

AGENDA

REGENERATION AND PROPERTY COMMITTEE MEETING

Date: Thursday, 19 January 2023

Time: 7.00 pm

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

Membership:

Councillors Cameron Beart, Monique Bonney (Chair), Lloyd Bowen, Simon Clark, Richard Darby, James Hall, Angela Harrison, James Hunt, Peter Marchington, Paul Stephen, Sarah Stephen (Vice-Chair), Eddie Thomas, Roger Truelove, Tim Valentine and Mike Whiting.

Quorum = 5

Pages

Information about this meeting

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2. Apologies for Absence

3. Declarations of Interest

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

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

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

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

4. Minutes

To approve the [Minutes](#) of the Meeting held on 9 November 2022 (Minute Nos. 428 – 423) as a correct record.

Part B Reports for the Regeneration and Property Committee to decide

- | | | |
|----|--|---------|
| 5. | Forward Decisions Plan | 5 - 6 |
| 6. | Barton's Point Coastal Park - future use and leasing opportunities | 7 - 14 |
| 7. | UK Shared Prosperity Fund and the Rural England Prosperity Fund - Delivery | 15 - 30 |
| 8. | Central Stadium - Options Report | 31 - 38 |
| 9. | Exclusion of the Press and Public | |

To decide whether to pass the resolution set out below in respect of the following item:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3.

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

10. Central Stadium - Options Report - Exempt Appendix 2

To be tabled.

11. Land and buildings at Town Wharf, Conduit Street, Faversham - future ownership 39 - 46

12. Exclusion of the Press and Public

To decide whether to pass the resolution set out below in respect of the following item:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3.

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

13. Land and buildings at Town Wharf, Conduit Street, Faversham - future ownership - Exempt Appendix 2

To be tabled.

Issued on Wednesday, 11 January 2023

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

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Regeneration and Property Committee Forward Decisions Plan

Report title, background information and recommendation(s)	Date of meeting	Open or exempt?	Lead Officer and report author
Barton's Point Coastal Park – future use and leasing opportunities	January 2023	Open	Head of Service: Head of Environment and Leisure Report author: Jay Jenkins
Central Stadium – Options Report	January 2023	Open/ part exempt	Head of Service: Head of Regeneration, Economic Development and Property Report author: David Johnson
Land and buildings at Town Wharf, Conduit Street, Faversham – future ownership	January 2023	Open/ part exempt	Head of Service: Head of Regeneration, Economic Development and Property Report author: David Johnson
UK Shared Prosperity Fund and the Rural England Prosperity Fund - Delivery	January 2023	Open	Head of Service: Head of Regeneration, Economic Development and Property Report author: Kieren Mansfield

Update on Swale House refurbishment	TBC 2023		Head of Service: Head of Regeneration, Economic Development and Property Report author: TBC
Levelling-up fund	TBC 2023		Head of Service: Head of Regeneration, Economic Development and Property Report author: Joanne Johnson

Regeneration and Property Committee	
Meeting Date	19th January 2023
Report Title	Barton's Point Coastal Park – future use and leasing opportunities
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson Head of Regeneration, Economic Development and Property
Lead Officer	David Johnson MRICS Interim Property Services Manager
Classification	OPEN
Recommendations	<ol style="list-style-type: none"> 1. To agree in principle the leasehold disposal of the site to a user or occupier who can invest in and improve the leisure facilities at the site. 2. That any lease will be granted on the basis that continued use and access of the open spaces by the public will be maintained. 3. That authority is delegated to the Head of Regeneration, Economic Development and Property to complete the necessary legal formalities, negotiate, and agree leasehold contracts as applicable and undertake any additional work required to achieve a leasehold disposal.

1 Purpose of Report and Executive Summary

- 1.1 It is government policy that local authorities should dispose of surplus and under-used land and property wherever possible. This report recommends the leasehold disposal of parts of the Council owned land (as shown on the attached plan, Appendix I).
- 1.2 The land forms part of Barton's Point Coastal park and has previously been used as a café and boat house granted under a concession, pitch and putt golf course and a periodic camping area.
- 1.3 It has been clear for some time that the site has further potential as a tourist and local resident destination with an all year round offering, and the end of the existing concession contract has enabled us to test the market and to gain an understanding of what may be possible at the location. Significant capital investment is required on the site to improve the leisure offer and take-up and to maintain the buildings and services in the short and medium term which cannot be funded from Council resource.
- 1.4 The Council owned land is surplus to its requirements and a leasehold disposal of the asset for a beneficial use would reduce the Council's liabilities for the

asset while benefiting from both capital investment, improved facilities for residents and visitors alike and increased revenue.

2 Background

- 2.1 Barton's Point Coastal Park comprises a site of approximately 31 hectares and currently consists of the Boat House Café, toilets, car parking, lake, play area, picnic area, camping area, former pitch and putt course, events field, model flying field (leased to model aircraft community group), miniature gauge railway (leased to model engineering community group) and large areas of open space.
- 2.2 The site is situated on the edge of Sheerness, alongside Queenborough Lines which is the Napoleonic defence of Sheerness and a scheduled ancient monument. This area of coastline is popular for water sports and has launching facilities.
- 2.3 The Council sought Expressions of Interest (EOI) in May 2022 to manage the various elements of the site including the Boathouse, Toilet and Shower Block, Boating Lake, Former Pitch and Putt Course, seasonal Camping Ground and Car Park to combine to make an overall leisure offer.
- 2.4 The current concession agreement has been in place since 2012 and was due to expire in June 2022. We have extended the current contract through to the end of December 2022 to facilitate the EOI process.
- 2.5 The EOI requested interested parties to provide their business plan, proposals, and vision for the facility. The Business Plan needed to demonstrate that the proposal was viable and sustainable for the proposed duration of the legal agreement.
- 2.6 The Business Plans were requested to include the following:
 - Proposed use of the building (Boathouse) including type of food and beverage to be offered
 - Desired length of contract
 - Proposed investment
 - Indicative rental payments proposed to Swale Borough Council
 - Proposed opening dates and times
 - Details of the water sports offering
 - If intention to provide camping/accommodation, then operation management plan
 - Proposed usage of the pitch and putt area
 - Details of any other events or innovative activities proposed to increase visitor numbers or use of the wider park space
 - Marketing proposals
 - Financial projections demonstrating a strong viability, showing profit and loss forecasts and any surplus in addition to a cash-flow for at least 3 years,
 - Details of how any repairs and improvements will be funded (e.g., grant funding, personal savings, temporary rent concession, etc).
 - Evidence of previous experience/operations of a similar nature.

- 2.7 The EOI process generated considerable interest with a wide range of applicants with varying proposals and quality. In the process of reviewing the EOI response and considering advice from officers in Property and Legal, officers concluded that a lease of the site, rather than a concession, would provide for greater flexibility in negotiating capital investment from interest parties, while reducing the Council's risk and cost for managing the site moving forward.
- 2.8 Under the current concession agreement, the Council is responsible for maintenance of the buildings, site and services and any future concession would be on that same basis. Therefore a lease agreement on full insuring and repairing terms is considered preferable in order to remove future repairing liabilities from the Council.
- 2.9. A further consideration is that a concession agreement also implies that the Council is seeking an operator to undertake a service the Council itself would provide and may have future service delivery and TUPE implications and obligations. Finally, if the concession option were pursued, there are procurement implications. A concession agreement would ultimately mean Swale Borough Council has to follow a full procurement process unlike that of a lease. Our internal contract standing orders require tenders to be undertaken above £120,000 including VAT. Therefore, the current EOI would not be compliant if sums exceeded that.
- 2.10 Officers have shortlisted the applications and are now ready to enter into commercial negotiations.
- 2.11 There is substantial public use of the open space at Barton's Point, and it would be a requirement of any leasehold transaction that this use could be continued and supported through continued public use of the facilities on site.
- 2.12 The two areas of the site currently leased to the Model Railway and Model Aircraft Groups would be unaffected by any potential disposal and the Sea Cadets, who own and occupy a building to the northeast of the site, would be able to continue their use of the vast majority of the lake.
- 2.13 The Council is making its own investment in the site as well. The Regeneration and Property Committee approved the award of contract at its 9th November 2022 meeting, to replace the existing toilet block with a new modular toilet and shower block suitable for extended use of the site by this proposal. This represents an investment of £148,108.
- 2.14 Furthermore, the Council was recently successful in attracting £85,000 from the Government's Levelling Up Parks fund. Funding will be used to improve the entrance to the car park, better signage for walking routes, increased heritage interpretation boards to tell the story of the site, tree planting and measures to reduce erosion of the lake banks.
- 2.15. As part of any disposal process the Council would be required to comply with Section 123a of the Local Government Act and undertake a public consultation of the leasehold disposal of Open Space.

3 Proposals

- 3.1 To agree in principle the leasehold disposal of the site to a user or occupier who can invest in and improve the leisure facilities at the site.
- 3.2 That any lease will be granted on the basis that continued use and access of the open spaces by the public will be maintained.
- 3.3 That authority is delegated to the Head of Regeneration, Economic Development and Property to complete the necessary legal formalities, negotiate, and agree leasehold contracts as applicable and undertake any additional work required to achieve a leasehold disposal.

4. Alternative Options Considered and Rejected

- 4.1 Option 1. Do nothing and retain the assets.

The Council would need to commit capital to maintain the integrity and use of the buildings on the site and continue to maintain services at its own cost. This option is considered to be financially unviable for the Council and will not improve the leisure offer or use of the site beyond its current use levels.

Option 2: Redevelop the site for alternative uses

Redevelopment of site the poses substantial risk and cost due to the heritage status of the canal and is considered financially unviable for the Council to undertake. Moreover, alternative uses are restricted by the nature of the site.

5 Consultation Undertaken or Proposed

- 5.1 None undertaken at the current time, however the lease arrangement is considered a disposal, and as such will require a public consultation under section 123a of the Local Government Act regarding the disposal of public open space. Ward Councillors and Parish Councils will be expected to play a key role in the consultation process.

6 Implications

Issue	Implications
Corporate Plan	<p>The proposal supports renewing local democracy and making the Council fit for the future by disposing of surplus land and achieving, a revenue receipt, reducing ongoing liabilities and improving an asset for the use of local residents.</p> <p>It also contributes to the other priorities with objectives including 'Implement the visitor economy framework to increase investment, address new visitor demands and grow the value of the sector to the Swale economy' and 'Promote wellbeing and enjoyment of life by signposting and encouraging a wide range of sporting, cultural</p>

	and other leisure activities appropriate and accessible to each age group’.
Financial, Resource and Property	The proposal looks to reduce the Council's future maintenance liabilities and produce an increased revenue receipt by way of an annual leasehold income.
Legal, Statutory and Procurement	Legal will be required to draft a new lease agreement in consultation with Property and Greenspaces. Any proposed disposal will be for the best consideration reasonably obtainable in accordance with section 123 of the Local Government Act 1972. A disposal will also be subject to the consultation process for the disposal of Open Space under section 123a of the Local Government Act 1972.
Crime and Disorder	Getting a higher footfall to the area will help to oversee the site with consequent benefits for crime and disorder.
Environment and Climate/Ecological Emergency	The successful organisation will need to demonstrate a commitment to eliminating single use plastic by 2025 and ensure activities are not to the detriment of the biodiversity of the site.
Health and Wellbeing	Intensified leisure usage facilitated by new lease arrangements will enhance the wellbeing of new and existing site users and raise the health and wellbeing benefits of the area as a whole.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The Council currently has no ringfenced capital funds set aside, and limited general building reserves to be able to maintain or replace the buildings and services on the site in the long term.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

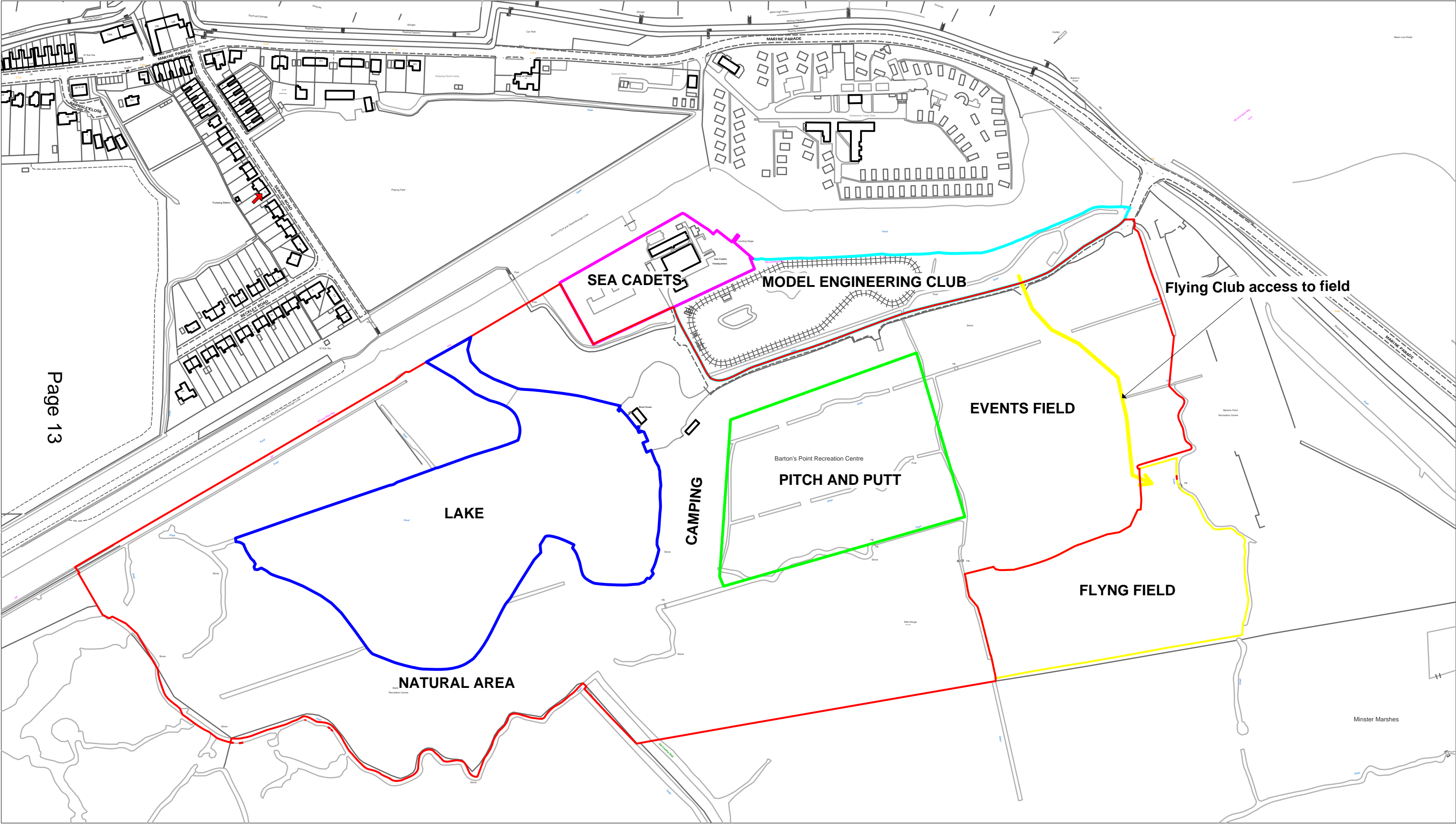
7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Barton’s Point Plan

8 Background Papers

None

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LAKE

SEA CADETS

MODEL ENGINEERING CLUB

Flying Club access to field

EVENTS FIELD

PITCH AND PUTT

CAMPING

FLYNG FIELD

NATURAL AREA

Minster Marshes

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Regeneration and Property Committee	
Meeting Date	19 th January 2023
Report Title	UK Shared Prosperity Fund and the Rural England Prosperity Fund - Delivery
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Regeneration, Economic Development and Property
Lead Officer	Kieren Mansfield, Economic Development and External Funding Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To agree the outline scheme of delivery for projects in the UKSPF Local Investment Plan and REPF Addendum, as set out at Appendix 1. 2. To agree that the operation of grants to third parties is based on the principles set out at paragraph 3.3 3. To agree that grants to third parties be approved by the Head of Regeneration, Economic Development and Property. 4. To agree that the Head of Regeneration, Economic Development and Property is delegated authority to submit change requests to government regarding the local UKSPF and REPF programme. 5. To agree to the formation and political membership of a Member Working Group to support the Head of Regeneration, Economic Development and Property in considering the detailed local eligibility for grants schemes; material changes to the programme and the 6-monthly substantive monitoring of the programme, required by government.

1 Purpose of Report and Executive Summary

- 1.1 This report sets out proposals for the management of the UK Shared Prosperity Fund (UKSPF) and the Rural England Prosperity Fund (REPF). The proposals are based on the content of an Investment Plan that was required to be submitted for the main UKSPF in August 2022, with an addendum for the REPF submitted in November 2022.

- 1.2 The proposals may need to be amended or updated subject to the receipt of any further guidance or requirements from central government.

2 Background

- 2.1 The UK Shared Prosperity Fund (UKSPF) is a £2.6bn government fund covering financial years 2022/23 to 2024/25 and is the replacement for European Structural and Investment Funds. On 3rd September, government also unexpectedly launched the £110 million Rural England Prosperity Fund (REPF), which has been promoted as rural top-up to UKSPF allocations. Swale received funding allocations from both funds of £1,169,496 and £502,995 respectively.
- 2.2 To access the UKSPF allocation, the Council was required to submit a Local Investment Plan in August 2022. This outlined the use of the funding and targeted outputs and outcomes and was informed by a Local Partnership Group and a Member Working Group. Since submission, an addendum to the Local Investment Plan for the REPF was submitted on 30th November. After positive feedback and clarifications in late December 2022, final approval of the UKSPF Local Investment Plan is anticipated in early 2023. The feedback on the REPF addendum is expected in January 2023.
- 2.3 The allocation of funding from the main UKSPF funding and the REPF top-up across each of the financial years is shown in the table below. At the time of writing this remains subject to confirmation. Money not spent in any financial year will need to be returned, although it has been indicated that some flexibility may be provided between the current and 2023/24 financial year, given government delays in approving UKSPF Local Investment Plans.

Financial Year	UKSPF Funding available	UKSPF Max Revenue	UKSPF Min Capital	REPF funding Capital
22/23	£141,929	£127,736	£14,193	£0
23/24	£283,858	£246,957	£36,901	£125,750
24/25	£743,709	£594,968	£148,741	£377,245
Total Funding allocated	£1,169,496			£502,995

- 2.4 A summary of the UKSPF projects and REPF programme areas which a Member Working Group agreed should be supported can be found at Appendix 1, alongside the indicative budget, outputs and outcomes for each, as submitted. This will be subject to any amendment to interventions required by government and potentially the timing of spend, given the delay in feedback on the UKSPF. The town centre radio scheme project has already commenced, as guidance indicates that identified projects with spend in 2022/23 can be backdated to April 2022.
- 2.5 Appendix 1 also sets out the intended approach to delivery for each part of the programme, as currently understood, and includes a mix of direct commissioning and grant awards. How this will be managed will, in part, be subject to guidance

and instruction received from government in relation to monitoring, reporting and performance, assurance and risk and subsidy control. There are also requirements around branding, publicity and equalities.

3 Proposals

Commissioning projects

- 3.1 The approach to commissioning will be guided by the Council's Contract Standing Orders, with all projects currently expected to fall beneath the £100,000 threshold that will require formal committee approval. However, a number of projects identified for 2023/24 and 2024/25 require further development. Proposed Committee and Member involvement is set out in Appendix 1.
- 3.2 The framework for delivering against the People and Skills allocation of £250,000, will be developed during 2023/24 alongside East Kent College as a lead partner. Final proposals will be subject to Committee approval.

Grant programmes

- 3.3 Appendix 1 shows both the UKSPF and the REPF will fund grant programmes. The detailed local eligibility for these grants has yet to be developed and will be subject to guidance from government. However, it is recommended that operation of the grants is based on the following principles:
- The grant programmes will be operated in tranches, for fixed periods of time and subject to open competition, with a maximum grant set.
 - Where the value of applications received exceeds the funding available, a funding round may be suspended whilst applications are considered.
 - Spend will be required within the financial year in which the grant is awarded.
 - Individual project proposals will be assessed for grant funding by Council officers against the following parameters:
 - The impact in relation to the Council's strategy framework and priorities (strategic fit)
 - The impact in relation to the prescribed outputs and outcomes adopted as measures for the Local Investment Plan and addendum. Applicants should also detail how this information will be collected and provided and what additional benefits a project will deliver, if any.
 - Deliverability – clear demonstration that the proposals can be delivered within the necessary time frame and the availability of any match funding required.
 - Value for Money, in terms of grant value sought against outputs/outcomes, other funding levered into the project and clear demonstration that the procurement of goods and services will meet the minimum requirements set by government.

- Grant applications will require applicants to detail the need for the grant, including a clear rationale as to why other funding would not be available for that part of the project for which a grant is being sought.
- 3.4 It is recommended that grants awarded to third parties be approved by the Head of Regeneration, Economic Development and Property, within existing delegations, taking account of the recommendations of the lead responsible officer.

Performance Management and Change Process

- 3.5 The Council will be required to report quarterly on progress, with more detailed monitoring reports on spend, outputs and outcomes to government every six months.
- 3.6 It is acknowledged that changes to the UKSPF and REPF programme may be required, over time. The guidance provides the parameters within which this can be self-managed by Swale Borough Council and the thresholds that constitute a material change, for which approval is required from government, as follows:
- A request for administration costs to exceed 4% in a lead local authority's investment plan
 - Moving funding between investment priorities if the change involves moving 30% or more of the total funding allocation over the three years OR to a new bespoke intervention
 - If the total outputs set out in the Investment Plan are forecast to drop by 30% or more against an investment intervention.
- 3.7 It is recommended that the Head of Regeneration, Economic Development and Property is delegated authority to submit change requests to government regarding the local UKSPF and REPF programme. Material changes (as defined above) will also require the agreement of the Section 151 Officer, and current guidance implies a requirement on the lead authority to consult with the Local Partnership Group also.
- 3.8 It is recommended that a Member Working Group for the UK Shared Prosperity Fund is formed, comprised of one representative from each group and chaired by the Chair of the Regeneration and Property Committee.
- 3.9 The Member Working Group would support the Head of Regeneration, Economic Development and Property in considering
- The detailed local eligibility for grants schemes
 - Material changes to the programme, as defined by government, with the addition of the removal or substantial reduction in the scale of a project by more than 50% within the programme.
 - The six-monthly substantive monitoring of the programme, to be made to government.
- 3.10 A draft terms of reference for the recommended UKSPF Member Working Group can be found at Appendix 2.

4. Alternative Options

- 4.1 Make all or set a revised threshold at which the operation of and/or changes to the programme are subject to approval by the Regeneration and Property Committee. This is not recommended. The proposals currently fall within the existing delegations to officers within the constitution and will allow for as timely management of the programme as possible. The programme as submitted was agreed with the Member Working Group and the proposals seek to involve Members in monitoring and change management.
- 4.2 Do not involve members in the management of the programme. This is not recommended as member input through the recommended working group will provide a clear political steer, particularly in respect of material changes to the programme and the use of the funding allocated.

5 Consultation Undertaken or Proposed

- 5.1 The UKSPF Local Investment Plan was agreed with the Member Working Group, with input from the Local Partnership Group formed. The REPF programme was also subject to a wider stakeholder and business consultation. There will be further consultation in respect of delivering elements of the programme, with stakeholder input indicated against projects in Appendix 1. Throughout delivery feedback from beneficiaries will also be sought, to inform future delivery.

6 Implications

Issue	Implications
Corporate Plan	The UKSPF and REPF programme sought to take a lead from the Council's adopted strategy framework, of which the Corporate Plan is the parent document. The projects identified cut across a number of priorities within the Corporate Plan.
Financial, Resource and Property	The UKSPF does not require any match funding, but implementation of this and REPF will require significant officer time across a number of service areas. With only a limited provision made for this in the funding, this will need to be managed within the existing staff resource. This may mean that significant consultancy support may be required in direct delivery of capital projects in particular. It is envisaged that the resourcing of this would have to come through UKSPF allocation, although the precise rules around the use of funding are not yet available. Once the UKSPF allocation is secured, payments will be made annually in advance, after which UKSPF projects would need to be monitored for any potential overrun on spend and managed within the confines of the agreed funding allocation for the relevant financial year.

	<p>Clear guidance about the payment schedule and whether funds can be used across financial years for REPF has not been published, but at present is assumed to be in line with the UKSPF.</p>
<p>Legal, Statutory and Procurement</p>	<p>All activity identified within the Local Investment Plan is non-statutory.</p> <p>It will be necessary to undertake significant procurements to deliver the Local Investment Plan. Direct commissions by Swale Borough Council will need to comply with Contract Standing Orders and are anticipated to be of a value that falls within officer delegations.</p> <p>Those projects undertaken by third parties, will need to follow the guidance provided and secure at least three quotes for goods and services funded by grant valued between £2,500 and £24,999, with tenders required for good or services of £25,000 or more. There will be encouragement to look to local supply chains, to secure additional benefit within the local community.</p> <p>Compliance with subsidy control will be required and where required legal advice will be sought. Grant programmes will need to ensure recipients declare their position in respect of receipt of other public funds, subsidy control, and other relevant regulatory considerations. Claw back provisions will be made in grant agreements with third parties.</p>
<p>Crime and Disorder</p>	<p>As part of the programme, the shop radio scheme is specifically designed to address concerns in the three principal town centres and at Leysdown.</p>
<p>Environment and Climate/Ecological Emergency</p>	<p>The UKSPF prospectus indicates that overall investment should demonstrate contribution to net zero and nature recovery objectives. Specific interventions within the UKSPF Local Investment Plan and REPF addendum support active travel and directly invest in carbon reduction measures in community amenities.</p>
<p>Health and Wellbeing</p>	<p>None identified at this stage</p>
<p>Safeguarding of Children, Young People and Vulnerable Adults</p>	<p>None identified at this stage</p>
<p>Risk Management and Health and Safety</p>	<p>The primary risks are associated with the final approval of the UKSPF Local Investment Plan and REPF addendum, securing the funding and the subsequent management of budgets, outputs and outcomes within and between financial years.</p> <p>The Council will be required to report quarterly on progress, with more detailed monitoring reports on spend, outputs and outcomes to government every six months. Monitoring and project</p>

	<p>management will identify the need to accelerate or make changes within the programme of activity.</p> <p>Compliance with subsidy control and any procurement and other rules set around the funding will also be necessary and is subject to further guidance and the final grant agreements for the overarching programme.</p> <p>Grant funding to third parties will have agreements that specify the rules that will need to be adhered to and the expectations in terms of outputs, outcomes, data collection and reporting. Grant agreements will be sealed to ensure that money is recoverable.</p>
Equality and Diversity	The submitted Investment Plan was required to address how the public sector equality duty had been considered. Individual interventions may need to undergo an Equalities Impact Assessment and this will be considered in advance of delivery.
Privacy and Data Protection	None identified at this stage, although the Local Investment Plan and individual interventions with individuals as beneficiaries will need to be considered in light of this.

7 Appendices

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

- **Appendix 1** – UK Shared Prosperity Fund and Rural England Prosperity Fund proposals and proposed delivery arrangements.
- **Appendix 2** – Draft Terms of Reference for the UKSPF Member Working Group

8 Background Papers

- UK Shared Prosperity Fund Prospectus [UK Shared Prosperity Fund: prospectus - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/UK_Shared_Prosperty_Fund_prospectus.pdf)
- Rural England Prosperity Fund Prospectus [Rural England Prosperity Fund: prospectus - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114445/Rural_England_Prosperty_Fund_prospectus.pdf)
- Report to Regeneration and Property Committee, UK Shared Prosperity Fund, July 2022
- Report to Regeneration and Property Committee, Rural England Prosperity Fund, September 2022
- Swale UKSPF Local Investment Plan and the REPF addendum as submitted, available on request from kierenmansfield@swale.gov.uk.

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Appendix 1 UKSPF and REPF proposals and proposed delivery arrangements

UKSPF Project	Funding allocated			Description	Proposed delivery	Intervention, outputs and outcomes
	2022/23	2023/24	2024/25			
Contribution to Administration	£5,677.16	£11,354.32	£29,748.36	4% contribution to administration costs as set by Government	Use to partially offset existing staff costs	Distributed across specific project areas
Community & Place						
Town Centre Radio scheme	£49,000			Linking town businesses with CCTV in Sheerness, Faversham, Sittingbourne and Leysdown. £39k Capital set-up costs and £10k contribution to year 1 operational costs	Direct Commission. Purchase of equipment now completed and project operating	E5: Built & landscaped environment to 'design out crime' 4 neighbourhood improvements undertaken 5% improved perception of safety 5% reduction in neighbourhood crime
Town Centre Action Plans				Revenue grants to support the development of action plans and activities to enliven and support town centres	Funding to support the development of Town based action plans alongside a grant scheme to be operated through Swale Borough Council. Open competition for grants of up to £5,000, for community focused projects which promote the increased use of and footfall within the town centres, to be assessed within criteria set. Grant Parameters to be reviewed annually, with recommended Member Working Group.	Spend against actions plans assumed to be split evenly 3 ways as follows: E4: Enhancing existing cultural, historic & heritage institutions offer 6 organisations receiving grants 4 facilities supported/created 10% increase visitor numbers E6: Local arts, cultural, heritage & creative activities 16 local events or activities supported 10% Improved engagement numbers 6 community-led arts, cultural, heritage and creative programmes E8: Campaigns to encourage visits and exploring of local area Contribute to 7,000 people reached Contribute to 10% increased footfall Contribute to 10% increased visitor numbers
Faversham	£10,500	£18,000	£25,960			
Sittingbourne & Milton Regis	£13,600	£32,000	£40,000			
Sheerness & Queenborough	£11,900	£28,000	£35,000			

Faversham Town Centre Capital project			£50,000	APNR system to support pedestrianisation or additional wayfinding investment project	Use of capital funding to be finalised by Committee decision(s) during 2023/24. Project to be developed in consultation with local stakeholders for implementation by direct commission. Potential input from the Transport Policy Working Group.	E1: Improvements to town centres & high streets (Wayfinding – assumed in submission) Contribution to 20m2 of public realm created or improved 5% increased footfall 10% Improved perceived/experienced accessibility OR E5: Built & landscaped environment to 'design out crime'(APNR)
Sittingbourne Town Centre Capital project			£60,000	Greening of the High Street or additional wayfinding project, linking with heritage and leisure at Creek and Milton Regis	Use of capital funding to be finalised by Committee decision(s) during 2023/24. Project to be developed for implementation by direct commission. Potential input through the Transport Policy Working Group.	E1: Improvements to town centres & high streets Contribution to 20m2 of public realm created or improved 5% increased footfall 10% Improved perceived/experienced accessibility
Sheppey Town Centre Capital project			£20,000	Wayfinding investment in Sheerness and Queenborough	Project to be developed in conjunction with local stakeholders for implementation by direct commission. Potential input from Members through the Transport Policy Working Group.	E1: Improvements to town centres & high streets Contribution to 20m2 of public realm created or improved 5% increased footfall 10% Improved perceived/experienced accessibility
Sheerness Levelling up Fund support			£85,000	Capital funding support for the Sheerness Revival scheme	Subject to success of Sheerness Revival bid to the Levelling up Fund. Contribution to capital costs focused on links to town centre, through direct commission, which may be subject to further Committee/Council decisions.	E3: Creation of and improvements to local green spaces 30m2 of public realm created or improved 10% increase visitor numbers
Montgomery masts capital fund		£20,000		Securing masts and developing and implementing a public display.	Subject to securing masts via HMG. Implementation would be subject to further consultation and Committee decision(s).	E3: Creation of and improvements to local green spaces 20m2 of public realm created or improved 10% increase visitor numbers

Digital and decarbonisation grants for community facilities	£15,000	£34,503.68	£60,000	Small capital grants scheme to support community facilities with Carbon reduction measures and digital connectivity. Supported by an advisory service.	Commission advisory services. Grant scheme subject to open competition for grants of up to £7,000, up to 75% of costs, assessed within criteria set. Grant Parameters to be reviewed annually, with recommended Member Working Group.	E11: Capacity building & infrastructure support local groups 25 organisations receiving grants 30 organisations receiving non-financial support 25 new or improved community facilities as a result of support
Capacity building the CVS in Swale	£5,000	£50,000	£75,000	Working with local civil society organisations to improve capacity and efficiency through improved collaboration.	Commission through Swale BC, supported by working group of leading organisations.	E11: Capacity building & infrastructure support local groups 40 people attending training sessions 10% Improved engagement numbers
TS Hazard feasibility work	£5,751.84			Study to explore feasibility of community operation of building	Project to be developed in conjunction with local stakeholders for implementation by direct commission.	E14: Support relevant feasibility studies 1 feasibility study supported 1 project arising from funded feasibility studies
Support for Business						
Step-up' Digital support for business	£8,000	£5,000	£8,000	Programme of training for local businesses (and visitor economy businesses in particular) to develop digital skills to support marketing and e-commerce	Direct commission through Swale BC	E17: Development & promotion of visitor economy 80 businesses receiving non-financial support 10 jobs created 10 jobs safeguarded 10% increase in visitor numbers E30: Business support measures to drive employment growth 20 businesses receiving non-financial support 10 jobs created 25% increase in number of businesses supported
Community business support	£2,500	£5,000		Pilot to introduce specialist support for the development of community run businesses	Direct commission through Swale BC	E26: Growing the local social economy 20 people attending training sessions 1 new business created

Market feasibility work		£15,000		Feasibility work to look at the markets in the Borough and how they can be developed for the future	Direct commission through Swale BC	E31: Support relevant feasibility studies 4 feasibility studies supported 4 projects arising from funded feasibility studies
Visit Swale Photo/video	£15,000	£25,000	£5,000	Revenue investment in marketing collateral to support the visitor economy	Direct commission through Swale BC	E17: Development & promotion of visitor economy Contribute to 7,000 people reached 10% increase in visitor numbers E8: Campaigns to encourage visits and exploring of local area Contribute to 7,000 people reached Contribute to 10% increased footfall Contribute to 10% increased visitor numbers
Sheppey strategic brown signage scheme		£40,000		Contribution to the implementation of strategic brown signage to the Isle of Sheppey from the M2 motorway.	Subject to necessary approvals from National Highways and securing further resources through fund raising. Implementation to be confirmed through discussion with National Highways and Kent County Council.	E17: Development & promotion of visitor economy Contribute to 7,000 people reached 10% increase in visitor numbers
People & Skills						
			£250,000	Programme providing employment and skills support, digital inclusion and engaging local employers in upskilling existing staff.	East Kent College Group will be a lead partner, working with other local stakeholders and Jobcentre Plus. The programme detail and partnership development will be undertaken through 2023/24 for start in 2024/25. Member input and approval of programme through the Property and Regeneration Committee.	E33: Employment support for economically inactive people 170 people supported to access basic skills 50 people receiving support to gain employment 30 people in employment, including self-employment, following support 150 people with basic skills (English, maths, digital and ESOL)

						<p>E36: Increase levels of digital inclusion, essential digital skills 30 people supported to access basic skills (numerical value) 30 people gaining a qualification or completing a course following support</p> <p>E37: Tailored support for the employed to access courses 88 people supported to participate in education 88 people gaining qualifications, licences and skills</p>
REPF Project	Funding allocated			Description	Proposed delivery	
	2022/23	2023/24	2024/25			
Community & Place Page 27		£62,875	£230,000	Grants to support community infrastructure that will prioritise capital investments that support:- 1. the provision of infrastructure that supports improving digital access in rural areas 2. improvements that will increase the use of community buildings and which improve the environmental and financial sustainability of community amenities through carbon reduction measures. 3. active travel enhancements	Grants subject to open competition for up to 75%, to maximum of £7,000, to be assessed within criteria set. Grant Parameters to be reviewed annually, with recommended Member Working Group. Grant funding open to legally constituted organisations seeking to expand infrastructure and amenities within the eligible area. Some elements of active travel enhancements may be directly commissioned through Swale Borough Council where an investment is considered sufficiently important and/or links with an existing work programme.	

Support for Business

£62,875

£147,245

Grants to support micro and small businesses to invest in capital projects and grants for the development and promotion of the visitor economy. The distribution of money will be demand led, based on the nature, quality and benefits of projects that come forward. Priority will be given to grants that

1. support infrastructure that supports a wider set of businesses and increase employment and
2. improve the environmental and financial sustainability of the business through carbon reduction measures.

Grants subject to open competition for up to 50% to maximum of £7,000, to be assessed within criteria set. Grant Parameters to be reviewed annually, with recommended Member Working Group.

Appendix 2

<p>TERMS OF REFERENCE:</p>	<p>UK Shared Prosperity Fund (UKSPF) and REPF– Member Working Group</p>
<p>CHAIRPERSON</p>	<p>Chair – Chair of the Regeneration and Property Committee</p>
<p>MEMBERSHIP:</p>	<p>One representative from each political group. Substitutes can be nominated as required</p>
<p>PURPOSE AND OPERATION OF THE WORKING GROUP</p>	<p>The Member Working Group will meet and/or review papers to consider and advise the Head of Regeneration, Economic Development and Property regarding:</p> <ol style="list-style-type: none"> 1. The detailed, local eligibility criteria for grants schemes 2. Material changes to the programme, defined as follows <ul style="list-style-type: none"> • Moving funding between investment priorities if the change involves moving 30% or more of the total funding allocation over the three years OR to a new bespoke intervention • If the total outputs set out in the investment plan are forecast to drop by 30% or more against an investment intervention. • Removing or substantially reducing the scale of a project by more than 50% within the programme and redeploying the funding within the programme 3. The six-monthly substantive monitoring of the programme, to be made to Government <p>The Member Working Group will be asked to review the proposed course of action as required, either via email correspondence or a meeting.</p> <p>A programme review and update meeting will take place on a six-monthly basis, in line with the ‘substantive’ reporting timetable, yet to be provided by Government. The review meeting will take place in advance of the submission of the substantive six monthly monitoring report to Government.</p>
<p>CONDUCT OF MEETING:</p>	<ol style="list-style-type: none"> 1. Papers will be circulated at least 3 days prior to a decision deadline and/or meeting wherever possible. 2. Notes of any meetings will be circulated within 2 weeks of the meeting. 3. Officers or Members named for actions in the notes will update the group on progress against these tasks. 4. Should any Member of the working group have a pecuniary or non-pecuniary interest in a project to be considered, this will be declared and they will not participate in this part of the discussion. 5. Where decisions and/or recommendations are to be made, the group will seek to achieve this by consensus or by a

Appendix 2

	<p>clear majority view. Where no clear majority view is reached the mix of views, alongside those of the Local Partnership Group, will be considered by the Head of Regeneration, Economic Development and Property and the Chair, and a course of action determined.</p>
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DRAFT

Regeneration and Property Committee	
Meeting Date	19 th January 2023
Report Title	Central Stadium – Options Report
SMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson Head of Regeneration, Economic Development and Property
Lead Officer	David Johnson MRICS Interim Property Consultant
Classification	OPEN
Recommendations	<ol style="list-style-type: none"> 1. To approve in principle the retention of the property for potential future use by the Council. 2. To approve further work to be undertaken by the Head of Regeneration, Economic Development and Property to explore possible recreation use of the site and rationalisation of recreation assets. 3. To approve further work to be undertaken by the Head of Regeneration, Economic Development and Property to explore the possibility of a future depot use of part of the retained site with a view to reducing the future cost of the Council’s Household Waste Contract. 4. To delegate to the Head of Regeneration, Economic Development and Property, in consultation with the Chair of the Regeneration and Property Committee, to openly market, negotiate, agree and complete further leases on the property to maintain income and occupancy while the longer-term options set out in recommendations (2) and (3) are explored. 5. To delegate to the Head of Regeneration, Economic Development and Property to identify costs and seek approval to undertake works required to achieve a usable access from the site onto Church Lane.

1. Executive Summary

- 1.1 This report sets out proposals for the disposal of a property asset. It is government policy that local authorities should dispose of surplus and under-used land and property wherever possible.
- 1.2 The Council has fairly wide discretion to dispose of its assets (such as land or buildings) in any manner it wishes. When disposing of assets, the Council is

subject to statutory provisions, in particular, to the overriding duty, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal. This duty is subject to certain exceptions that are set out in the General Disposal Consent (England) 2003.

- 1.3 The way the Council manages its land and property assets can have a significant impact both on the quality of services delivered to the public, the local environment and local economic development. Effective asset management is essential in bringing 'agility' to land and property assets so that the delivery of the Council's visions and objectives are realised in a sustainable manner, at the right time and on budget.
- 1.4 The review of an asset considers the business case for alternate beneficial uses and the value of those uses. It also considers the disposal of the asset if it is no longer of any use to Council and is unlikely to be in the future. The disposal of an asset considers the value of its beneficial use and the opportunity cost of the capital tied up in the asset.

2. Background

- 2.1 The Council owns the freehold title for Central Park Stadium, Church Road, Sittingbourne, ME10 3SB title number K753157. The land is subject to a leasehold interest of Arena Racing (Central Park) Limited (ARC) which expired August 13th 2022.
- 2.2 The Lease held by Arena Racing (Central Park) Limited (ARC) benefits from contractual rights to renew granted under the Landlord and Tenant Act and lease renewal has been agreed subject to those rights, on the part on the land shown edged red on the attached plan Appendix 1, to run for 25 years from August 14th 2022.
- 2.3 As part of those lease negotiations a portion of the site was excluded from a new lease to ARC and returned to Swale Borough Council. This parcel of land is identified hatched blue on the attached plan Appendix 1.
- 2.4 The parcel of land being returned to the Council is subject to three tenancies. These leases are all relatively short term, being one year in length, with break options in the Council's favour and provide comparatively small rental returns while retaining flexibility for the Council.
- 2.5 The site is situated on the northern side of Central Park Stadium and is currently accessed through the Central Park Stadium's demised car parking area, accessed off Church Road. As a result, a more intensive commercial use to the current or similar occupiers is currently considered to be difficult due to restrictive access and therefore improved access is critical to enabling any intensification or development of the site.
- 2.6 To mitigate the restrictive access a portion of the car parking area previously let to ARC has been retained by the Council. Further works need to be undertaken with Highways and Planning to explore the possibility of creating a substantial accessway which would allow the use of the site for a substantial commercial use.

- 2.7 Regardless of any possible intensification of use additional work and capital spend to explore a new accessway will be required as the current agreement to utilise the main entrance through the Stadium's demised area is time limited to 12 months.
- 2.8 The site is bordered on the north side by Castle Road and Swale Way Industrial areas and is considered to be within an employment area given the extensive employment uses surrounding the site, the wider area being known as the popular Eurolink Estate. Given the Council's need to identify additional land to meet future development needs, a preference for any redevelopment proposals could be for employment and/ or leisure, recreation and tourism uses for the site. These uses would best reflect the character and uses of the surrounding areas. However, any proposals for redevelopment would be assessed against their own merits and the general Local Plan policies as the site is not designated or allocated in the current local plan for any specific uses.
- 2.9 There had been interest in a purchase of the site from a local commercial occupier on Castle Road directly to the north of the Council's property for commercial use. This interest has however been withdrawn due to changes in the economic climate and acquisition of the site no longer aligns with the company's growth strategy. It is likely that the complexities around obtaining direct access across the ransom strip also influenced this decision.
- 2.10 The Council's freehold title is subject to various restrictive covenants which would need to be resolved to maximise any capital receipt should the Council seek to dispose of the freehold title
- 2.11 The use of the larger portion of the retained site by Bredhurst Juniors FC needs to be considered in relation to the Council's Playing Pitch Strategy 2015-2022 which promotes the protection of the current football playing pitch stock. Any alternate use or disposal will likely result in the Football Club's displacement.
- 2.12 Enquiries about the potential to purchase the property for use as sports/football pitches have been received from both Bredhurst Juniors FC and other parties. As the whole site is subject to restrictive covenants in favour of sports and recreational uses there is an opportunity to intensify recreational use on the site. There may be an opportunity to rationalise other recreation property holdings onto this site to release value elsewhere.
- 2.13 The Council has identified a future need for a Vehicle Depot in relation to its Household Waste Disposal Contract and Ground Maintenance department which could potentially be housed on part of the Central Stadium site. There are potential savings generated by such a use. It is likely that a depot use could be achievable in tandem with a sports occupier remaining in place on the portion of the site currently occupied by Bredhurst Juniors FC, either by way of a leasehold or freehold disposal. If future use as a depot was achieved, then a release of the restrictive covenants would be required and would be compensatory as outlined above. A depot development would use approximately 40% of the retained site.

3. Proposal

- 3.1. To approve in principle the retention of the property for potential future use by the Council.
- 3.2. To approve further work to be undertaken by the Head of Regeneration, Economic Development and Property to explore possible recreation use of the site and rationalisation of recreation assets.
- 3.3. To approve further work to be undertaken by the Head of Regeneration, Economic Development and Property to explore the possibility of a future depot use of part of the retained site with a view to reducing the future cost of the Council's Household Waste Contract.
- 3.4. To delegate to the Head of Regeneration, Economic Development and Property, in consultation with the Chair of the Regeneration and Property Committee, to openly market, negotiate, agree and complete further leases on the property to maintain income and occupancy while the longer-term options set out in recommendations (2) and (3) are explored.
- 3.5. To delegate to the Head of Regeneration, Economic Development and Property to identify costs and seek approval to undertake works required to achieve a usable access from the site onto Church Lane.

4. Alternative Options Considered and Rejected

4.1 Option 1

Dispose of the Council's freehold interest in the site.

The asset has been assessed and the potential capital receipt beneficial to the Council for a freehold disposal with its current and potential uses is substantial compared to the limited rental income. Release of the asset to the commercial market would also benefit local business and economic development. The Council would need to seek amendment or removal of the restrictive covenants.

4.2 Option 2

Do nothing and retain the assets.

The asset has been assessed as potentially needing to be retained to support ongoing Council business. The Council will look to negotiate longer term tenancies for the existing uses on site with a view to increasing the rental income. This is not to say that further work is not required on this site. The site will continue to be maintained and in some instances, will require improvement, including the development of a usable accessway, or refurbishment at some future stage. Furthermore the continuing use and occupation will be subject to periodic review and its status may change.

5. Consultation Undertaken or Proposed

- 5.1 No formal consultation has been undertaken or proposed however preliminary discussions with the local commercial occupier mentioned earlier in this report who was potentially interested in a purchase were held. Similarly, initial

discussions have taken place with current and other interested leisure users but have not been substantively progressed at this time.

6 Implications

Issue	Implications
Corporate Plan	Future potential improved use of the site with either greater leisure uses or a Household Waste and Grounds Maintenance depot or a combination of two will deliver both regeneration and improved quality of life while working towards delivering a Council of the Future.
Financial, Resource and Property	Potential use of the site for a Household Waste and Grounds Maintenance depot may provide a reduction in the corporate cost to provide those services. Removal of the site covenants would be compensatory.
Legal, Statutory and Procurement	Further legal advice would be required in obtaining the release of restrictive covenants on the title. There are no procurement requirements associated with this proposal.
Crime and Disorder	Not applicable to this proposal
Environment and Climate/Ecological Emergency	Not applicable to this proposal
Health and Wellbeing	Potential leisure use of the site may increase the quality of leisure provision in the locality and have a positive impact on Health and Wellbeing.
Safeguarding of Children, Young People and Vulnerable Adults	Not applicable to this proposal
Risk Management and Health and Safety	Not applicable to this proposal
Equality and Diversity	Not applicable to this proposal
Privacy and Data Protection	To comply with the data protection legislation and due to commercial sensitivity, the details of this proposal are required to remain confidential until transactions are negotiated and completed.

7 Appendices

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

- Appendix 1: Plan
- Appendix 2: Restricted Report

7.2 Appendix 2 is exempt from publication under Schedule 12A to the Local Government Act 1972 because it contains information about the financial or business affairs of particular persons, including the council itself, and in all the relevant circumstances the public interest in applying the exemption outweighs that in disclosing the information.

8 Background Papers

None

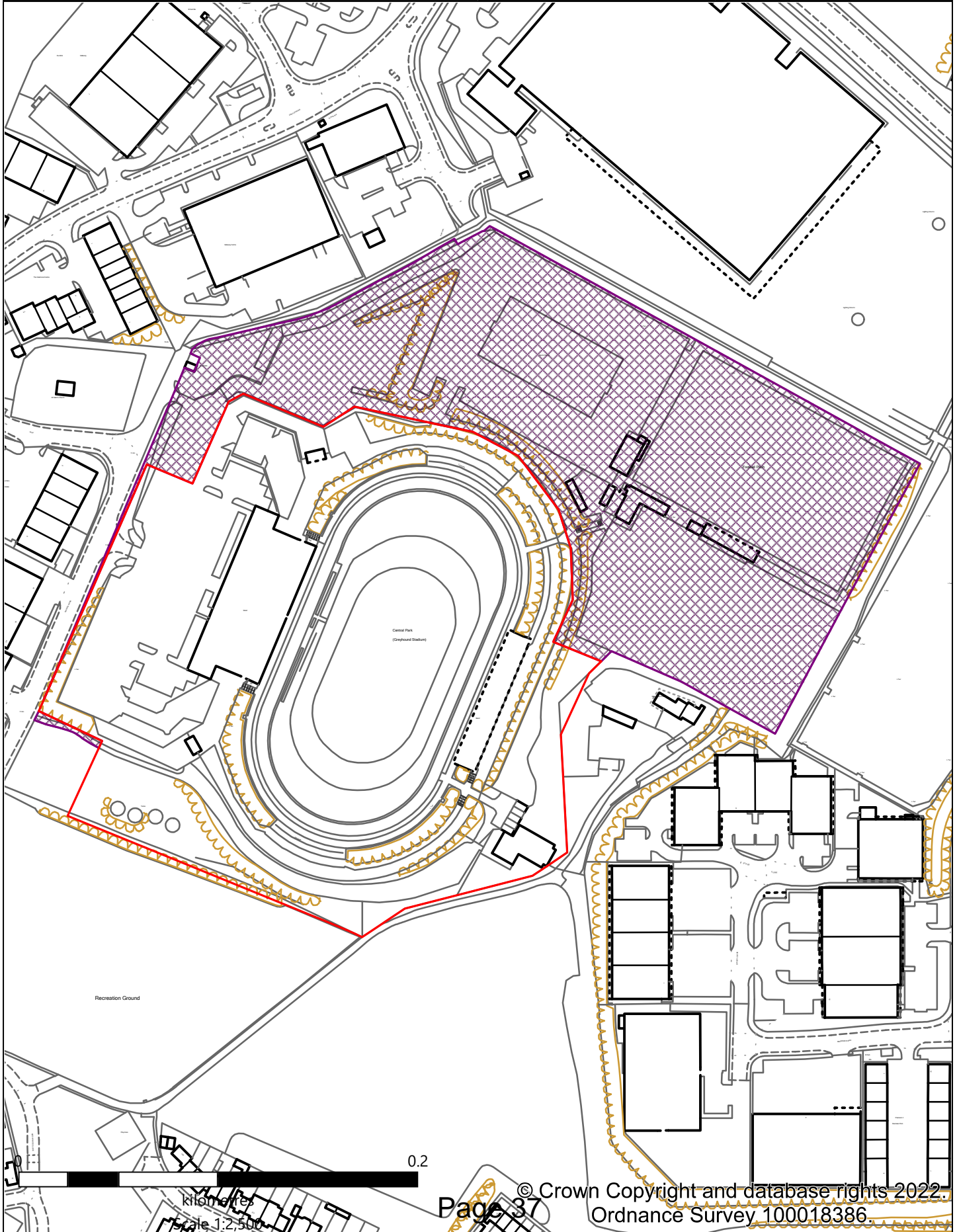


Central Stadium North

Address:
Central Park Stadium
Church Road
Sittingbourne
Kent
ME10 3SB

Drawn By:
6689

Date:
01/12/2022



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Regeneration and Property Committee	
Meeting Date	19th January 2023
Report Title	Land and buildings at Town Wharf, Conduit Street, Faversham – future ownership
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson Head of Regeneration, Economic Development and Property
Lead Officer	David Johnson MRICS Interim Property Services Manager
Classification	OPEN
Recommendations	<ol style="list-style-type: none"> 1. To agree in principle the possibility of securing a disposal of the entire site to a user or occupier who can invest the required capital to manage and maintain the historic buildings on the site to the required level. 2. That any disposal of the site be considered in conjunction with historic and future community uses of the site. That a disposal of the site seeks to maintain the use of the quay and grassed area for such use where possible, without damaging any financial viability of substantive use of the site. 3. That authority is delegated to the Head of Regeneration, Economic Development and Property to complete the necessary legal formalities, negotiate, and agree leasehold or freehold contracts as applicable and undertake any additional work required to achieve a disposal.

1 Purpose of Report and Executive Summary

- 1.1 It is government policy that local authorities should dispose of surplus and under-used land and property wherever possible. This report recommends disposal of the Council owned land (as shown edged red on the attached plan, Appendix I).
- 1.2 The land is a part-let part-vacant site comprising two buildings TS Hazard, formerly used as a Sea Cadets headquarters and now vacant, and Quayside Boxing Club which is leased with the current tenant holding over.
- 1.3 Significant capital expenditure is required on the site which cannot be funded from Council resource.
- 1.4 The Council owned land is surplus to its requirements and a disposal of the asset for a beneficial use would reduce the Council's liabilities for the asset while benefiting both buildings' heritage status.

2 Background

- 2.1 The site sits within the Faversham Conservation Area.
- 2.2 Constructed in c.1478 TS Hazard is a timber-framed structure, originally the old town warehouses and subsequently used as a Training Ship by the Sea Cadets, called Training Ship Hasarde and referred to latterly as TS Hazard. The building is designated a heritage asset and is listed at grade II*.
- 2.3 First listed on 29th July 1950, the details of the listing entry with Historic England are:

*CONDUIT STREET 1. 1103 (West Side) - The Training Ship Hasarde TR 0161 NE 1/98 29.7.50. II**

This is a C15 timber-framed structure, originally old town warehouses and now used as a Training Ship. The 1st floor overhangs on the protruding ends of the floor joists and brackets. Close-studding on ground floor and large panels of timber-framing above. Projecting eaves. Tiled roof with pentice on east side. Some original door and window openings and original plaster infilling exposed during recent restoration.

Listing NGR: TR0158461615

- 2.4 TS Hazard was formerly occupied by the Sea Cadets who had an internal repairing lease for a period of 5 years which expired in December 2022. The Sea Cadets have not used the property in the last two -three years and the lease has not been extended.
- 2.5 The building occupied by Quayside Boxing Club is classed as a non-designated heritage asset and is one which in terms of its character and associated external appearance, is considered by Planning to make a positive contribution to the Faversham Conservation Area.
- 2.6 Quayside Boxing Club had a full repairing lease which was excluded from the Landlord and Tenant Act, and which expired in 2016. They have been in occupation holding over on the terms of their previous lease since that point. Terms were agreed for a new internal repairing lease in 2021 but this lease has not progressed.
- 2.7 The entire site including both buildings, the Green and the Quay were subject to a Community Right to Bid application from Faversham Town Council which was received in April 2022. The Council approved the Community Right to Bid application on the two buildings on the site, TS Hazard and the Boxing Club but not the Green or the Quay due to their ancillary use by the community.
- 2.8 The Green and Quay area have historically been used for local community events before the pandemic and Faversham Town Council and the Faversham Society have both expressed interest in supporting similar activities in the future.
- 2.9 The Quay is still an operating quay and moorage is bookable and payable via the Council's Website.

- 2.10 The site is also the location of a pumping station in the ownership of Southern Water Services Limited which has rights of access over the current car park and access road.
- 2.11 Significant work has been undertaken in understanding the condition of the TS Hazard building, with a significant amount of capital investment required over the next ten years. Details of the estimated expenditure are included in Appendix 2 (restricted).

3 Proposals

- 3.1 To agree in principle the possibility of securing a disposal of the entire site to a user or occupier who can invest the required capital to manage and maintain the historic buildings on the site to the required level.
- 3.2 That any disposal of the site be considered in conjunction with historic and future community uses of the site. That a disposal of the site seeks to maintain the use of the quay and grassed area for such use where possible, without damaging any financial viability of substantive use of the site.
- 3.3 That authority is delegated to the Head of Regeneration, Economic Development and Property to complete the necessary legal formalities, negotiate, and agree leasehold or freehold contracts as applicable and undertake any additional work required to achieve a disposal.

4. Alternative Options Considered and Rejected

- 4.1 Option 1. Do nothing and retain the assets.

The site will continue to need to be maintained and will require improvement or refurbishment. The Council will need to commit to the capital expenditure identified in its Building Maintenance Cost Forecast to maintain the integrity and use of the buildings. This option is considered to be financially unviable for the Council and will put the building at risk of irreversible degradation.

Option 2: Redevelop the site for another beneficial use.

The asset has been assessed and there is very limited potential for housing or commercial redevelopment. Redevelopment of the site would pose substantial risk and cost due to the heritage status of the TS Hazard building and is considered financially unviable for the Council to undertake.

5 Consultation Undertaken or Proposed

- 5.1 None undertaken or proposed other than internal consultation with the Head of Environment and Leisure regarding its use for quay and green area. Internal consultation was undertaken at the time of the Community Right to bid Application.

6 Implications

Issue	Implications
Corporate Plan	The proposal supports renewing local democracy and making the Council fit for the future by disposing of surplus land and achieving, if possible, a capital receipt, or reducing ongoing liabilities.
Financial, Resource and Property	The proposal looks to reduce the Council's future maintenance liabilities relating to the buildings over the next 10 years as detailed in Appendix 2 (restricted).
Legal, Statutory and Procurement	<p>Any proposed disposal will be for the best consideration reasonably obtainable in accordance with section 123 of the Local Government Act 1972.</p> <p>The Council has an obligation to maintain and enforce the maintenance of Listed Buildings under section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Local Planning.</p> <p>The Community Right to Bid was established under the Localism Act 2011 and the successful application by Faversham Town Council means that the Town Council will have six months to prepare a bid for the site from a decision by the Council to dispose.</p>
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The Council currently has no capital funds set aside, and limited general building reserves, to undertake the required maintenance works and continued ownership of the site poses a financial pressure risk and a material structural risk to the buildings on site.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

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

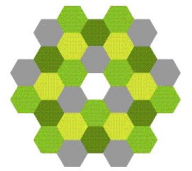
- Appendix 1: Site Plan
- Appendix 2: Maintenance Forecast (Restricted).

7.2 Appendix 2 is exempt from publication under Schedule 12A to the Local Government Act 1972 because it contains information about the financial or business affairs of particular persons, including the council itself, and in all the relevant circumstances the public interest in applying the exemption outweighs that in disclosing the information.

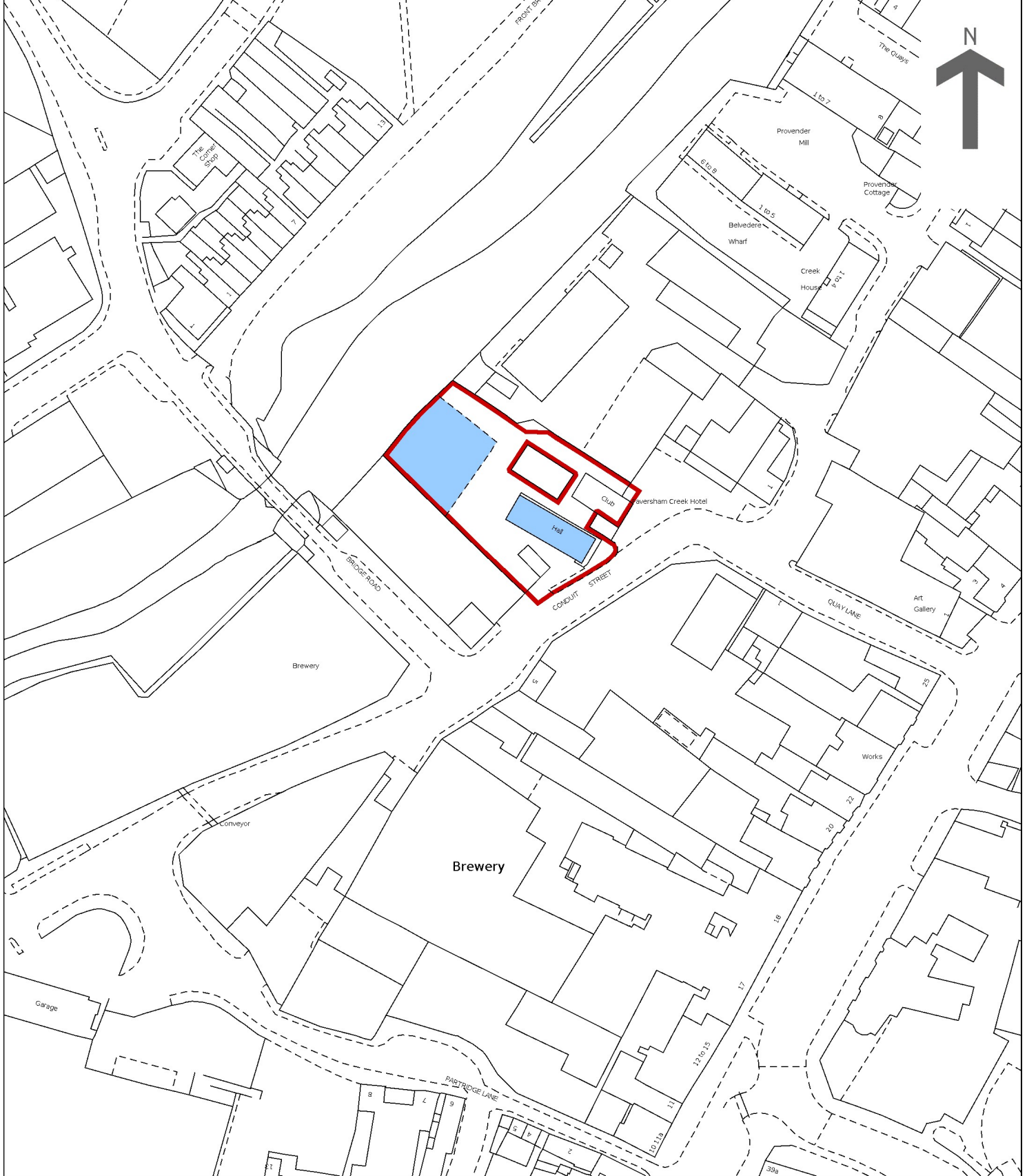
8 Background Papers

None

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