

Regeneration and Property Committee	
Meeting Date	19th January 2023
Report Title	Land and buildings at Town Wharf, Conduit Street, Faversham – future ownership
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson Head of Regeneration, Economic Development and Property
Lead Officer	David Johnson MRICS Interim Property Services Manager
Classification	OPEN
Recommendations	<ol style="list-style-type: none"> 1. To agree 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. 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 seeks 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 authority is delegated to the Head of Regeneration, Economic Development and Property 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.

1 Purpose of Report and Executive Summary

- 1.1 It is government policy that local authorities should dispose of surplus and under-used land and property wherever possible. This report recommends disposal of the Council owned land (as shown edged red on the attached plan, Appendix I).
- 1.2 The land is a part-let part-vacant site comprising two buildings TS Hazard, formerly used as a Sea Cadets headquarters and now vacant, and Quayside Boxing Club which is leased with the current tenant holding over.
- 1.3 Significant capital expenditure is required on the site which cannot be funded from Council resource.
- 1.4 The Council owned land is surplus to its requirements and a disposal of the asset for a beneficial use would reduce the Council's liabilities for the asset while benefiting both buildings' heritage status.

2 Background

- 2.1 The site sits within the Faversham Conservation Area.
- 2.2 Constructed in c.1478 TS Hazard is a timber-framed structure, originally the old town warehouses and subsequently used as a Training Ship by the Sea Cadets, called Training Ship Hasarde and referred to latterly as TS Hazard. The building is designated a heritage asset and is listed at grade II*.
- 2.3 First listed on 29th July 1950, the details of the listing entry with Historic England are:

*CONDUIT STREET 1. 1103 (West Side) - The Training Ship Hasarde TR 0161 NE 1/98 29.7.50. II**

This is a C15 timber-framed structure, originally old town warehouses and now used as a Training Ship. The 1st floor overhangs on the protruding ends of the floor joists and brackets. Close-studding on ground floor and large panels of timber-framing above. Projecting eaves. Tiled roof with pentice on east side. Some original door and window openings and original plaster infilling exposed during recent restoration.

Listing NGR: TR0158461615

- 2.4 TS Hazard was formerly occupied by the Sea Cadets who had an internal repairing lease for a period of 5 years which expired in December 2022. The Sea Cadets have not used the property in the last two -three years and the lease has not been extended.
- 2.5 The building occupied by Quayside Boxing Club is classed as a non-designated heritage asset and is one which in terms of its character and associated external appearance, is considered by Planning to make a positive contribution to the Faversham Conservation Area.
- 2.6 Quayside Boxing Club had a full repairing lease which was excluded from the Landlord and Tenant Act, and which expired in 2016. They have been in occupation holding over on the terms of their previous lease since that point. Terms were agreed for a new internal repairing lease in 2021 but this lease has not progressed.
- 2.7 The entire site including both buildings, the Green and the Quay were subject to a Community Right to Bid application from Faversham Town Council which was received in April 2022. The Council approved the Community Right to Bid application on the two buildings on the site, TS Hazard and the Boxing Club but not the Green or the Quay due to their ancillary use by the community.
- 2.8 The Green and Quay area have historically been used for local community events before the pandemic and Faversham Town Council and the Faversham Society have both expressed interest in supporting similar activities in the future.
- 2.9 The Quay is still an operating quay and moorage is bookable and payable via the Council's Website.

- 2.10 The site is also the location of a pumping station in the ownership of Southern Water Services Limited which has rights of access over the current car park and access road.
- 2.11 Significant work has been undertaken in understanding the condition of the TS Hazard building, with a significant amount of capital investment required over the next ten years. Details of the estimated expenditure are included in Appendix 2 (restricted).

3 Proposals

- 3.1 To agree 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.
- 3.2 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 seeks 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.
- 3.3 That authority is delegated to the Head of Regeneration, Economic Development and Property 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.

4. Alternative Options Considered and Rejected

- 4.1 Option 1. Do nothing and retain the assets.

The site will continue to need to be maintained and will require improvement or refurbishment. The Council will need to commit to the capital expenditure identified in its Building Maintenance Cost Forecast to maintain the integrity and use of the buildings. This option is considered to be financially unviable for the Council and will put the building at risk of irreversible degradation.

Option 2: Redevelop the site for another beneficial use.

The asset has been assessed and there is very limited potential for housing or commercial redevelopment. Redevelopment of the site would pose substantial risk and cost due to the heritage status of the TS Hazard building and is considered financially unviable for the Council to undertake.

5 Consultation Undertaken or Proposed

- 5.1 None undertaken or proposed other than internal consultation with the Head of Environment and Leisure regarding its use for quay and green area. Internal consultation was undertaken at the time of the Community Right to bid Application.

6 Implications

Issue	Implications
Corporate Plan	The proposal supports renewing local democracy and making the Council fit for the future by disposing of surplus land and achieving, if possible, a capital receipt, or reducing ongoing liabilities.
Financial, Resource and Property	The proposal looks to reduce the Council's future maintenance liabilities relating to the buildings over the next 10 years as detailed in Appendix 2 (restricted).
Legal, Statutory and Procurement	<p>Any proposed disposal will be for the best consideration reasonably obtainable in accordance with section 123 of the Local Government Act 1972.</p> <p>The Council has an obligation to maintain and enforce the maintenance of Listed Buildings under section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Local Planning.</p> <p>The Community Right to Bid was established under the Localism Act 2011 and the successful application by Faversham Town Council means that the Town Council will have six months to prepare a bid for the site from a decision by the Council to dispose.</p>
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The Council currently has no capital funds set aside, and limited general building reserves, to undertake the required maintenance works and continued ownership of the site poses a financial pressure risk and a material structural risk to the buildings on site.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix 1: Site Plan
- Appendix 2: Maintenance Forecast (Restricted).

7.2 Appendix 2 is exempt from publication under Schedule 12A to the Local Government Act 1972 because it contains information about the financial or business affairs of particular persons, including the council itself, and in all the relevant circumstances the public interest in applying the exemption outweighs that in disclosing the information.

8 Background Papers

None