

Update on activity to encourage businesses to use the empty shops on Sittingbourne High Street.

At present Sittingbourne Town Centre has a vacancy rate of 13.25%, as compared to the national average of 13.9%. This is based on what is defined as the core shopping area within the Local Plan.

Property ownership across the town centre is fragmented and most vacant properties are in private ownership. This limits the Council's ability to influence the letting and occupation of individual premises, although the Council does own a small number of town centre premises, limited to Bourne Place, where there is currently only one vacant unit, having recently secured Infinity Fitness as an occupier for units 1 and 2. There is active interest in the one remaining unit at Bourne Place and the Council hope to secure a tenancy that will add to the overall offer.

The Council also has, in effect, shared ownership of 34 High Street, Sittingbourne and following the Economy and Property Committee's recommendation to dispose of this it is expected to go to market in the immediate future.

High Street Rental Auctions

Commencing 2 December 2024, local authorities in England do have the power to hold rental auctions to let qualifying high-street premises that have been unoccupied for the whole of the preceding year, or for at least 366 days in the preceding two years.

To begin the process, the local authority must serve an initial notice on the landlord which will operate for a period of 10 weeks and gives the landlord the opportunity to be involved in the letting process. During this period the landlord's freedom to deal with the property is restricted subject to the local authority's consent.

After eight weeks have passed, if no letting arrangement has been agreed by the landlord with the local authority's consent, the local authority can serve a final notice. This imposes further restrictions on the landlord's ability to deal with the property including restricting their ability to carry out works without the local authority's consent.

Landlords have the right to appeal the final notice by serving a counter-notice indicating on which of the seven statutory grounds they will be relying. If the appeal is unsuccessful, or no appeal is lodged, the local authority can continue to the rental auction.

These powers have substantial resource implications for local authorities to commence and manage a process, which could be subject to legal challenges, and the local authority will be responsible for marketing and auction fees. An auction can require the successful bidder to pay for surveys, searches and legal costs for the preparation of the agreement for lease and lease. The landlord will be expected to pay costs associated with the undertaking of works required to bring the premises up to the minimum standard prescribed by the Regulations.

There are also a range of concerns about the wider impacts on a High Street of implementing High Street Rental Auctions, which could impact on the long-term viability of both investment and holding properties in that location. For instance, a series of High Street Rental Auctions which generate limited interest may result in lower rents being paid. These could be included as comparable evidence for the purpose of statutory lease renewals and, to some extent, rent reviews across the wider set of High Street properties.

Other town centre activity

Over time the Council has attempted to play an active role in the High Streets of the Borough both through investment in Bourne Place and other town centre works which have sought to improve the offer and environment to encourage footfall, which ultimately will drive occupation of premises.

However, with diminishing resources there is no longer staff or financial resource dedicated to the town centres. Through the Property and Programmes Team some general support is provided, on request, to property owners, investors and prospective tenants, where we are able. This can range from property specific signposting and advice to providing more general information about the area.

The Council has also recently tendered for the street markets in the Borough including Sittingbourne. With challenging conditions for markets, this has attracted limited interest, but nonetheless the market tenders for Sittingbourne, Sheerness and Faversham have been awarded.

Other specific interventions have largely been through the use of external funding, or through the delivery of wider range of services and how they impact on town centre locations.

In recent years the principal source of external funding available has been through the UK Shared Prosperity Fund (UKSPF) and in the initial programme period, effectively running from January 2023-March 2025, money has been made available through the Town Action Grants. Whilst not aimed at individual businesses, grants of between £1,000 and £10,000 were made available to support stakeholders to develop plans and support activity that contributes to improving and encouraging activity in the town centres of Sittingbourne, Sheerness and Faversham but also the smaller historic centres of Queenborough and Milton Regis. In this period grants of just over £57,000 were made to proposals in Sittingbourne, supporting heritage and cultural events and improving access to amenities.

Proactive engagement and enforcement takes place where there are properties of particular significance, are vacant and/or with which there may be issues. Swale Community Safety Unit has regular multi-agency discussions about hotspot locations including insecure and dilapidated buildings - for instance Bell House and the old Barclays building. Through joint working between the Police and Environmental Response Team both of these locations are being addressed through engaging with and enforcement against the landlord.

Planning Services also has powers relating to sites impacting on the amenity of the adjacent area and can help put in place measures and address issues impacting on the amenity and attractiveness of the town centres - for instance concerns have been raised regarding planning breaches within Milton Regis High Street, which are now with the Planning investigations team.

The Council has longstanding guidance relating to the design of shopfronts and advertisements, with Supplementary Planning Guidance (SPG). This provides applicants, owners, and developers guidance on achieving high standards in shopfront design and to take a sensitive approach to security, signage and materials. A refresh of this is scheduled for 2026, with a proposed shopfront design leaflet to be made available to residents and shop owners.

Another tool available are Areas of Special Control of Advertisements (ASCA). Swale Borough Council currently does not have an ASCA but it has been proposed that in order to better manage and maintain Swale's historic environment and heritage, targeted ASCA's can prove beneficial for conservation areas with a commercial centre.

Any designation needs to be based on public consultation and must follow specific legal steps, including consideration of the order by the Secretary of State. Following an all Members briefing in May 2024, it was agreed that a draft consultation document be prepared for approval by the Planning Committee, before undertaking public consultation, which is expected to be ready before the end of 2025.