

Economy and Property Committee	
Meeting Date	9 th April 2025
Report Title	Land Rear of Queenborough Guildhall
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head Place Services
Lead Officer	Kieren Mansfield, Strategic Programmes and Asset Manager
Classification	Part Exempt
Recommendations	<ol style="list-style-type: none"> 1. To delegate to the Head of Place to negotiate and agree terms of the disposal of the parcel of land known as Land rear of Queenborough Guildhall, to include the transfer of the Guildhall and 44 High Street, to Queenborough Town Council, within a 12 month period. 2. To delegate the enactment of this disposal to the Head of Place, in consultation with the Head of Legal Services.

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 disposal of the Land rear of Queenborough Guildhall alongside 44 High Street and the Queenborough Guildhall to Queenborough Town Council (QTC), as shown on the attached plans (Appendix I).
- 1.2 SBC's adopted Property Asset Strategy sets out the requirement to:
- “Make it a priority that the Council only retain land and property where it makes strategic or financial sense to do so. This should be to deliver services in line with corporate priorities, to generate income, to provide a return on investment, to enable regeneration or to provide social value.”*
- 1.3 The report sets out why officers recommend that negotiating a disposal as per the recommendation would be in line with this policy.

2 Background

- 2.1 The Land to the rear of Queenborough Guildhall (plan at Appendix I) lies adjacent to Pipsqueaks Nursery on North Road and comprises a rectangular shaped parcel of land with an area of approximately 350sqm. It has been

vacant for a number of years and is currently in a poor state with vegetation and the remains of a metal frame building.

- 2.2 In 2019 Heads of Terms were agreed for a 25-year lease on much of the site with Queenborough Rowing Club (QRC). This would have in turn released the Club's existing council owned site, which also offered potential for development, with a Cabinet decision (25th September 2019) to dispose of this via auction should the rowing club move.
- 2.3 However, due to a range of issues QRC has confirmed it is not in a position to proceed. Consequently, the triggers for considering a disposal are met.
- 2.4 There are some complications to affect a disposal. The title of the site is split, with the majority falling into a title incorporating Queenborough Guildhall, which is occupied by Queenborough Town Council. A proportion of the site would also need to be retained to allow access to the rear of Queenborough Guildhall for access and maintenance.
- 2.5 Of the 350sq m it is estimated that circa 270sq m of the land could be disposed of for a meaningful use.
- 2.6 **Exempt (Appendix III)**
- 2.7 There have been a number of approaches to officers from interested parties, for commercial use or development. Swale Borough Council (SBC) has also been approached by QTC as to the possibility of it securing the site.
- 2.8 At present QTC occupies a number of rooms within Queenborough Guildhall and the adjacent 44 High Street, under licence from Swale Borough Council. QTC are now struggling for space and the approach regarding the land is driven by a need to create more room for storage and the operation of a foodbank. A more detailed proposal setting out the proposed terms for occupation, use, any planned development and community benefit is required from QTC but discussions to date have indicated an interest in the whole site.
- 2.9 Assuming members support the disposal of the land, it would be usual for the Council to take the site to open market, to meet its obligation to secure the best consideration that can reasonably be obtained.
- 2.10 However, the approach from QTC does offer potential advantages that may outweigh the likely capital receipt. Subject to agreeing terms with QTC, the land could be part of a wider transaction involving the transfer of the Guildhall and 44 High Street, Queenborough to QTC (titles are shown at Appendix II).
- 2.11 This is something that QTC has expressed an interest in and offers a number of potential advantages for both parties, including simplifying and consolidating the property holdings; providing certainty for QTC over its occupation and future service delivery; enabling local control and stewardship of a heritage asset and reducing current and future management, maintenance and insurance liabilities to Swale Borough Council.

2.12 – 2.13 Exempt (Appendix III)

3 Proposal

- 3.1 To delegate to the Head of Place to negotiate and agree terms of the disposal of the parcel of land known as Land rear of Queenborough Guildhall, to include the transfer of the Guildhall and 44 High Street to Queenborough Town Council, within a 12-month period.
- 3.2 To delegate the enactment of this disposal to the Head of Place, in consultation with the Head of Legal Services

4 Alternative Options

- 4.1 To place the developable site to the rear of the Guildhall on the open market for freehold sale or lease, leaving the option for QTC to let the land remaining. This option should be considered if negotiations over the proposed land consolidation with QTC fail to progress. If the site were to be sold on the open market, then the Council could have the option to seek planning permission in advance, for example for residential. Whilst this may enhance the sale value, the cost of securing planning permission would need to be met by the Council and could be significant.
- 4.2 This option is not recommended for progression at this point. Although it would generate a capital receipt for SBC it would not reduce the ongoing liabilities relating to the Guildhall and 44 High Street that the land consolidation would, or deliver the benefits set out in 2.10. It would also not resolve QTC's requirement for additional space to facilitate services it provides to the local community.
- 4.3 To agree in principle to let all the land to QTC, with Heads of Terms to be agreed. It is assumed this would be at a reduced rate, through either the application of the Voluntary and Community Sector (VCS) Letting Policy or a Community Asset Transfer, based on the stated, intended use. This is not recommended as it would fail to deliver the overall benefits of consolidating the land holdings. Without these benefits, taking the surplus land to the open market would be the Council's starting position to meet its overriding duty, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal
- 4.4 This option is not recommended for progression at this point as it would result in the council retaining the liabilities associated to the Guildhall and 44 High Street and would not generate a substantial rent or capital receipt to offset these.

5 Consultation Undertaken or Proposed Considered and Rejected

- 5.1 There have been no formal consultations on this proposal, outside of discussion with Queenborough Town Council. The Land to the rear of the Guildhall is currently of no beneficial use and disposal of it as proposed would bring potential benefits to the community.
- 5.2 if the recommendations outlined in this report are agreed by Members then further negotiation with QTC will be required.

6 Implications

Issue	Implications
Corporate Plan	<p>Any proposed transaction with QTC could support the Community priority to “Work in partnership with the local towns and parishes and voluntary sector on our community assets – e.g., playgrounds, sports pitches and pavilions, community halls”.</p> <p>Disposal of the site on the open market would generate a capital receipt that would support the Council’s wider financial position.</p>
Financial, Resource and Property	<p>Whilst the proposal would potentially forgoe a capital receipt, the proposal looks to reduce the Council’s future liabilities which would potentially exceed the benefit of such, over time.</p>
Legal, Statutory and Procurement	<p>The Council has fairly wide discretion to dispose of its property assets. 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.</p> <p>The council has the option to disregard the requirement for best consideration if the transaction is valued at under £2 million and if the disposal is in support of the council's key priorities and strategic goals.</p> <p>Legal will be required to draft relevant contracts with instructions from Place Services.</p> <p>Any future development proposals for the site would be subject to planning permission.</p>
Crime and Disorder	<p>The property remaining vacant and unused will possibly be a target for anti-social behaviour and criminal damage. A disposal to allow beneficial use will remove this risk.</p>

Environment and Climate/Ecological Emergency	An unoccupied and underused site is at odds with the council's strategic goals and adopted Property Asset Strategy. Any future planning consent would need to meet the Bio-diversity Net Gain (BNG) requirements and ensure that the appearance and setting of heritage assets is preserved and where possible enhanced.
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 proposal reduces the Council's risk in terms of holding a vacant and degrading property.
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: Site Plan
- Appendix II: Title Plans
- Appendix III Exempt Items

8 Background Papers

None