
REGENERATION AND PROPERTY COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Thursday, 19 January 2023 from 7.00 pm - 9.20 pm.

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

PRESENT (Virtually): Councillor Cameron Beart.

OFFICERS PRESENT: Billy Attaway, Philippa Davies, David Johnson, Joanne Johnson and Kieren Mansfield.

OFFICERS PRESENT (Virtually): Martyn Cassell and Emma Wiggins.

ALSO IN ATTENDANCE (Virtually): Councillors Tim Gibson, Ken Ingleton and Tony Winckless.

APOLOGY: Councillor Eddie Thomas.

595 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

596 **Declarations of Interest**

No interests were declared.

Councillor Mike Henderson explained that, as a member of Faversham Town Council and, in respect of item 11, Land and buildings at Town Wharf, Conduit Street, Faversham – future ownership, he had spoken to the Monitoring Officer and was advised that he was not required to declare an interest. He added that if the matter was discussed at Faversham Town Council, he would excuse himself from that meeting.

597 **Minutes**

The Minutes of the Meeting held on 9 November 2022 (Minute Nos. 428 – 433) were taken as read, approved and signed by the Chair as a correct record.

Part B Minutes for Information

598 **Sheerness Levelling Up Bid**

The Chair spoke in celebration at the news that Sheerness had been awarded £20 million to improve health, education, leisure and employment opportunities in the town. She thanked all parties that had been involved in the process, including Swale Borough Council (SBC) officers.

The Head of Regeneration, Economic Development and Property acknowledged the Chair's thanks and explained that she was waiting for further information from the

Government on bid delivery. She explained that a communications strategy would be developed and a report would be submitted to the Regeneration and Property Committee in March 2023.

599 Forward Decisions Plan

The Chair gave an update, as below:

- Great East Hall land to be added to the March 2023 meeting;
- update on Swale House refurbishment to be considered at the provisional July 2023 meeting; and
- the Beach Hut Policy to be added to the provisional July 2023 meeting.

The Chair suggested an additional meeting might be added in between the March and provisional July 2023 meetings.

In response to a question, the Head of Regeneration, Economic Development and Property explained that the Swale House item was more about looking forward and the new ways of working, and it was suggested that this item be renamed 'Future use of Swale House'.

Resolved:

(1) That the report be noted and updated as minuted.

600 Barton's Point Coastal Park - future use and leasing opportunities

The Interim Property Services Manager introduced the report which recommended the leasehold disposal of parts of the Council owned land as shown on the plan in Appendix I of the report.

Members were invited to make comments, and these included:

- Welcomed the future improvement of this asset;
- referred to paragraph 2.6 in the report which included details of what was to be included in the Business Plans, and considered that Members needed to be more involved in the decision-making process;
- would like to know more about the Expressions of Interest (EOI);
- Barton's Point, Sheerness had been an under-used asset;
- the EOIs should be pursued;
- this was part of the re-development of Sheerness and should correlate with the Levelling-Up fund;
- the Committee needed to know what any potential leasee would provide;
- regeneration, property and economic development sat together within the Council, and so there would be an over-arching view;
- more detail needed on the transfer of this asset;
- this decision would help to reduce costs to the Council;
- noted that the current concession had already been extended and had expired, as set out in paragraph 2.4 of the report, so the process needed to proceed quickly;
- email updates to the Committee would be helpful; and

- suggested the Head of Mid-Kent Legal be included within recommendation (3).

In response, the Interim Property Services Manager explained that the EOI process was undertaken when it looked as though the Council was looking at a concession agreement, but now a lease arrangement had been decided as the way forward, as set out in paragraph 2.7 of the report. He explained that this was not a Community Asset Transfer (CAT), but a commercial transfer which was the most viable option for the Council, and it was likely that the final lessee would be a 'clear runner' as there were not many companies that would take the asset on. The Interim Property Services Manager said the leasehold arrangement would remove large maintenance costs and liabilities from the Council.

The Chair proposed the recommendations, and these were seconded by Councillor Mike Henderson.

Councillor Angela Harrison moved the following amendment: That recommendation (3) be amended to include 'in consultation with the Chair and group spokespersons from the Regeneration and Property Committee and to include the Head of Mid-Kent Legal Partnership. This was seconded by Councillor Peter Marchington. There was some discussion that Ward Members should be included and that they be the group spokesperson where relevant. On being put to the vote the amendment was agreed.

Resolved:

- (1) That in principle the leasehold disposal of the site to a user or occupier who could invest in and improve the leisure facilities at the site be agreed.***
- (2) That any lease would be granted on the basis that continued use and access of the open spaces by the public would be maintained.***
- (3) That authority be delegated to the Head of Regeneration, Economic Development and Property, in consultation with the Chair and group spokespersons from the Regeneration and Property Committee and to include the Head of Mid-Kent Legal Partnership to complete the necessary legal formalities, negotiate, and agree leasehold contracts as applicable and undertake any additional work required to achieve a leasehold disposal.***

601 UK Shared Prosperity Fund and the Rural England Prosperity Fund - Delivery

The Economic Development and External Funding Manager introduced the report which set out proposals for the management of the UK Shared Prosperity Fund (UKSPF) and the Rural England Prosperity Fund (REPF). He provided an update, since the report had been written, and explained that the funds should be with the Council shortly. He spoke on the Government delays, and said that it was likely not possible for the 2022/23 funds to be spent in this financial year. Formal approval of all the funding would come year-by-year and there could be operational challenges. Government guidance was expected at the end of January 2023.

Members were invited to make comments, and these included:

- Welcomed the formation of a Member Working Group for this initiative;
- congratulated the Economic Development and External Funding Manager and the team for their work on this; and

- considered the Working Group should meet more regularly than 6-monthly and suggested quarterly meetings.

The Chair proposed the recommendations, and they were seconded by Councillor Tim Valentine.

Councillor Mike Whiting moved the following amendment to recommendation (5): That the Member Working Group meets at a minimum of 6-monthly intervals and it be made up with representatives from each group from the Regeneration and Property Committee. This was seconded by Councillor Lloyd Bowen. On being put to the vote the amendment was agreed.

Resolved:

(1) That the outline scheme of delivery for projects in the UKSPF Local Investment Plan and REPF Addendum, as set out at Appendix 1 be agreed.

(2) That the operation of grants to third parties is based on the principles set out at paragraph 3.3 be agreed.

(3) That grants to third parties be approved by the Head of Regeneration, Economic Development and Property be agreed.

(4) That the Head of Regeneration, Economic Development and Property is given delegated authority to submit change requests to government regarding the local UKSPF and REPF programme be agreed.

(5) That the formation and political membership of a Member Working Group, to meet at least 6 monthly, or more frequently as required, 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 substantive monitoring reports required by Government be agreed and it be made up with representatives from each group from the Regeneration and Property Committee.

602 Central Stadium - Options Report

The Interim Property Consultant introduced the report which set out proposals for the disposal of a property asset. He drew Members' attention to paragraph 2.12 in the report which set out that the site was subject to restrictive covenants in favour of sports and recreational uses, and he spoke on the option for the Council to use some of the site as a vehicle depot.

Members were invited to make comments on the open report, and these included:

- Members' duty was to consider the financial interest of the site for the Council;
- welcomed recreational use of the site;
- noted that recommendation (5) should refer to Church **Road**;
- concerned with any noise pollution if the site was used as a vehicle depot;
- clarification was required on who the three tenants were and which areas they rented;
- sought more information on access to the site; and
- this site was a focal point for Sittingbourne.

The Interim Property Consultant gave more detail on the land tenure within the site, gave clarification on the ransom strip, and explained that the existing access was onto Church Road, which needed re-instating.

Councillor Monique Bonney proposed the recommendations, which were seconded by Councillor Tim Valentine.

Councillor Angela Harrison moved the following amendment: That recommendation (4) be amended to include 'and group spokespersons from the Regeneration and Property Committee and to include the Head of Mid-Kent Legal Partnership. This was seconded by Councillor Mike Henderson. On being put to the vote the amendment was agreed and Members agreed that further similar recommendations at this meeting and going forward would be amended accordingly.

There was further discussion in the closed session.

Resolved:

- (1) That in principle the retention of the property for potential future use by the Council be approved.***
- (2) That 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 be approved.***
- (3) That 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 be approved.***
- (4) That delegated authority be given to the Head of Regeneration, Economic Development and Property, in consultation with the Chair of the Regeneration and Property Committee and group spokespersons from the Regeneration and Property Committee and to include the Head of Mid-Kent Legal Partnership, 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) That delegated authority be given 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 Road.***

603 **Exclusion of the Press and Public**

Resolved:

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).***

604 **Central Stadium - Options Report - Exempt Appendix 2**

The meeting was held in closed session at this stage so that discussion on the exempt appendix could go ahead.

The Head of Environment and Leisure explained that the potential use of some of the site for a vehicle depot was about future-proofing for future waste contracts in the years ahead, well into the future, and this would mean that the Council had its own depot.

The Interim Property Consultant read out the restrictive covenant on the land. He confirmed that the area of the site was 8.4 acres, with around 2 acres required for the potential waste depot.

Members spoke on the potential of mixed use of the land, with vehicle depot and leisure; the covenant; present and past leases on the land; and the timescales involved.

The Chair announced that the vote would be taken in open session.

605 **Land and buildings at Town Wharf, Conduit Street, Faversham - future ownership**

The Interim Property Services Manager introduced the report which recommended disposal of the Council owned land as shown edged red on the plan in Appendix I. He outlined the history of TS Hazard as set out in the report.

Members were invited to make comments, and these included:

- Did the disposal include maintenance obligations for the wharf?;
- more information sought on the interest shown by Faversham Town Council (FTC) community right to bid on the site;
- referring to recommendation (1), was there anyone else interested?;
- welcomed the proposals;
- there was a capital value to this disposal; and
- maintenance was overdue on this site.

In response, the Interim Property Services Manager explained that the disposal included the freehold of the site and that would include maintenance obligations and so the Council would no longer have responsibility for maintenance costs. He gave clarification on the recommendations in the report for the disposal of the land, but this was not specific to FTC taking ownership, but as they had approached the Council, their case would be considered. The freehold had a value and the Council was bound by best consideration rules, and if there was a better proposal, that would have to be considered as well. He advised that there had in the past been interest from a commercial organisation for the site.

Resolved:

(1) That 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 be agreed.

(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 sought 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 delegated authority be given to the Head of Regeneration, Economic Development and Property in consultation with the Chair of the Regeneration and Property Committee and group spokespersons from the Regeneration and Property Committee and to include the Head of Mid-Kent Legal Partnership 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.

606 Exclusion of the Press and Public

There was no need to pass this resolution as Appendix 2 was not discussed at the meeting.

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

This item was not discussed.

608 Adjournment of Meeting

The Meeting was adjourned from 8.23 pm until 8.32 pm.

Chair

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All minutes are draft until agreed at the next meeting of the Committee/Panel