

Regeneration and Property Committee	
Meeting Date	14th November 2023
Report Title	Disposal of parcels of land associated with Bridge Road car park, Sheerness
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Regeneration, Economic Development and Property and Interim Head of Planning
Lead Officer	David Johnson MRICS Interim Property Services Manager
Key Decision	No
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That the parcels of land be declared surplus and disposed of with the previously agreed car park land to EKC Group. 2. That authority is delegated to the Head of Regeneration, Economic Development and Property and Interim Head of Planning in consultation with the Head of Mid Kent Legal Services negotiate terms for the disposal of the land and to complete the necessary legal formalities.

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 the freehold transfer of parts of the Council owned estate known as land associated with Bridge Road car park, Sheerness (Appendix 1) in addition to the car park already approved for disposal (Appendix 2)
- 1.2 The disposal comprises various pieces of land of which the Council is the freeholder which in part are currently maintained by EKC Group as part of Sheppey College and would otherwise be left with no beneficial use if they were not transferred.
- 1.3 The land proposed for disposal is required for delivery of the Council's successful LUF bid "Sheerness Revival" which includes the Sheppey College extension project.

2 Background

- 2.1 The Department for Levelling Up, Housing and Communities is providing the funding via the Levelling Up Fund (LUF) for the "Sheerness Revival" programme and the constituent Sheppey College extension project. This funding was awarded on 19 January 2023, with the grant determination letter signed in May 2023.

- 2.2 Swale Borough Council is working in partnership with the owner and operator of Sheppey College, EKC Group, to extend their existing further education facility, situated adjacent to the west of the Beachfields site (which is the main focus of the LUF investment). The 750 sqm extension will deliver new further education and junior college teaching facilities alongside additional adult and community learning by providing additional capacity.
- 2.3 EKC Group own the existing College site and the Council own the land adjacent to the east (part of the Beachfields site). Cabinet agreed in March 2022 to transfer the virtual freehold of part of its own land – comprising existing car parking – to EKC Group to facilitate the proposed extension, as part of its match funding contribution should the bid be successful .
- 2.4 During negotiations and drafting of legal agreements several small pieces of land associated with the originally agreed car park transfer have been identified as being required for / beneficial to the project or already maintained by the EKC Group. These pieces of land form landscaped areas between the College's existing freehold and the adopted highway.
- 2.5 Parts of the College building and associated open areas are constructed on these parcels of land already and their ownership needs to be regularised.
- 2.6 Whilst the value of these parcels of land themselves is highly unlikely to exceed the threshold for the disposal to be determined by Committee (£10k), taken together with the originally agreed car park land, it is possible that the combined value may have increased by more than this threshold. It was therefore considered prudent to bring the decision to Committee.

3 Proposals

- 3.1 That the parcels of land be declared surplus and disposed of with the previously agreed car park land to EKC Group.
- 3.2 That authority is delegated to the Head of Regeneration, Economic Development and Property and Interim Head of Planning in consultation with the Head of Mid Kent Legal Services negotiate a terms for the disposal of the land and to complete the necessary legal formalities.

4 Alternative Options

- 4.1 An alternative option would be to retain the parcels of land in the Council's ownership and not include them in the transfer to EKG Group. This option has been discounted as it would hinder the delivery of LUF bid and would leave deminimus pieces of land of little to no value to the council underused.
- 4.2 A further option proposed would be to lease the additional pieces of land to EKG Group on a short-term basis. While this would allow the development to be brought forward it would increase legal costs and process for no gain to the Council or College. This option has been discounted.

5 Consultation Undertaken or Proposed Considered and Rejected

5.1 There have been no external consultations on this proposal.

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 reducing ongoing liabilities and making an asset available for the successful delivery of the Council's LUF bid and the benefits of that to local residents
Financial, Resource and Property	The proposal will reduce the Council's future maintenance liabilities in relation to maintaining landscaped areas which are its responsibility.
Legal, Statutory and Procurement	Legal will be required to the draft disposal contract agreement in consultation with Property. This will be a minor addition to the originally agreed work related to the car park transfer.
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 Proposal reduces the council's risk in terms of holding an asset which is open to public access.
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: Plan
- Appendix 2: Plan

8 Background Papers

[Minutes](#) of the 16 March 2022 Cabinet meeting (701)