

Agenda

Regeneration and Property Committee Meeting

Date: Tuesday, 12 March 2024

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT*

Membership:

Councillors Monique Bonney (Chair), Hayden Brawn, Ann Cavanagh, Lloyd Chapman, Shelley Cheesman, Roger Clark, Simon Clark, Charles Gibson, James Hall, Peter Marchington, Sarah Stephen (Vice-Chair), Terry Thompson, Mark Tucker, Mike Whiting and Ashley Wise.

Quorum = 5

Pages

Information about this meeting

*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website by 11 March 2024.

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1. Emergency Evacuation Procedure

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- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the meeting held on 14 November 2023 (Minute Nos. 406 – 413) as correct records.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPIs) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

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|----|--|---------|
| 5. | Memorial Bench Scheme | 5 - 8 |
| 6. | Beach Hut Policy - Consultation Report | 9 - 18 |
| | Beach Hut Policy 2023 – Appendix II added 05.03.2024
Equality Impact Assessment Beach Huts 2024 Appendix III added 05.03.2024 | |
| 7. | Forward Decisions Plan | 19 - 20 |
| 8. | Exclusion of the Press and Public | |

To decide whether to pass the resolution set out below in respect of the following items:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items 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). See note below.

9. Central Stadium, Sittingbourne

21 - 32

Issued on Monday, 4 March 2024

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**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Regeneration & Property Committee	
Meeting Date	12 March 2024
Report Title	Swale Memorial Bench Scheme
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Jay Jenkins, Leisure & Technical Services Manager
Classification	Open
Recommendations	1. Members are asked to note the contents of this report and recommend that the Swale Memorial Bench Scheme is not re-introduced along Minster Leas Promenade.

1 Purpose of Report and Executive Summary

- 1.1 Following a question raised at Full Council, a request has been made for a report to be submitted to this Committee on the Swale Memorial Bench Scheme, in particular for the Minster Leas Promenade area on the Isle of Sheppey.

2 Background

- 2.1 The Council runs a Memorial Bench Scheme across the Borough where members of the public can pay for the supply and installation of a bench to commemorate a loved one. There are various areas covered by the Scheme, including Open Spaces, Country Parks and Beach locations.
- 2.2 Previously, benches could also be purchased for installation in cemeteries, but these locations were withdrawn from the Scheme due to the large number of benches in particular areas, and the fact that the benches were taking up burial space.
- 2.3 Similarly, the Scheme used to include benches along Minster Leas Promenade, but following consultation in 2014 and a consensus that supported the number of benches being capped, this area was finally removed from the Scheme in 2017.
- 2.4 Along Minster Leas, in the fairly short length between the White House/The Broadway end to Seathorpe Avenue car park there are currently around 150 existing benches. Particularly in the area of promenade in front of the beach huts, the benches are very close together and generate different views from beach users, with some liking the idea of offering memorials in the area and others feeling that too many benches impact of the visible appearance and feel of the area.

- 2.5 The existing benches do create an on-going liability for the Council in terms of cleansing, repairing or replacing benches due to vandalism, although this is mitigated somewhat by selecting hard wearing benches suitable for a coastal location. Another impact on resources is contacting families who have applied for the benches asking them to remove items such as flowers and other memorabilia which, whilst placed with good intentions, do become weathered and damaged over time resulting in complaints from beach users of an unkempt appearance.
- 2.6 During essential resurfacing works to the promenade several years ago, a considerable resource was required to remove all of the existing benches noting their individual locations, so they could be reinstated from a safe storage site on completion of the works. Whilst the promenade is a well-used amenity area, it is important to recognise that this is a sea defence structure and as such we liaise closely with the Environment Agency on any proposed works and to ensure vehicular access for emergency and maintenance vehicles is preserved.

3 Proposals

- 3.1 Whilst acknowledging the sensitivity of the issue, it is recommended that the current Swale Memorial Bench Scheme continues to exclude the Minster Leas Promenade area.
- 3.2 With such a large number of benches already in position along this promenade, and the availability of other coastal locations including Sheerness Promenade and some limited availability in Leysdown, it is felt that to reinforce this decision will ensure the needs of all beach users are balanced. The area along Sheerness Promenade, from Garrison Point through to opposite Barton's Point entrance, currently has a substantial amount of space for more memorial benches and remains popular with applicants.

4 Alternative Options Considered and Rejected

- 4.1 The option to re-open Minster Leas Promenade to further memorial bench applications is not considered to be viable due to the extensive number of benches already in position along this stretch of promenade.
- 4.2 Should the previous decision be reversed, this would lead to complaints from those applicants who have approached us since 2017 with requests to place benches along Minster Leas, and been turned down, resulting in them arranging benches for loved ones in other available areas of the Borough.
- 4.3 The installation of more benches along Minster Leas will lead to complaints from other beach users who have already expressed concern at the high number of benches located along this section of promenade.
- 4.4 Alternative memorial options (trees/plaques etc) could be explored at Minster Leas which could offer a memorial opportunity on the green space to the east side of the existing beach huts.

5 Consultation Undertaken or Proposed

- 5.1 As stated above, the decision to close the Memorial Bench Scheme in 2017 followed a consultation undertaken in 2014.

6 Implications

Issue	Implications
Corporate Plan	Recognise and support our local heritage to give people pride in the place they live and boost the local tourism industry.
Financial, Resource and Property	Memorial bench income covers the costs of the bench, installation costs and ongoing maintenance. We offer a number of alternative locations to Minster Leas which provides opportunities to achieve memorial bench income targets.
Legal, Statutory and Procurement	None identified
Crime and Disorder	None identified
Environment and Climate/Ecological Emergency	None identified
Health and Wellbeing	With a large number of benches already in place along Minster Leas there are no health and wellbeing issues identified by not allowing further bench installations.
Safeguarding of Children, Young People and Vulnerable Adults	None identified
Risk Management and Health and Safety	By reversing the previous discussion to close the Memorial Bench Scheme in Minster Leas, there is the risk of a potential high number of complaints from those applicants who have previously been turned down for new benches in this location.
Equality and Diversity	None identified
Privacy and Data Protection	None identified

7 Appendices

None

8 Background Papers

None

Regeneration and Property Committee Meeting	
Meeting Date	12 March 2024
Report Title	Beach Hut Policy Consultation Outcome
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Jay Jenkins, Leisure & Technical Services Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Discuss the outcomes of the Beach Hut Policy Consultation and SBC response shown in Appendix I. 2. Consider the items listed at 2.8 and recommend for inclusion or not into the policy. 3. Approve and adopt the final draft of the Beach Hut Policy shown at Appendix II.

1 Purpose of Report and Executive Summary

- 1.1 This report presents the findings of the Beach Hut Policy 2023 consultation which took place between September 2023 and November 2023.
- 1.2 A summary of the feedback and SBC responses are attached at Appendix I. There was a total of 29 returns.
- 1.3 Members are asked to consider the responses and approve the revised Beach Hut Policy.

2 Background

- 2.1 The Council currently has 55 beach huts either directly owned and managed by Swale Borough Council (SBC) or privately owned and sited on land under Borough Council control.
- 2.2 Minster has 29 huts privately owned and 6 are rented. Leysdown has 12 huts privately owned with 8 being rented. Annual revenue from rented huts is circa £13,000 and an additional £16,000 is achieved from ground rent of purchased huts.
- 2.3 Despite this success, the Council had never formally adopted a beach hut policy to oversee management of the service. In the old cabinet system, the Policy Development and Review committee discussed an early draft which set out many

of the principles included in this new document. This committee considered a draft policy in July 2023 before moving to public consultation.

2.4 The policy set out the vision and keys to success for the service. It details key policy principles such as;

- a) Provision of additional Beach Huts
- b) Optimising Use, Satisfying Demand and Allocations policy
- c) Standard of Maintenance & Appearance
- d) Security
- e) Pricing Structure

2.5 The policy also detailed future development plans in two phases. Phase 1 is to install 12 additional huts at Minster Leas and 14 at Leysdown Coastal Park. Phase 2 is to install an additional 46 huts in a second row at Minster Leas.

2.6 Phase 1 is currently on hold as recent tender returns all came in well over the £120,000 budget provision. A specification review is being undertaken to identify opportunities to reduce the tender costs and/or relook at the financial modelling with a commitment to come back to this committee in 2024.

2.7 A total of 29 responses were received and the themes from the comments and our responses are included in Appendix I.

2.8 Three particular comments are put forward to Members of the Committee for consideration. The exact wording from the consultation feedback is shown below along with a description of our recommended position:

Resident comment	Policy Position
<p>“Failure to comply with maintaining the hut could result in the hut being taken back into Council ownership”.</p>	<p>There are already clauses within the licences that require the hut owner/renter to keep them in good maintenance. For a rental, SBC remain the owner of the hut, so we feel this has ample coverage.</p> <p>If the hut has been purchased, it would not be possible to confiscate their property. However, we would use the licence clauses to request removal of the hut. In severe cases where requests were ignored, we would pursue legal routes. Previous experience has shown that a threat of action has resulted in positive resolution of any dispute.</p>
<p>“I would love to see at least 10% of any new developments gifted to local primary schools, community groups such as Scouts etc”.</p>	<p>To be clear we believe this to mean donation of the actual beach hut and not the financial proceeds. Members are asked to consider this as a community engagement opportunity. It could help to respond to some of the views held that</p>

	<p>locals do not get to enjoy the benefits of beach huts.</p> <p>There is already a similar precedent of this with one hut at Leysdown where a community organisation receives a reduced annual rental cost. If a hut at each site was agreed to be made available to local voluntary or charitable organisations, then the preferred method would be to have an 'anchor' organisation who would pay a reduced annual rate and manage the bookings for other local organisation. This would reduce the annual income for SBC from a commercial arrangement but likely cover the annual maintenance costs.</p>
<p>"Make more available but for local residents only first".</p>	<p>This is opposed to the existing policy and the wording mentioned in section 5b. Allocations are made in strict 'date of application' order. Whilst we can understand the viewpoint, the evidence shows that 89% of huts are owned or rented by locals to Swale, with many others coming from neighbouring Boroughs. The waiting list also shows similar statistics (72% local) so no amendment is recommended.</p> <p>Furthermore, the addition of weekly rentals in some of the new phase 1 huts will lead to greater availability for local people.</p>

3 Proposals

- 3.1 Discuss the outcomes of the Beach Hut Policy Consultation and SBC response shown in Appendix I.
- 3.2 Consider the items listed for inclusion into the policy at 2.8.
- 3.3 Approve and adopt the final draft of the Beach Hut Policy shown at Appendix II.

4 Alternative Options Considered and Rejected

- 4.1 Members could opt not to approve a number of the 3 inclusions into the Beach Hut Policy.

5 Consultation Undertaken or Proposed

- 5.1 Consultation has taken place over a 3-month period, with 29 returns.

6 Implications

Issue	Implications
Corporate Plan	<p>The policy cuts across a couple of objectives under two priorities.</p> <p>3.5 Promote wellbeing and enjoyment of life by signposting and encouraging a wide range of sporting, cultural and other leisure activities appropriate and accessible to each age group.</p> <p>4.4 Reduce dependence on government-controlled funding sources and support staff to find innovative ways to ensure other objectives can be met in the context of diminished resources.</p>
Financial, Resource and Property	<p>There are no other direct financial implications within this report as the Policy allows for annual fees and charge changes and each new development would be managed via a business case and tender reports.</p>
Legal, Statutory and Procurement	<p>Beach huts are a discretionary service and therefore fall under the Local Govt Miscellaneous act where Councils are able to levy fees.</p> <p>The beach huts have been confirmed as under permitted development due to their size and nature.</p>
Crime and Disorder	<p>None identified at this stage</p>
Environment and Climate/Ecological Emergency	<p>None identified at this stage</p>
Health and Wellbeing	<p>None identified at this stage</p>
Safeguarding of Children, Young People and Vulnerable Adults	<p>None identified at this stage</p>
Risk Management and Health and Safety	<p>None identified at this stage</p>
Equality and Diversity	<p>See separate Equality Impact Assessment at Appendix III.</p>
Privacy and Data Protection	<p>The consultation returns are held in accordance with data protection principles.</p>

7 Appendices

7.1 Appendix I: Beach Hut Policy Consultation Summary Results

7.2 Appendix II: Final Draft Beach Hut Policy for approval

7.3 Appendix III: Equality Impact Assessment

8 Background Papers

8.1 [Regeneration & Property Meeting 6 July 2023 Minutes](#)

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Appendix 1

Beach Hut Policy – Consultation 2023

- Consultation took place between September 2023 and November 2023.
- There was a total of 29 returns, summary and responses are tabled below.

Summary of Comments	SBC Response
"I would love to see many more built".	Thank you, we do have a phase 2 plan which will commence for consultation once phase 1 is complete.
"I very rarely see any of the existing huts being used. It does seem the beach huts at Minster are not occupied very much across the Summer. People who buy them don't even live on the island then don't use them but rent them out".	We have had a number of responses along these lines. Owners and lease holders of the huts can use them at their leisure.
"If owners can't demonstrate regular use, they should be made to sell them on".	Thank you, measuring usage is virtually impossible and as such this would be difficult to monitor so will not be taken forward at this stage.
"The owner agrees to maintain the hut in keeping with others locally. Failure to comply with these requests could result in the hut being taken back into Council ownership".	*Thank you, this will be considered as part of the consultation feedback review Licences for hut owners or renters do require regular maintenance and we inspect them periodically. Generally, when we remind them, maintenance is undertaken. Removal of a hut would only be considered in severe cases.
"Could I suggest that some of any new beach huts have disabled access".	Thank you, we have undertaken an Equalities Impact Assessment of both locations. Minster does not lend itself to disabled access due to the sea wall. Leysdown could be considered to have a different approach. We will begin to collect disability information as part of the waiting list application process.
"I fully support this Beach Hut Policy as part of the area's regeneration".	Thank you and noted.
"I would suggest that the rental of a beach hut is limited to a certain number in a party, to avoid excessive noise and distraction to other huts nearby. Perhaps no more than 8 people"?	Licences do require owners or annual renters of the huts to abide by a strict set of rules. The terms and conditions for shorter lets will include similar conditions with responsibility laid on the named person on the booking.
"Great policy, well written. The only amendment I'd make is to add that, if necessary, repairs/graffiti removal etc did	Thank you, we will review the suggestion in line with any future policy reviews.

not take place within the specified time, SBC reserve the right to complete the work and levy the license holder ² .	
"I like the idea of people being able to rent some of the beach huts for a shorter period. Being able to book for a weekend or week would make the beach huts more accessible for all. It would be good to be able to rent the huts for the day".	Weekly rentals are being considered as part of the phase 1 project. We have also considered daily rentals but feel we are currently not in a position to offer these at this time due to the cleaning requirements in a short time in between hirers.
"I would love to see at least 10% of any new developments gifted to local primary schools, community groups such as Scouts etc"	*Thank you, this will be considered as part of the consultation feedback review
"Why don't you have them set up like the Boris Bikes where you pre-register and use your credit or bank card to access, and possibly pre hire on the website so they will get used".	Thank you for the suggestion. This is not a consideration at this time but something we could consider going forward
"Make more available but for local residents only first"	*This is something that is being considered as part of the policy review. Adding a preferential weighting for Swale residents is something we will ask Councillors to discuss. Huts are currently allocated via the waiting list with Swale residents currently occupying 71% of the huts. Huts will be offered at the current market value.
"Short leases 2 years max then reapply if still a resident and council taxpayer".	We do not provide leases for the huts. Owners or renters sign a licence for access to the ground the hut is located on.
"Discounts given to local families, charities and local educational organisations. Increased use of the beach may lead to filling missing lifeguard position and gain the blue flag badge back".	We already have a precedent of working with a local charity and would consider any applications individually. We are working with our lifeguard contractor (RNLI) to increase local recruitment. Blue Flags are awarded on a wide range of criteria, not just limited to football or beach huts.
"Thank you for at last directly consulting with us regarding beach hut policies".	Thank you, all feedback is helpful to us
"Maintenance of the toilets is now a joke. When the attendants were doing their job, they were amazing, an asset to the area. We had waited so long for these toilets. Now, due to council penny pinching, they	This is useful feedback. The Council was required to make a number of savings to services and the provision of toilet attendants was reduced. We placed an attendant in the toilets when they were first

<p>are no longer doing this. The toilets soon become dirty and abused. On a busy weekend people were complaining about them. Considering the large number of people, you are trying to attract to the area, surely the toilets need to be immaculate”.</p>	<p>installed to monitor activity and footfall, particularly during the week, did not warrant a full-time presence. We are entering a new contract for public toilets this year and will assess whether additional visits by a cleaner during the day during busy periods are required.</p>
<p>“The majority of owners stick religiously to the high standards set. But the remainder are looking very run down and neglected”.</p>	<p>This has been noted and owners/renters are contacted to address any issues.</p>
<p>“Maybe include a beach hut specifically for selling refreshments along the leas”.</p>	<p>Thank you, there are already commercial lettings that are a key part of our visitor economy framework.</p>
<p>“In order to ensure that those on the waiting list are not by-passed, the licence should include a clause that existing owners have to offer their hut for sale to the SBC waiting list first”.</p>	<p>There is already a clause in the majority of licences for this to happen and the process has been followed for a number of huts.</p>
<p>“What nonsense to build more beach huts at Minster Leas. The existing ones are an eyesore and hardly used. I suggest councillors visit the site on any sunny day you never see more than 2 or 3 in use. And usually none. Please do not waste our money on extending this white elephant eyesore”.</p>	<p>Thank you for your comments which will be shared with Members.</p> <p>The Beach huts help to bring in much needed income for the Council to use to support other council services.</p>
<p>“I would like to object to the proposal to increase the number of beach huts along Minster Leas. I do not feel that there is a proven need for additional beach huts as even on a hot, summer weekend only 3-4 are regularly in use”.</p>	<p>Thank you, we have nearly 300 people on the waiting list for huts and as such believe there is a high demand for additional huts.</p>
<p>“Starting a scheme for weekly rentals is misconceived as those hiring would have no interest in the upkeep of the huts or the tranquillity of the area and would cause problems not only for their neighbours but all users of the Leas. Weekly lets will lead to more BBQ’s, music, litter and noise”.</p>	<p>Licences do require owners or annual renters of the huts to abide by a strict set of rules. The terms and conditions for shorter lets will include similar conditions with responsibility laid on the named person on the booking.</p>

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Regeneration and Property Committee Forward Decisions Plan – March 2024

Report title, background information and recommendation(s)	Date of meeting	Open or exempt	Lead Officer and report author
Property Disposals Policy and Community Asset Transfer Policy	June 2024	Open	Head of Service: Joanne Johnson Report author: Kieren Mansfield
Levelling-Up Fund Member Working Group – review of membership	June 2024	Open	Head of Service: Joanne Johnson Report Author: Dean Radmore
Beach Hut Tender	June 2024	Open	Head of Service: Martyn Cassell Report Author: Jay Jenkins

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