation of flexible grass / meadow area around fountain
- Signage / interpretation
- Feature tree & shrub planting

- 2a. Park Entrances (existing)
- Tree / shrub clearance
- Entrance signage
- Feature paving thresholds

- 2b. Park Entrances (proposed)
- Formation of new entrance
- Paving thresholds and signage

- 3. Potential Bowling Club Car Park (part of separate phase of works)

- 4. Existing Bowls Centre building

- 5. Existing Car Park
- Resurface and extend existing car park
- Increase capacity for cars, cycles and disabled parking
- New / improved connections to Community Hub area

- New planting
- Feature lighting

- 6. Existing MUGA
- Selective tree / shrub clearance to improve sight lines
- New fencing & seating

- 7. Proposed Community hub
- Creation of new paved plaza with flexible spill out spaces for events and seating
- Extend and improve the existing building, refurbish Public W/Cs and nursery space (ABC) and create new cafe area

- New feature tree & shrub planting

- 8. Proposed Park HQ
- Park office for Grounds Maintenance Staff & Community Engagement officer
- Tool storage containers and working compound area for park based volunteer activities

- 9. Proposed 'Sensory Gardens' (existing 'Secret Garden')
- Colourful & fragrant sensory planting
- Selective tree and shrub clearance to improve sight lines and reduce overshadowing

- Improved access with new entrances and enhanced circulation paths
- New seating points

- 10. Bridges (existing)
- New handrails
- Refurbish and repaint metalwork

- 11. Existing Adventure Play Area
- New play equipment
- New dirt track area
- Improved sight lines / vistas through selective tree & shrub clearance
- Feature semi mature tree planting
- Creation of a new wetland area with dipping platforms.

- New access paths
- Re-purpose existing access road as 100m running track

- 12. Enhancements to River Stour Corridor
- Improvements to the river course including bank re-profiling, wetland creation & native planting
- Creation of hibernacula including nesting boxes and log piles
- Improvements to the management of existing vegetation / trees
- New backwater areas with timber dipping platforms & seating areas
- Signage & interpretation

- Picnic meadow areas
- Refurbish & improve existing lighting & furniture

- 13. Proposed Watercress Fields access path
- New pedestrian access path from existing entrances points
- Feature semi mature tree planting
- Native hedge planting

- 14. Existing Community Orchard
- Extend and improve existing community orchard with local and heritage fruit trees

- 15. Proposed children's playground
- 16. Proposed meadow grass area
- 17. Existing Ford River crossing
- Replace / repair existing broken surfacing
- New seating area
- Feature tree and shrub planting
- 18. New bridge by developer
- 19. Outdoor gym equipment (by others)



HLF Parks for People bid for Victoria Park

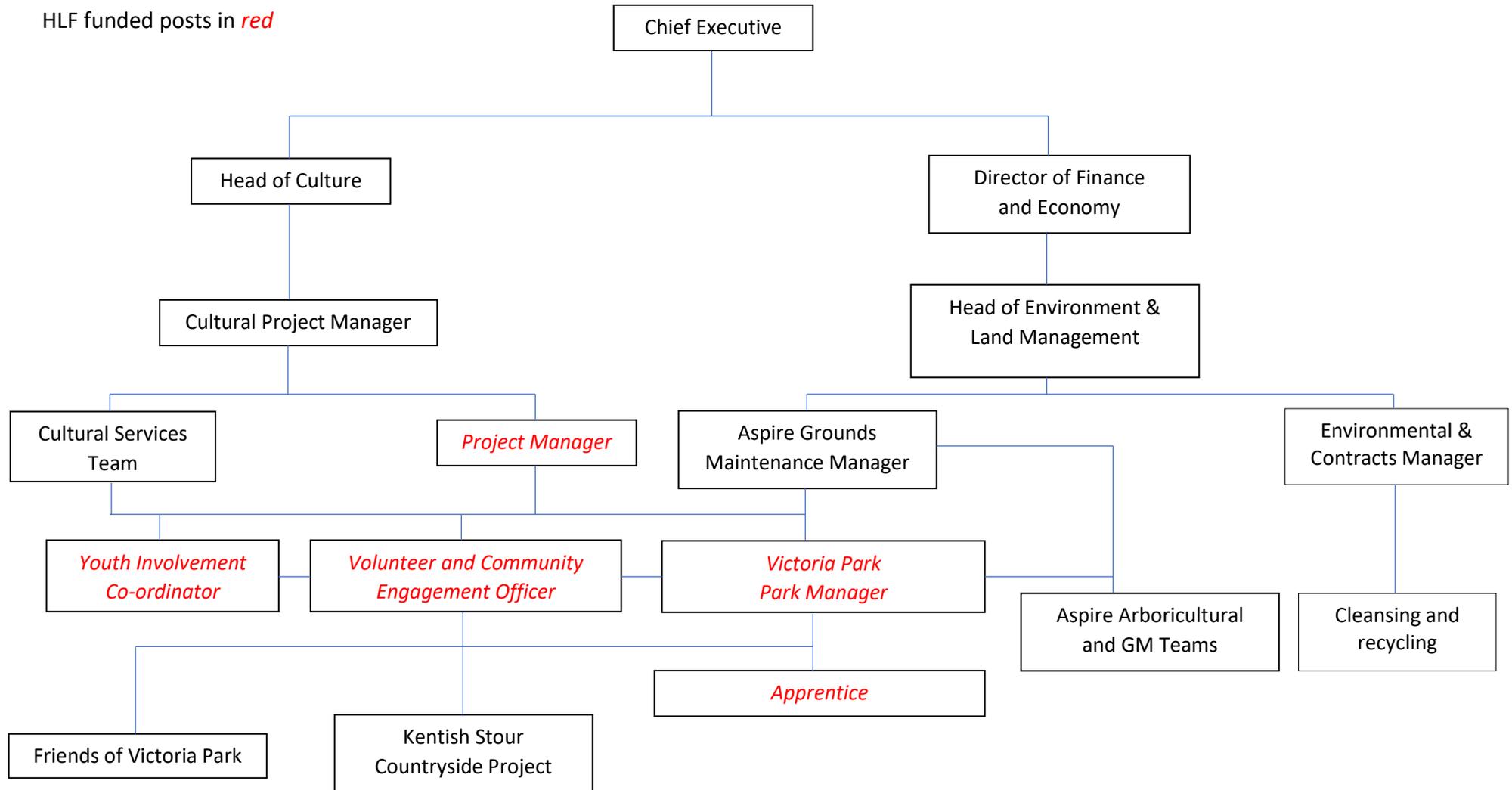
Management and Maintenance Plan summary

1. The ten year Park Management and Maintenance Plan (PMMP) sets out how the council, in partnership with the HLF and park stakeholders, will protect and enhance the capital investment to be made in the Park. The PMMP addresses the management and maintenance of the Park on completion of the HLF funded project.
2. Opportunities to engage and work with the local community are central to the realisation of this vision. The PMMP sets out how the project will work with stakeholders and increase involvement in the management and maintenance of the Park.
3. The PMMP provides a description of how the Park is currently managed and addresses the management and maintenance of the Park on completion of the HLF funded project in 2022, based on the current design.
4. The PMMP addresses a ten year period post completion and also addresses the transitional phase between 2019 and 2022, during which the restoration and enhancement works are delivered, with particular regard to the development of management structures, training and maintenance practice, in order that management of the Park will be adequately resourced and funded on completion. The PMMP is informed by other surveys and reports prepared in support of the HLF project and should be read in association with those documents.
5. The PMMP will be updated by ABC at project completion and will include more detailed prescriptions for management and maintenance as informed by updated surveys, detailed design and finalised plans.
6. Attainment of Green Flag status is a key management objective and a requirement of the HLF Parks for People Grant award. The PMMP includes an assessment of the Park against the Green Flag criteria and sets out actions to be addressed either through the Parks for People project or by other means, to work towards attainment and maintenance of Green Flag status on completion of the HLF project. Victoria Park does not currently pass the assessment for Green Flag.
7. The Park will remain in the ownership and stewardship of ABC with day to day management and maintenance overseen by Environment and Land management and Corporate Property and Projects.

8. The Park restoration and enhancement works will introduce a number of new features. The proposals set out in the PMMP promote a better skilled and resourced management team and a proactive, as opposed to reactive, approach to the management of the semi natural habitats and other features within the Park. These interventions will require some different skills and an enhanced resource to protect the capital investment made by the HLF and ABC and to ensure local people are both engaged and get the maximum benefit from this investment.
9. The community consultation has highlighted concerns relating to safety and security, a lack of on site presence and general standards of cleanliness which can be addressed through management and maintenance.
10. The PMMP details the planned changes to Park stewardship with regard to the staffing, skills and resources of the in house teams and partnership working. The proposed staffing structure and resource to be dedicated to Victoria Park and Watercress Fields is shown on the organigram below.
11. The principal additional staffing post directly related to Park management will be the appointment of a Victoria Park, Park Manager, with responsibility for Victoria Park and Watercress Fields. A horticultural/landscape apprentice will also be appointed. The Victoria Park, Park Manager and Apprentice appointments will be made through Aspire. The Victoria Park, Park Manager will provide a key role in the implementation of the PMMP working to the Aspire GM Manager and the ABC Environment and Land Management Team.
12. As a result of the project, the PMMP identifies the following outcomes:
 - A greatly enhanced on site presence
 - Improved park safety and security for users
 - Increased community engagement in all aspects of park management
 - Progressively better understanding and conservation of the heritage of the Park
 - A move to proactive management of the whole park
 - Improved management and maintenance of the landscape and built heritage of the Park
 - Realisation of the benefits of the Park to the health and well being of all members of the community
 - Enhanced wildlife habitat and informed management of the river corridor

Victoria Park HLF Parks for People - Project staff structure

HLF funded posts in *red*



HLF Parks for People bid for Victoria Park

S106 contributions - summary

	Confirmed S106 for the HLF bid			
S106 Agreement	16/01157/AS	16/00986/AS	16/00981/AS	15/1671/AS
Name	Brewery	Victoria Crescent (South)	Victoria Crescent (North)	Powergen
Dwellings	216	28 flats	31 flats	660 flats
Amount	£150,000	£19,432	£21,514	£270,002
Restrictions	Victoria Park Improvement Project	Victoria Park Improvement Project	Victoria Park Improvement Project	Victoria Park Improvement Project
Likely Date	Early 2020 1 st occupation	Paid	Due Immediately (ABC site)	5 payment triggers 1 st occupation on each block, from Summer 2019

Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

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

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

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

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

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.
7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Case law principles

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

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a

policy, for example, is being developed and agreed but also when it is implemented.

- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Emma Powell
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Endorse the HLF Parks for People bid
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	6 th December 2018
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>To ask for Member's to endorse the HLF Parks for People bid which has been compiled jointly by external consultants with Ashford Borough Council; Support the release of S106 funding and ABC corporate funding (in addition to the £150k already allocated to the delivery stage); Delegate authority for officers to deliver the bid.</p> <p>The delivery of the HLF bid will affect the population borough-wide.</p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>The development stage has involved detailed research, engagement and consultation, to inform the park design, activities, management and staffing.</p> <p>Consultation highlighted key elements and issues with the park which have shaped the park project: The importance of the river / improvements for wildlife; the condition of the toilets (poor); café provision in the park; antisocial behaviour and not feeling safe in the park; more things to do in the park – events and activities; better play areas.</p> <p>The Parks for People bid addresses the above issues and provides a focus on the elements and steps required to improve and maintain the park for the long-term benefit of local people. Key themes include: Conserving existing historical and ecological features and sharing stories about them; improving facilities such as toilets, play areas, lighting, car park and path network; providing a café; improving wildlife and river corridor habitats; creating interpretation and educational resources; developing a long-term management and maintenance strategy; providing on site-staff and an in-house team dedicated to the park project; developing an activity and event programme, in partnership with the community and local organisations.</p>
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? 	Consultation was undertaken with stakeholders and the community during the development stage of the bid.

<ul style="list-style-type: none"> • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>The consultation has resulted in key findings above.</p> <p>The decision will have no impact on people with different protected characteristics.</p> <p>The decision to endorse the HLF bid positively affects people with different protected characteristics</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	MEDIUM	POSITIVE
Middle age	MEDIUM	POSITIVE
Young adult	MEDIUM	POSITIVE
Children	MEDIUM	POSITIVE
<u>DISABILITY</u> Physical	MEDIUM	POSITIVE
Mental	MEDIUM	POSITIVE
Sensory	LOW	POSITIVE
<u>GENDER RE-ASSIGNMENT</u>	NONE	NEUTRAL
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	NONE	NEUTRAL
<u>PREGNANCY/MATERNITY</u>	NONE	NEUTRAL
<u>RACE</u>	NONE	NEUTRAL
<u>RELIGION OR BELIEF</u>	NONE	NEUTRAL
<u>SEX</u> Men	NONE	NEUTRAL

Women	NONE	NEUTRAL
<u>SEXUAL ORIENTATION</u>	NONE	NEUTRAL

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	N/A
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Is the decision relevant to the aims of the equality duty?	
Guidance on the aims can be found in the EHRC's Essential Guide , alongside fuller PSED Technical Guidance .	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	YES
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	YES
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	YES

Conclusion:	
<ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>Due regard has been made to the equality duty, from start to finish of the HLF development stage process.</p> <p>There will be no unlawful discrimination arising from the decision</p> <p>The proposal meets the aims of the equality duty as all sections of the community including those with protected characteristics will benefit from the enhancements to the centre.</p> <p>Monitoring of the policy, procedure or decision and its implementation will be undertaken and reported by the partners.</p>

	<i>The council's revised policy register will assist services to meet this</i>
EIA completion date:	04-11-18