

Economy and Property Committee Meeting	
Meeting Date	8 October 2025
Report Title	Transfer of Council Car Parks – response to Council Motion
EMT Lead	Emma Wiggins, Director and Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Martyn Cassell, Head of Environment and Leisure
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. This committee resolves that individual decisions on asset transfers are made on each car park that is suitable for transfer, at the relevant committee. 2. Committee instructs Officers to continue to discuss possible transfers with Town and Parish Councils as part of the overall asset transfer process. 3. Refer the matter on charging at free car parks to the Environmental Services and Climate Change committee, to ensure best value principles are followed.

1 Purpose of Report and Executive Summary

- 1.1 This report provides a response to the motion submitted at Full Council on 2 April 2025, about transferring free car parks in Sheppey to the relevant town and parish councils. After amendment (as set out in 2.4), the matter was to be referred to the relevant committee(s).
- 1.2 There are a range of car parks across the Borough providing off-street parking opportunities for residents. Some are in key town centre locations, others are in rural and lower footfall areas.
- 1.3 The Council Parking Policy sets out the Council's principles for the management of on and off-street parking across the Borough. This report recommends that any asset transfers are considered on a case-by-case basis for each car park that is suitable for transfer.
- 1.4 The Council's Property Asset Strategy also sets out a number of elements in relation to this motion.

2 Background

2.1 The Council operates 57 car parks across the Borough. 29 are free to use (six in Sittingbourne, 6 in Faversham and 17 in Sheppey). 28 are pay and display car parks where fees are charged. 40 are managed by parking services and 17 are operated by the greenspaces team, based at recreation grounds, open spaces and country parks.

2.2 The pay and display car parks are forecasted to bring in over £2.7m in revenue for the Council in 2025-26 financial year, which helps to cover the costs of operating them and provides funding for other crucial council services.

2.3 A motion was presented to Full Council on 2 April 2025 which stated;

It is proposed that Swale Borough Council offer the Little Oysters car park at the Leas Minster and Queenborough Library Car Park (Castle Connections) in Queenborough to the relevant Parish and Town Councils through the appropriate committee and council procedures. Parish and Town councils are best placed to decide what is in the best interests of the people of Sheppey for these car parks going forward. If this approach is successful for these car parks, then the Council should offer other free car parks to Parish or Town Councils or to local not for profit organisations. Council refers this issue to the relevant service committee for exploration and ultimately, decision. Following devolution, it is likely fewer councillors will be representing Sheppey, and a repeat of the proposal for charging at these two car parks will raise its head again and the outcome may not align with the wishes of the people of Sheppey. It is hoped that all members can support this motion

2.4 The Council debated the motion, and the final amended wording was;

Resolved:

(1) That Swale Borough Council offer its free car parks across the borough to the relevant Parish and Town Councils through the appropriate committee and council procedures and Council refers this issue to the relevant service committee for exploration and ultimately, decision.

2.5 Appendix I sets out the car parks across the Borough that are currently free to use.

2.6 Car parks have remained free over the years for a host of reasons - low usage, encouragement for residents to use off-street parking to free up crowded streets, and political preference/policy.

- 2.7 The Council's Parking Policy states that parking charges are set annually by Councillors as part of the fees and charges process of budget setting (Policy and Resources and Full Council).

'When considering the charges to levy each year, the Council will consider usage data, compare with other local authority pricing and nearby competition and balance against the increasing costs of operating and maintaining the car parks and of course the nearby areas e.g. street cleansing of the high streets.'

- 2.8 But it also states that;

'Time periods for the tariffs to be charged will be debated and agreed by the committee responsible for parking with any budget implications referred to Policy & Resources Committee.'

On that basis, it is assumed that where tariffs are not in place e.g. free car parks, the Environmental and Climate Change committee which has the responsibility for off-street parking, will need to debate any implementation of charges.

- 2.9 On free car parks, the policy identifies;

We provide a number of free car parks which generally are in more remote locations and serve local residents and visitors where there may be a shortage of other on or off-street parking. These are consistently reviewed as user habits change. We may also consider using seasonal charges where a car park is well used at certain times and not at other times of the year

- 2.10 The Parking Policy discusses disposal of assets;

There may be occasions where we look to cease use of an area for car parking. Car Park usage is monitored and any that are poorly used, will be reviewed on a case-by-case basis. There may also be other occasions where the land can be used for a better purpose. In both situations the principles and policy set out in the Property Asset Strategy would inform the next steps regarding disposal options for the land.

- 2.11 As the motion focussed on the transfer of the assets, this motion has been sent initially to Economy and Property Committee for consideration.

- 2.12 The Council's Property Asset Strategy makes it a priority that the Council retains 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.

- 2.13 Whilst the motion states that it is better for local organisations to make decisions on the car parks, this Council is required to consider best value for its assets. When disposing of assets (as would be the case in a transfer to a town or parish), the Council is subject to statutory requirements, 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 a disposal. This duty is subject to certain exceptions that are set out in the General Disposal Consent (England) 2003. Within financial limits, this gives Councils wider powers to dispose of land and property at less than market value, where it could be demonstrated that they promote the economic, social and environmental well-being of the area.
- 2.14 The Council's medium term financial plan still predicts a funding gap for future years. Where a car park could generate an annual revenue income, the Council must consider that option. The Disposals Policy sets out criteria for determining the potential disposal of an asset, which include financial viability, and specifically within that, the potential for income generation.
- 2.15 Officers have been tasked with identifying additional income streams to help address the council's budget position and the introduction of charges for free car parks would help to meet that initiative.
- 2.16 Furthermore, the Property team are already meeting with Town and Parish Councils to discuss a range of assets that could be transferred. The transfer of any car parks should form part of these overall discussions and not simply be offered without interest on both sides.

3 Proposals

- 3.1 This committee resolves that individual decisions on asset transfers are made on each car park that is suitable for transfer, at the relevant committee.
- 3.2 Committee instructs Officers to continue to discuss possible transfers with Town and Parish Councils as part of the overall asset transfer process.
- 3.3 Refer the matter on charging at free car parks to the Environmental Services and Climate Change committee, to ensure best value principles are followed.

4 Alternative Options Considered and Rejected

- 4.1 A blanket transfer of all free car parks across the Borough. This is not recommended as not all locations have a relevant Town or Parish Council to transfer to. Furthermore, some car parks have covenants and others offer potential opportunity for this Council or future unitary councils to generate income to help fund other council services.
- 4.2 Do nothing and keep them all as Council owned and operated assets. This is not proposed given some car parks may be suitable for transfer.

5 Consultation Undertaken or Proposed

- 5.1 Not applicable to this report. Given the report is simply discussing the principles and not taking individual decisions.

6 Implications

Issue	Implications
Corporate Plan	Community – Complete the Parking Policy Review Running the Council – maximising income
Financial, Resource and Property	Maintaining free car parks is a cost to the council that could be mitigated by transferring to town or parish councils or by the introduction of charges where possible. Introducing charges where appropriate would meet the member requirement to increase income opportunities to support the budget position. Property implications are included in the body of the report.
Legal, Statutory and Procurement	The title deeds and specific restrictions against each asset (car park) would need to be assessed on a case-by-case basis. This would usually be considered at the point at which the possibility of a transfer is to be considered, as this would need to be resourced through the property and legal teams, with the potential for some legal costs, depending on the complexity. When disposing of assets, the Council is subject to statutory requirements, 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 a disposal. This duty is subject to certain exceptions that are set out in the General Disposal Consent (England) 2003.
Crime and Disorder	Free car parks have fewer restrictions on them and vehicles can therefore be left abandoned. This costs the council through enforcement and removal.
Environment and Climate/Ecological Emergency	There is an argument that in order to encourage fewer private journeys, favouring active travel and support the climate emergency, that no car parks should be free. However as discussed above, some car parks are there to support other functions such as on-street vehicle management.

Health and Wellbeing	Not applicable to this report
Safeguarding of Children, Young People and Vulnerable Adults	Not applicable to this report
Risk Management and Health and Safety	The Council needs income to enable the required repairs and maintenance to be made to our car parks. Free car parks are currently subsidised by pay and display car parks, however, receive less investment than them, with the minimum spent in order to meet basic health and safety standards.
Equality and Diversity	Free car parks have the potential to benefit those residents impacted by income deprivation, but as the parking is uncontrolled such benefits may not be realised. Undefined, free car parks may reduce access for disabled users.
Privacy and Data Protection	Not applicable to this report

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: List of free car parks across the Borough.

8 Background Papers

- 8.1 [Full Council 2 April 2025](#)
- 8.2 A link to the [Council's Parking Policy](#).
- 8.3 A link to Property Asset Strategy