
REGENERATION AND PROPERTY COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Wednesday, 8 March 2023 from 7.00 pm - 8.03 pm.

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

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

OFFICERS PRESENT (Virtually): Philippa Davies.

ALSO IN ATTENDANCE (Virtually): Councillors Steve Davey, Tim Gibson, Ken Ingleton, Elliott Jayes and Ken Rowles.

APOLOGIES: Councillors Simon Clark and James Hall.

773 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

774 **Declarations of Interest**

Councillor Monique Bonney declared a Non-Pecuniary Interest in respect of Item 7, Levelling-Up Fund.

775 **Minutes**

The Minutes of the Meeting held on 19 January 2023 (Minute Nos. 595 – 608) were taken as read, approved and signed by the Chair as a correct record.

Part B Minutes for Information

776 **Forward Decisions Plan**

The Head of Regeneration, Economic Development and Property advised that the Planned and Reactive Maintenance Contract Award would be added to the Forward Decisions Plan to consider at the July 2023 Regeneration and Property Committee meeting.

Resolved:

(1) That the report be noted.

777 **Levelling-Up Fund**

The Head of Regeneration, Economic Development and Property introduced the report which summarised the aims of the Sheerness Revival Levelling-Up Fund bid, including the

planned next steps. She added that paragraph 2.3 of the report showed the planned wide-ranging projects and at paragraph 2.6 the next steps that needed to be taken.

The Chair invited Members to make comments, which included:

- How long could the Government take on the subsidy control checks?;
- the delivery of the bid was key to the improvement of Sheerness;
- thought it was important that East Kent College were successful and asked what liaison there was between Swale Borough Council (SBC) and East Kent College?;
- could officers learn from previous experience from other Local Authorities to understand what worked well and what did not?;
- understood why UK Leisure Framework was being used and hoped the Council used local companies going forward;
- paragraph 4.6 of the report suggested an alternative route and wondered why it was not recommended?;
- could a member of East Kent College be invited to attend the Member Working Group?; and
- it was important to make sure that apprenticeships were offered to local people from Sheerness and Sittingbourne.

The Head of Regeneration, Economic Development and Property responded to the points made and said that the Government subsidy control checks could take up to 40 days and that the required information would be submitted by 14 March 2023. The Head of Regeneration, Economic Development and Property told the Committee that officers had already been working with other Local Authorities to learn from their experiences. She added that Appendix I outlined the proposed Governance Structure and that the Regeneration and Property Committee had a Member oversight of the project.

In response to paragraph 4.6 in the report the Head of Regeneration, Economic Development and Property said that due to the size of the delivery of the contract, officers presumed Members would prefer to have direct oversight of the contract delivery through the Committee, rather than through delegations to the Head of Regeneration, Economic Development and Property, but she had no objection to the alternative option.

Resolved:

- (1) That the detailed governance arrangements as introduced in the Levelling-Up Fund business case and in section 3 of the report be agreed.***
- (2) That subject to undertaking a due diligence exercise with Legal and Procurement, Swale Borough Council utilised the UK Leisure Framework to progress the delivery of the Beachfields and public realm projects to RIBA stage 4.***
- (3) That it be agreed to utilise and appoint the UK Leisure Framework to identify and recommend a delivery contractor for the Beachfields and public realm projects.***
- (4) That upon the convening of an extraordinary meeting of the Committee, the contract be awarded.***

The Economic Development and External Funding Manager introduced the report which set out the background discussions between SBC and Countryside Properties regarding a parcel of land at Great East Hall, Sittingbourne.

The Chair invited Members to make comments, which included:

- This was a typical situation that occurred across the Borough not just at Great East Hall; and
- officers needed to make it clear with Countryside Properties that they needed to follow up on whatever was agreed.

A Member said that he was not against the idea of a community shop at Great East Hall, but considered it was important that the Council made the best decision for the local residents by exploring options for the site that would enable the community shop.

Councillor Mike Whiting proposed a fourth recommendation: *That officers investigate an enabling development to bridge the funding gap that exists, by considering a hybrid retail/residential joint venture to deliver the community shop on the land identified in the report, and that this is brought back to Members for consideration and a final determination.* This was seconded by Councillor Lloyd Bowen.

The Chair invited Members to make comments on the proposed fourth recommendation, which included:

- How much was the funding gap outlined in the report?;
- if there was something else that could be done to the land it should be explored;
- concerned there were possible nearby planning applications that were proposing provision in the locality and thought there could be no need for this shop on the land in the future;
- recognised that officers had an agreed programme of works and that they had no spare time to explore further options;
- recognised that the Council needed to make the most of the opportunity, but there were other projects in the Borough that were higher priority;
- thought that recommendation (1) already suggested that any proposals would be coming back to the Committee, so the proposed recommendation was premature;
- the Council should start with the community shop, and then explore other options once this was completed;
- thought it was important that the officer scope was widened to explore all options available for the parcel of land; and
- the community had been waiting a long time for a community shop, so pace was key.

The Economic Development and External Funding Manager responded to say that a final figure on the funding gap would be based on the size and nature of construction of the shop. Based on some outline feasibility work the gap could be £300,000 - £400,000, although modular construction could reduce this figure.

The Head of Regeneration, Economic Development and Property commented on officers' resource and said that the proposed recommendations in the report required officers to help enable the project, but she considered that the proposed fourth recommendation would require officers to take a lead role in the project. She noted that with the forthcoming reduced staffing levels set in the 2023/24 budget, a workstream would need to be identified to enable a new initiative to be added. In the absence of identified capital funding to develop and deliver a fuller scheme, she noted that the Policy and Resources Committee might need to be engaged.

The Chair acknowledged community concerns regarding existing pressure on amenities at Great East Hall and that any proposals which added to that pressure would need to be carefully considered.

On being put to the vote the proposed fourth recommendation was rejected.

Resolved:

- (1) That it be agreed that in principle officers can proceed with negotiations for the transfer of the site to Swale Borough Council, with any transfer subject to terms that can be agreed and an application to vary the relevant section 106 agreement for final Committee approval.***
- (2) That it be agreed that in principle an appropriately sized and located parcel of land within the site, to enable the delivery of a community shop be identified and reserved. Any transaction would be subject to the receipt and independent review of a funded delivery plan for its construction, business plan demonstrating financial sustainability and the formation of an appropriate legal entity through which the project can be progressed.***
- (3) That if the conditions to enter into a transaction to enable the delivery of a community shop are not met by September 2024, a further committee report be considered for the continued reservation of the land identified for its construction.***

779 Disposal of Old Fire Engine House, Court Street, Faversham

The Interim Property Services Manager introduced the report which proposed the disposal of the Council freehold owned property known as The Old Fire Engine House, Court Street, Faversham.

A Member commented that it was a shame to dispose of a listed building and asked if the property had services that were separate to the adjoining property, or if the building required the services of the adjoining property?

The Interim Property Services Manager responded to say that the listed building required the services of the adjoining property, and it would not be beneficial to the Council to dispose of the land separate to the adjoining property.

Resolved:

- (1) That the terms of the sale of the freehold interest of the property be approved.***
- (2) That delegated authority be given to the Head of Regeneration, Economic Development and Property in consultation with the Head of Mid Kent Legal Services to complete the necessary legal formalities.***

780 Exclusion of the Press and Public

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

781 **Disposal of Old Fire Engine House, Court Street, Faversham - Exempt Appendix II**

This item was not discussed.

782 **Disposal of Land at Brielle Way, West Minster, Sheerness**

The Interim Property Services Manager introduced the report which proposed the disposal of Council owned land as shown on Appendix I of the report.

The Chair invited Members to make comments, which included:

- This parcel of land had many proposals for reuse and the Council needed to make sure the land was used properly;
- could we sell the land with any controls or restrictions?;
- recognised that the site was a difficult site to deal with;
- if the Council had control of the land, then the Council should explore the possibility of redeveloping the land;
- concerned with giving other companies the opportunity to make money out of land if the Council could have done so;
- if the Council marketed the land, it would give officers an opportunity to see what offers came forward; and
- the Council did not have to follow through any of the offers that came forward, but it would be good to test interest.

The Interim Property Services Manager responded to say that the Council could place possible restrictions or covenants on the land, but this could lower the value of the receipt. He added that if the land was marketed by a property agent, then this would allow the Council to understand which companies were truly interested in the parcel of land and for what opportunity.

Resolved:

(1) That delegated authority be given to the Head of Regeneration, Economic Development and Property to market the property and agree terms for a freehold disposal.

(2) That delegated authority be given to the Head of Regeneration, Economic Development and Property in consultation with the Head of Mid Kent Legal Services to complete the necessary legal formalities to affect a freehold sale of the land at Brielle Way, Sheerness.

783 **Exclusion of the Press and Public**

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

784 **Disposal of Land at Brielle Way, West Minster, Sheerness - Exempt Appendix II**

This item was not discussed.

Chair

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