

Agenda

Extraordinary Economy and Property Committee Meeting

Date: Wednesday, 14 January 2026

Time 7.00 pm

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

Membership:

Councillors Monique Bonney (Chair), Hayden Brawn, Ann Cavanagh, Shelley Cheesman, Simon Clark, Alex Eyre, Peter Marchington, Kieran Mishchuk, Lee-Anne Moore, Richard Palmer, Carrie Pollard, Sarah Stephen, Terry Thompson, Mark Tucker and Ashley Wise (Vice-Chair).

Quorum = 5

Pages

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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.

Items for Noting

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| 4. | Forward Decisions Plan | 5 - 6 |
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Items for Decision by the Committee

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| 6. | Sheerness Allotments (Medway Road and Richmond Street/Nursery Close), Sheerness - Asset Transfer | 15 - 22 |
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Issued on Monday, 5 January 2026

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

Economy and Property Committee Forward Decisions Plan – January 2026

Report title, background information and recommendation(s)	Date of meeting	Open or exempt	Lead Officer and report author
Voluntary and Community Sector Lettings Policy Refresh – Consultation Outcomes	29 January 2026	Open	Head of Service: Joanne Johnson Report Author: Kieren Mansfield
Future of Closed Toilets	New municipal year	Open	Head of Service: Joanne Johnson Report Author: Debbie Hardy
Sheppey Growth Board – referred item from Sheppey Area Committee	29 January 2026	Open	Head of Service: Joanne Johnson Report Author: Emma Wiggins
Safety and Security of Swale House	29 January 2026	Open	Head of Service: Joanne Johnson Report Author: Joanne Johnson
Queenborough and Rushenden (Housing Infrastructure Fund) – update and interim evaluation	29 January 2026	Open	Head of Service: Joanne Johnson Report Author: Kieren Mansfield
Barton's Point Future options after Environmental Services and Climate Change Committee	29 January 2026	Open	Head of Service: Martyn Cassell Report Author: Martyn Cassell
Great East Hall – future of land	19 March 2026	Part Exempt	Head of Service: Joanne Johnson Report Author: Kieren Mansfield
Old Library – review of disposal decision (was previously named as 44 Trinity Road – future of property)	TBC (not before August 2026)	Part Exempt	Head of Service: Joanne Johnson Report Author: Kieren Mansfield

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Extraordinary Economy and Property Committee	
Meeting Date	14 January 2026
Report Title	Transfer of Public Conveniences - Central Car Park, Faversham
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head Place Services
Lead Officer	David Johnson - Interim Property Consultant
Classification	Open
Recommendations	1. To delegate to the Head of Place to negotiate and agree terms of the transfer of the freehold interest in the public conveniences at Central Car Park, Bank Street, Faversham (as shown on the attached plan at Appendix I) to Faversham Town Council, within a 12 month period. 2. To delegate the enactment of this transfer to the Head of Place, in consultation with the Head of Legal Services.

1. Purpose of Report

- 1.1 This report recommends the transfer of Swale Borough Council's (SBC) freehold interest in Public Conveniences, Central Car Park, Faversham
- 1.2 The proposal supports the Council's Corporate Plan Community Priority to "Work in partnership with the local towns and parishes and voluntary sector on our community assets."
- 1.3 The proposal also supports a resolution by the Environmental Services and Climate Change Committee, which identified Central Car Park Toilet was one of seven public conveniences that could be transferred to Town and Parish Councils or other appropriate local organisations".

2. Background

- 2.1 The Property comprises a single-storey public convenience block with male, female, and accessible facilities, located within the Central Car Park off Bank Street, Faversham, Kent, ME13 8NZ. The site area for proposed for transfer is approximately 200 square metres, immediately surrounding the building and abutting the public highway (Leslie Smith Street) to the north and east. The building is of brick construction under a flat roof, dating from the mid-20th century, and serves visitors to Faversham town centre, including shoppers,

tourists, and users of nearby amenities such as the Alexander Centre and Faversham Swimming Pool.

- 2.2 The land is currently unregistered, but SBC has instructed Mid Kent Legal Services to undertake first registration of a larger holding that includes the Property and adjacent areas. Upon registration, any transfer would carve out only the immediate footprint of the public conveniences and associated access, ensuring no impact on the retained car park operations. The Property benefits from direct highway access, with utilities (water, electricity, drainage) connected via the car park, necessitating standard reservations in the transfer.
- 2.3 SBC has historically provided and maintained public conveniences across the borough as a non-statutory service, supporting local tourism, health, and community needs. However, budget constraints have prompted a comprehensive review of these assets, as detailed in the Public Conveniences Review - Business Case and Consultation Launch, presented to the Environmental Services and Climate Change Committee on 10th July 2025. The review identified opportunities to balance the budget through closures, transfers to town/parish councils, and introduction of a Community Toilet Scheme.
- 2.4 A stock condition survey (April 2023) rates the building as 'Yellow' (fair condition requiring cyclical refurbishment), with forecast expenditures over 10 years totalling approximately £20,000-£30,000 for roof repairs, internal redecoration, and sanitary ware replacement. Current annual running costs for SBC are in the order of £51,700, excluding unplanned maintenance works.
- 2.5 As a part of the review, SBC consulted residents and stakeholders, receiving feedback emphasising the importance of town centre facilities for accessibility and tourism. On the 12th November, the Environmental Services and Climate Change Committee resolved that the Central Car Park Toilet was not considered for closure but it was identified as one of seven public conveniences that could be transferred to Town and Parish Councils or other appropriate local organisations.
- 2.6 FTC has expressed an interest in acquiring the Property to ensure continued operation, potentially integrating it with town centre improvements and exploring funding for upgrades (e.g., energy-efficient fixtures to support net-zero goals).
- 2.7 The recommendation to the Economy and Property Committee is to now support the Environmental Services and Climate Change Committee's resolution through a transfer to FTC. This offers advantages over open-market disposal, including immediate cost savings for SBC, local management tailored to Faversham's needs and preservation of public access without service disruption.
- 2.8 This transfer could streamline SBC's property portfolio, devolve responsibility to a more localised authority and contribute to the savings requirement which

informed the Public Conveniences review, helping mitigate against the need for future cost savings, which otherwise could put toilet provision at risk in the future.

2.8 Terms would include a nominal consideration (reflecting community value and under-£2m threshold for social benefit disposals), covenants restricting use to public conveniences or ancillary community purposes, and reservations for SBC including:

- Rights of support and protection for adjoining structures (e.g., retaining walls or boundaries).
- Rights of access over the transferred land for maintenance of retained car park areas, including emergency vehicle access if required.
- Rights to lay, maintain, and use services (e.g., water pipes, drainage, electricity cables) through the Property, with obligations on FTC not to interfere.
- Rights of entry for inspection and repairs to services or boundaries, upon reasonable notice except in emergencies.
- Mutual covenants for boundary maintenance.

2.10 The transfer would pass full responsibility for maintenance, insurance, and compliance to FTC, allowing them to pursue enhancements.

2.11 This proposal supports SBC's Property Asset Strategy by divesting a non-core asset with recurring costs, while delivering social value through sustained local service provision.

3. Proposal

3.1. To delegate to the Head of Place to negotiate and agree terms of the transfer of the freehold interest in the public conveniences at Central Car Park, Bank Street, Faversham (as shown on the attached plan at Appendix I) to Faversham Town Council, within a 12 month period.

3.2 To delegate the enactment of this transfer to the Head of Place, in consultation with the Head of Legal Services.

4. Alternative Options Considered and Rejected

4.1 To market the Property on the open market following registration. This might yield a modest capital receipt (estimated £20,000-£40,000 based on comparable small utility buildings), but could lead to closure or redevelopment, risking loss of public amenity and conflicting with consultation feedback. This option is not recommended and does not support the Environmental Services and Climate Change Committee, when it considered the outcome of the Public Convenience Review.

5. Consultation Undertaken or Proposed

- 5.1 The Public Conveniences Review included public consultation in summer 2025, with responses highlighting the value of town centre facilities. Informal discussions with FTC have indicated support for the transfer.
- 5.2 If recommendations are agreed, further negotiation with FTC will be required. No additional formal consultation is proposed, given the prior review process and alignment with expressed interests.

6 Implications

Issue	Implications
Corporate Plan	The proposal supports the Community priority to “Work in partnership with the local towns and parishes and voluntary sector on our community assets – e.g., playgrounds, sports pitches and pavilions, community halls”.
Financial, Resource and Property	The transfer would eliminate SBC's annual net liability of £51,700, plus any future unplanned maintenance. Nominal consideration applies under community transfer policies, forgoing a possible small receipt. Transferring the assets to Town or Parish Councils may likely require a public convenience time-limited dowry payment to take on the assets, to cover maintenance liabilities / consumables / legal fees
Legal, Statutory and Procurement	The Council has discretion to dispose of land under section 123 of the Local Government Act 1972, subject to best consideration (exceptions for under £2m via General Disposal Consent 2003). Legal services will deal with the required land registration and transfer documents. Any future FTC alterations would require planning consent. As part of the transfer process there may be employee protections (TUPE) which will need to be considered.
Crime and Disorder	Active management by FTC would help to mitigate risks of vandalism or anti-social behaviour.
Environment and Climate/Ecological Emergency	Transfer potentially encourages sustainable upgrades (e.g., water-saving fixtures)
Health and Wellbeing	The proposed transfer would maintain accessible facilities promoting public health and inclusion.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The proposed transfer reduces SBC's exposure to maintenance and liability risks.

Equality and Diversity	The proposed transfer would ensure continued provision for diverse users, including disabled access.
Privacy and Data Protection	None identified at this stage.
Local Government Reorganisation	The transfer of the site to Faversham Town Council is viewed as a positive step towards retaining local stewardship of an important community asset.

7 Appendices

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

Appendix I: Transfer Plan

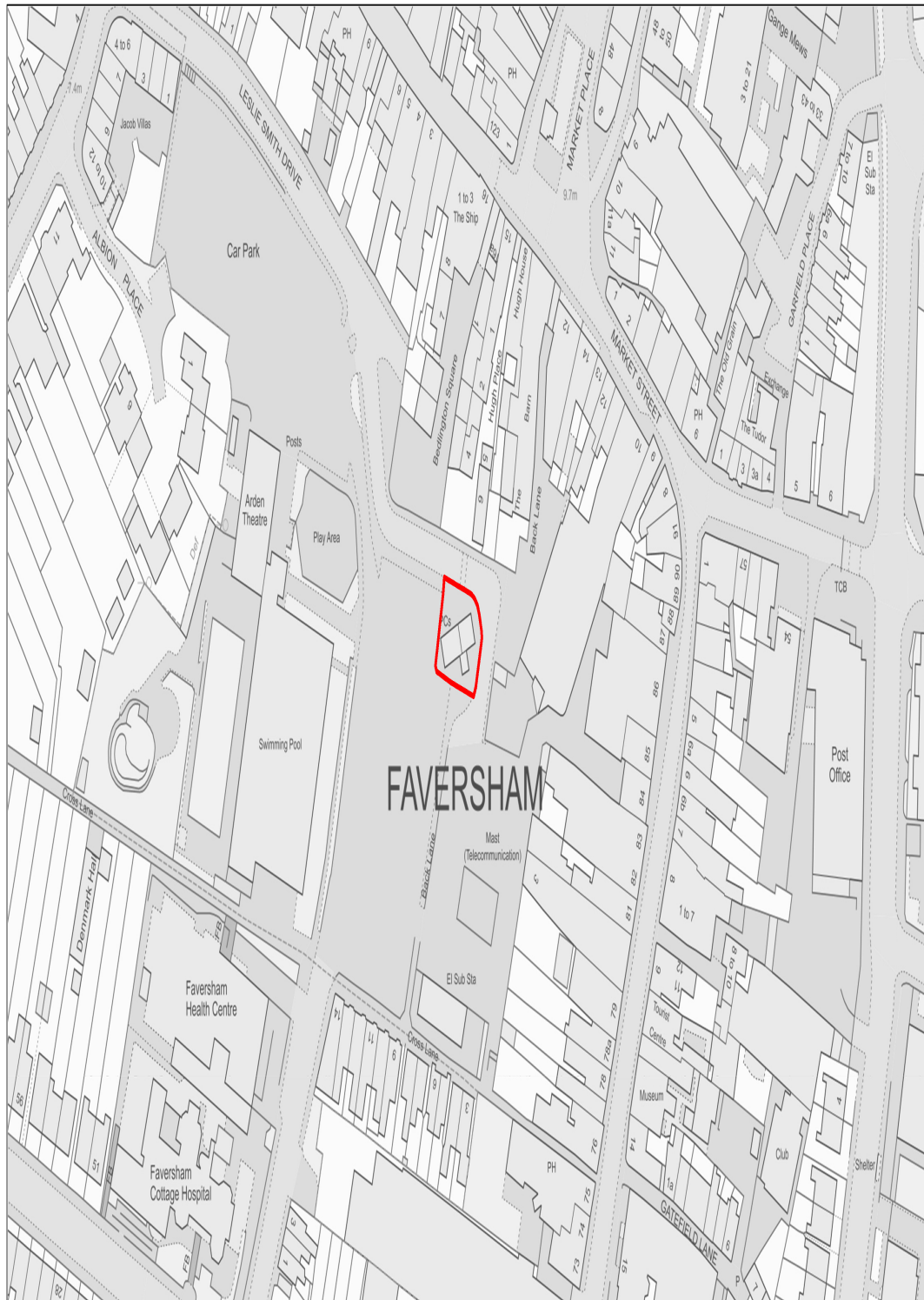
8 Background Papers

Report to Environmental Services and Climate Change Committee, 10th July 2025 - Public Conveniences Review - Business Case and Consultation Launch

Report to Environmental Services and Climate Change Committee, 12th November 2025 - Public Conveniences Review - Consultation Outcome

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PUBLIC CONVENIENCES OPPOSITE 9 CROSS LANE, FAVERSHAM, KENT, ME13 8PN



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Extraordinary Economy and Property Committee	
Meeting Date	14 January 2026
Report Title	Sheerness Allotments (Medway Road and Richmond Street/Nursery Close), Sheerness – Asset Transfer
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head Place Services
Lead Officer	David Johnson - Interim Property Consultant
Classification	Open
Recommendations	1. To delegate to the Head of Place to negotiate and agree terms of the transfer of the freehold interest in Sheerness Allotments (Medway Road and Richmond Street/Nursery Close) (as shown on the attached plans at Appendix I) to Sheerness Town Council. 2. To delegate the enactment of this transfer to the Head of Place, in consultation with the Head of Legal Services.

1. Purpose of Report

- 1.1 This report recommends the transfer of Swale Borough Council's (SBC) freehold interest in Sheerness Allotments comprising Medway Road and Richmond Street/Nursery Close (the "Sites"), off Medway Road and Richmond Street/Nursery Close, Sheerness, Kent, ME12, to Sheerness Town Council (STC), as shown on the attached plans (Appendix I).
- 1.2 The proposal supports the Council's Corporate Plan Community Priority to "Work in partnership with the local towns and parishes and voluntary sector on our community assets."
- 1.3 SBC's adopted Property Asset Strategy sets out the requirement to: "Make it a priority that the Council only retain land and property where it makes strategic or financial sense to do so. This should be to deliver services in line with corporate priorities, to generate income, to provide a return on investment, to enable regeneration or to provide social value."
- 1.4 The report sets out why officers recommend that negotiating a transfer as per the recommendation would be in line with this policy, particularly in reducing ongoing liabilities while supporting community stewardship of a valuable local asset.

2. Background

- 2.1 The sites comprise approximately 4.75 hectares (11.7 acres) of land used as allotment gardens across two locations: Medway Road (c. 2.5 hectares with over 100 individual plots) and Richmond Street/Nursery Close (c. 2.25 hectares with approximately 90 individual plots). They are managed as statutory allotments under the provisions of the Small Holdings and Allotments Act 1908 (as amended by subsequent legislation including the Allotments Acts 1922 and 1950), which places duties on local authorities to provide and manage allotments where there is demand. The Sites include pathways, fencing, water supplies, and associated infrastructure to support cultivation by plot holders.
- 2.2 SBC holds the sites on a freehold basis, though the titles are currently unregistered. Mid Kent Legal Services have been instructed to undertake the first registration of title, which is ongoing. The sites have been used for allotments since at least the 1980s, as evidenced by a management agreement dated 24 February 1986 between SBC and the Sheppey Horticultural Society (the "Society"). Under this agreement, made pursuant to Section 29 of the Small Holdings and Allotments Act 1908, the Society acts as allotment managers responsible for day-to-day administration, including letting plots, collecting rents, and maintaining common areas, while SBC retains overall ownership and statutory responsibilities. SBC's does not secure any income from the allotments, other than the annual nominal payment of £1 from the Society.
- 2.3 The sites provide valuable community space for local residents to cultivate produce, promoting health, wellbeing, and social interaction. They are actively used by plot holders, with the Society overseeing operations, including a waiting list for new tenants. The allotments contribute to local food production, biodiversity, and leisure activities in an urban area.
- 2.4 Recent challenges include budget constraints affecting maintenance support and the need for investment in infrastructure such as fencing and water systems. As statutory allotments, any disposal or change in use is subject to protections under Section 8 of the Allotments Act 1925, which requires consent from the Secretary of State for Ministry of Housing, Communities and Local Government (MCHCLG) if the land is to be used for purposes other than allotments and if demand exists. However, transfer to another local authority such as a town council for continued allotment use does not typically require such consent, as it maintains the statutory purpose.
- 2.5 STC has approached SBC expressing a strong desire to take over the sites, aligning with their community priorities for green spaces and local heritage. STC is already involved in a Community Allotment Project at the site and sees the transfer as an opportunity to integrate it with other local initiatives, such as heritage trails and community engagement programs.
- 2.6 Assuming members support the transfer, it would simplify SBC's property portfolio, reduce liabilities, and ensure continued community access under local control. As the sites are statutory allotments, the transfer would maintain

protections under the Allotments Acts, with STC assuming the statutory duties.

- 2.7 This transfer could provide certainty for STC in delivering local services, support biodiversity and community health, and eliminate SBC's ongoing management, maintenance, and insurance responsibilities for this asset.
- 2.8 Under Paragraph 9(1) of Schedule 29, Part II to the Local Government Act 1972, in areas with a parish or town council (such as Sheerness, where STC operates), functions under the Allotments Acts 1908-1950—including the provision, management, and maintenance of allotments—shall not be exercisable by the district council (SBC). This provision places the primary responsibility for these functions with the town council.
- 2.9 While SBC has historically retained ownership and delegated day-to-day management to the Society under the 1986 agreement, this arrangement may be inconsistent with the 1972 Act, as district councils are statutorily barred from exercising or delegating these functions in parished areas.
- 2.10 Although the legislation does not explicitly require disposal of the land, retaining ownership without the lawful ability to manage the sites creates an anomalous and potentially untenable position for SBC. Transferring the freehold to STC resolves this by ensuring the functions are exercised by the appropriate body, aligns with SBC's Property Asset Strategy, and supports broader duties under Section 3 of the Local Government Act 1999 to achieve best value. Legal advice should confirm the ongoing validity of the 1986 agreement in this context.

3. Proposal

- 3.1 To delegate to the Head of Place to negotiate and agree terms of the transfer of the freehold interest in Sheerness Allotments (Medway Road and Richmond Street/Nursery Close) (as shown on the attached plans at Appendix I) to Sheerness Town Council.
- 3.2 To delegate the enactment of this transfer to the Head of Place, in consultation with the Head of Legal Services.

4. Alternative Options Considered and Rejected

- 4.1 To market the sites on the open market. This could potentially generate a capital receipt, but as statutory allotments, it would require Secretary of State consent for any change of use, which is unlikely to be granted if demand for plots exists. Marketing might not attract viable interest due to the restrictions and could lead to loss of community access. This option is not recommended, as it risks heritage and community value without guaranteeing benefits, contrary to the Property Asset Strategy.
- 4.3 To retain ownership and seek a new management agreement or concession. This might generate minor income but would leave SBC with ultimate liability

for costs and compliance. This option is not recommended, as it does not fully address budget pressures, retains net costs for SBC and contravenes Paragraph 9(1) of Schedule 29, Part II to the Local Government Act 1972, as set out in 2.9 above.

5. Consultation Undertaken or Proposed

- 5.1 Informal discussions have occurred with STC, the Sheppey Horticultural Society, and plot holders. No formal public consultation has been undertaken, but the Site's community focus and STC's involvement suggest minimal adverse impact from the transfer.
- 5.2 If recommendations are agreed, further negotiation with STC will be required. Public engagement could be led by STC post-transfer, and any required notifications to plot holders under allotment legislation will be made.

6 Implications

Issue	Implications
Corporate Plan	The proposal supports the Community priority to “Work in partnership with the local towns and parishes and voluntary sector on our community assets – e.g., playgrounds, sports pitches and pavilions, community halls”. It also aligns with Environment priorities by ensuring continued biodiversity management and green space provision.
Financial, Resource and Property	The transfer would contribute to reducing SBC's overall liabilities as freeholder. Nominal consideration may apply under community transfer policies, forgoing a potential capital receipt but reducing future risks (e.g., infrastructure maintenance). The impact on the Councils revenue budget would be negligible, with only a nominal annual payment made by the Society, which also manages the site, including maintenance costs.
Legal, Statutory and Procurement	The Council has discretion to transfer land under section 123 of the Local Government Act 1972, subject to best consideration (exceptions apply for under £2m transactions supporting priorities via General Disposal Consent 2003). The proposed transfer would also be more in keeping with Paragraph 9(1) of Schedule 29, Part II to the Local Government Act 1972, which places the primary responsibility for the provision, management, and maintenance of allotments with the town council. As statutory allotments under the Small Holdings and Allotments Act 1908 and Allotments Act 1925, the transfer maintains the allotment use and does not require Secretary of State consent for disposal. Legal will draft documents. Any future changes by STC would need to comply with allotment legislation.

Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	Transfer supports biodiversity and sustainable local food production. STC must preserve environmental features.
Health and Wellbeing	Continued access promotes physical activity, mental health, and community cohesion through gardening.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	Reduces SBC's risks from managing open land with 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:

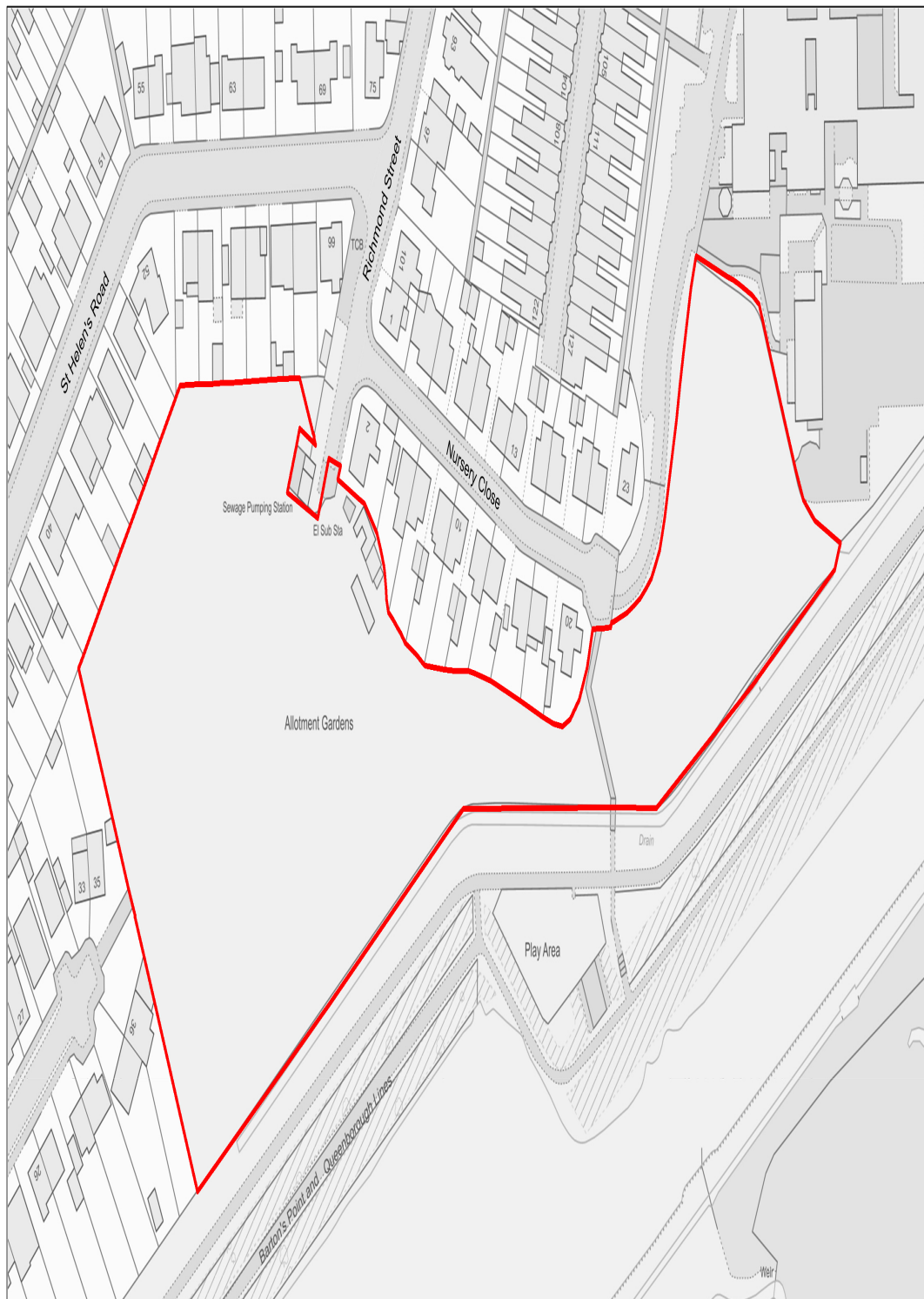
- Appendix I: Site Plans

8 Background Papers

None

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ALLOTMENT GARDENS, NURSERY CLOSE, SHEERNESS, KENT



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Extraordinary Economy and Property Committee	
Meeting Date	14 January 2026
Report Title	Transfer of Thistle Hill Community Centre and Playing Field (Excluding Play Area), Minster on Sea
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head Place Services
Lead Officer	David Johnson - Interim Property Consultant
Classification	Open
Recommendations	1. To delegate to the Head of Place to negotiate and agree terms of the transfer of the freehold interest in Thistle Hill Community Centre and part of Thistle Hill Playing Field (excluding the play area as shown on the attached plan at Appendix I) to Minster on Sea Parish Council, within a 12 month period. 2. To delegate the enactment of this transfer to the Head of Place, in consultation with the Head of Legal Services.

1. Purpose of Report

- 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 transfer of Swale Borough Council's (SBC) freehold interest in Thistle Hill Community Centre and part of Thistle Hill Playing Field (excluding the play area), Minster on Sea, Sheerness, Kent ME12 3FG (as shown on the attached plan at Appendix I) to Minster on Sea Parish Council (MPC), within a 12 month period.
- 1.2 The proposal supports the Council's Corporate Plan Community Priority to "Work in partnership with the local towns and parishes and voluntary sector on our community assets."
- 1.3 SBC's adopted Property Asset Strategy sets out the requirement to: "Make it a priority that the Council only retain land and property where it makes strategic or financial sense to do so. This should be to deliver services in line with corporate priorities, to generate income, to provide a return on investment, to enable regeneration or to provide social value."
- 1.4 The report sets out why officers recommend that negotiating a transfer as per the recommendation would be in line with this policy, particularly in reducing

ongoing financial liabilities while supporting community-led management of local facilities and open spaces.

2. Background

- 2.1 The Property comprises Thistle Hill Community Centre, a single-storey purpose-built facility of approximately 270 square metres, including a main hall (145 sqm), kitchen, changing rooms with toilets, storage, meeting room/office, and entrance lobby, together with an adjacent playing field of approximately 1.5 hectares used for informal recreation and sports. The play area (known as Pirate Play Park) is excluded from the proposed transfer. The site is located off Laurel Road, Minster on Sea, Sheerness, Kent ME12 3FG, within a residential area developed in the late 1990s/early 2000s. The centre is of brick construction under a pitched roof, built around 2010-2012, and serves local community groups, events, and activities.
- 2.2 The freehold of the community centre is registered under title number TT2161, acquired by SBC via a transfer dated 21 March 2012 from Bovis Homes Limited (now Vistry Homes Limited) pursuant to obligations under a Section 106 Agreement dated 12 September 1997 linked to planning permission SW/95/0102 for the Thistle Hill residential development. The playing field forms part of title TT43402 and adjacent areas, transferred to SBC in stages, including areas 5, 6, and 12 via a transfer dated 12 December 2016, also under the same S106 obligations.
- 2.3 Historically, the development of the community centre was driven by community needs identified in the S106 Agreement, which specified the provision of facilities including the hall, kitchen, and parking for at least 46 spaces. A business plan prepared in July 2009 by SBC officers outlined the centre's role in serving over 800 new homes at Thistle Hill and surrounding areas, focusing on recreational space, community activities, health and wellbeing services, training, and youth engagement. The plan emphasised transferring management to a third-sector organisation to ensure local ownership and responsiveness.
- 2.4 In line with this, following a Cabinet decision on 5 October 2011, the centre was leased on a 125-year term to the Thistle Hill Community Trust (Charity No. 1143846) to operate as a community hub.
- 2.5 The Property has been subject to ongoing management challenges. The current tenant, Thistle Hill Community Trust, has expressed interest in assigning its leasehold interest to MPC. However, issues have arisen regarding the assignment process, potentially requiring a surrender of the existing lease and re-grant to facilitate smooth transition. Transferring the freehold to MPC would shift responsibility for resolving these tenant matters to the parish council, allowing SBC to divest while ensuring continued community use.
- 2.6 Financially the property, including the playing field represent a net liability for SBC. Currently SBC maintain the open space and as freeholder off the

building ultimately remain liable should the tenant not discharge its maintenance obligations.

- 2.7 MPC has approached SBC expressing strong interest in acquiring the property to integrate it with local services, enhance community engagement, and address management issues. Assuming members support the transfer, it would simplify SBC's portfolio and devolve control to a local authority better positioned to respond to community needs.
- 2.8 This transfer could reduce SBC's liabilities, promote local governance, and ensure the property remains a vital community asset, supporting activities such as fitness classes, youth groups, and events as outlined in the original business plan.
- 2.9 The proposed transfer for a peppercorn (reflecting community value and under-£2m threshold for social benefit disposals under the General Disposal Consent 2003), would be subject to the surrender of the existing lease if required to resolve tenant issues. To mitigate reputational risks to SBC and ensure appropriate governance post-transfer, the terms should incorporate:
- Restrictive covenants requiring the Property to be used solely for community, recreational, and open space purposes, with no commercial development without SBC consent.
 - A clawback or overage provision entitling SBC to a share (e.g.50%) of any uplift in value if the Property is sold or developed for non-community uses within 20 years.
 - Obligations for MPC to maintain the playing field as public open space, including compliance with any historical S106 restrictions (e.g., clause 12.5 of the 2016 transfer regarding maintenance standards).
 - Requirements for MPC to establish and maintain a robust governance framework, such as a management committee involving local stakeholders, with annual reporting to SBC on usage and financial sustainability for the first five years.
 - Reservations for SBC including rights of access for inspection (upon reasonable notice), rights to services (e.g., drainage, utilities) through the Property, and mutual boundary maintenance covenants.
 - The transfer would pass full responsibility for maintenance, insurance, compliance, and tenant management to MPC, enabling them to pursue enhancements such as improved facilities or partnerships.
- 2.10 This proposal supports SBC's Property Asset Strategy by divesting a non-core asset with recurring costs, while delivering social value through localised control and sustained community benefits.

3. Proposal

- 3.1 To delegate to the Head of Place to negotiate and agree terms of the transfer of the freehold interest in Thistle Hill Community Centre and part of Thistle Hill Playing Field (excluding the play area) (as shown on the attached plan at Appendix I) to Minster on Sea Parish Council, within a 12 month period.
- 3.2 To delegate the enactment of this transfer to the Head of Place, in consultation with the Head of Legal Services.

4. Alternative Options Considered and Rejected

- 4.1 To retain the Property and facilitate the lease assignment from the Trust to MPC. This would resolve the immediate tenant issue but retain ultimate freehold liability for SBC, including potential future maintenance backlogs and S106 compliance. This option is not recommended as it fails to fully address budget pressures and misses the opportunity to devolve responsibility, contrary to the Asset Transfer Policy.
- 4.2 To market the Property on the open market. This might generate a capital receipt but could lead to loss of public use, conflicting with historical S106 obligations and community expectations. This option is not recommended, as it risks reputational damage, breach of obligations and does not guarantee ongoing social value.

5. Consultation Undertaken or Proposed

- 5.1 Informal discussions have occurred with MPC and stakeholders, including the current tenant. Historical consultations, such as those referenced in the 2009 business plan and 2016 public events underscored community support for local management.
- 5.2 If recommendations are agreed, further negotiation with MPC will be required, including consultation on governance safeguards. No additional formal public consultation is proposed, given prior engagements and alignment with expressed interests.

6 Implications

Issue	Implications
Corporate Plan	The proposal supports the Community priority to “Work in partnership with the local towns and parishes and voluntary sector on our community assets – e.g., playgrounds, sports pitches and pavilions, community halls”.
Financial, Resource and Property	The transfer would eliminate SBC's net liabilities, in respect of the building should it no longer be leased or the leaseholder fails to discharge its obligation and in respect of the ground maintenance costs associated with the playing field. Nominal consideration applies under community transfer policies,

	forgoing a receipt but mitigating risks such as maintenance and repair costs.
Legal, Statutory and Procurement	The Council has discretion to dispose of land under section 123 of the Local Government Act 1972, subject to best consideration (exceptions for under £2m via General Disposal Consent 2003). Legal will handle documents, ensuring compliance with S106 covenants. Any MPC changes would require planning consent. The council will be required to undertake a section 123(a) consultation for the disposal of open space.
Crime and Disorder	Local management by MPC could reduce anti-social behaviour through active oversight and community involvement.
Environment and Climate/Ecological Emergency	The proposed transfer supports open space preservation.
Health and Wellbeing	The recommendation would maintain facilities for recreational and social activities promoting community health.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage. MPC would assume responsibilities, with governance ensuring safe use.
Risk Management and Health and Safety	Reduces SBC's risk exposure and appropriate governance covenants would mitigate reputational risks from any future mismanagement.
Equality and Diversity	The recommendation would see continued inclusive access.
Privacy and Data Protection	None identified at this stage.
Local Government Reorganisation	The transfer of the site to Minster-on-Sea Parish Council is viewed as a positive step towards retaining local stewardship of an important community asset.

7 Appendices

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

Appendix I: Site Plan (Excluding Play Area)

Appendix II: Title Plans (TT2161 and TT43402)

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Thistle Hill Field, Minster-on-Sea

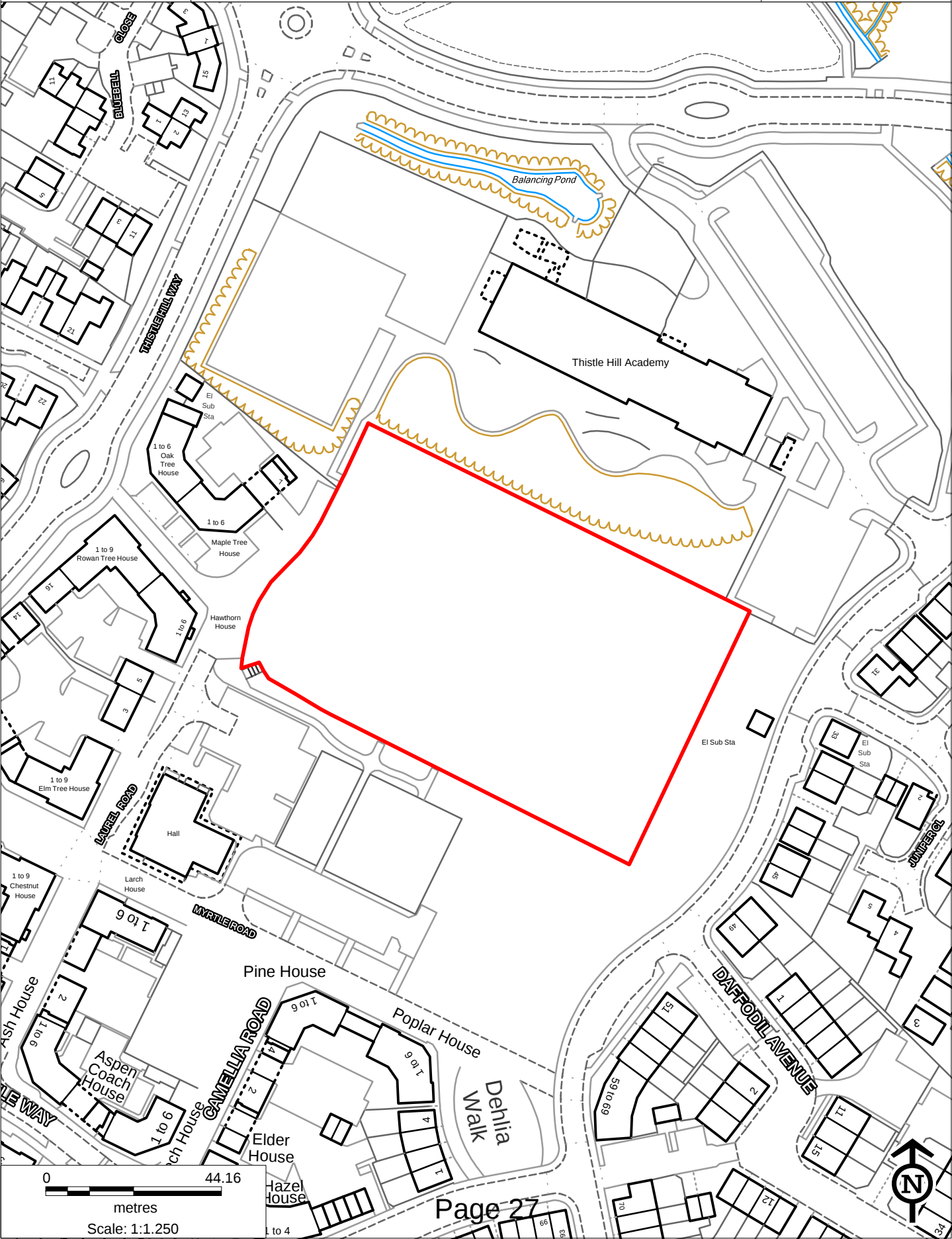
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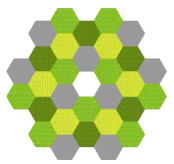
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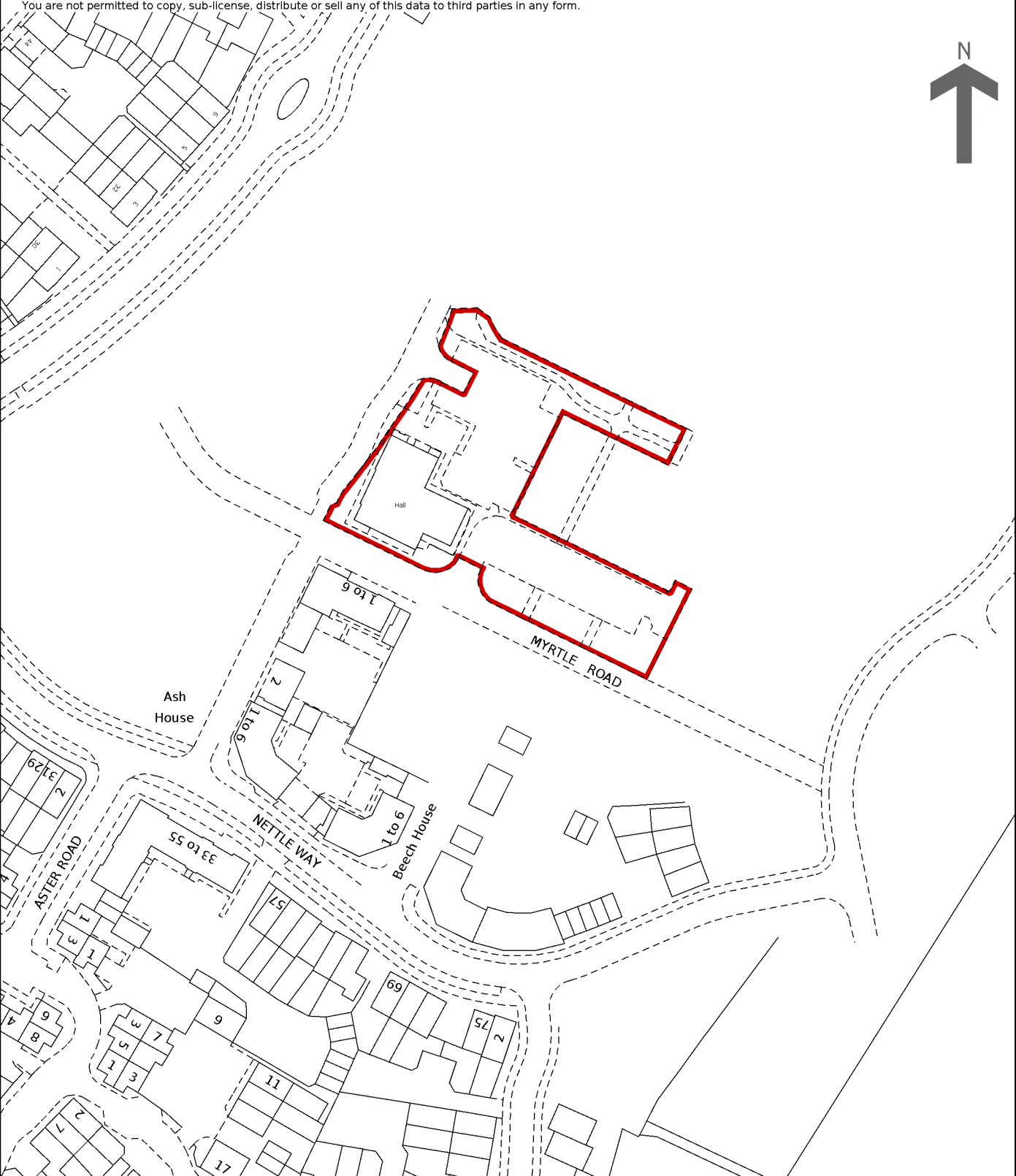
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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 24 June 2025 at 11:33:19. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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Extraordinary Economy and Property Committee	
Meeting Date	29 January 2025
Report Title	Procurement of Professional Property Support
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Kieren Mansfield, Strategic Programme and Asset Manager
Classification	Open
Recommendations	1. That the Committee approves the ongoing appointment of Tile Hill Interim and Executive Management through the LGRP Framework to provide interim professional support for the Council's estate management function. 2. That the committee allow delegated authority to the Head of Place to extend the contract for a period up to 31st March 2027, pending the recruitment of a permanent, suitably qualified member of staff.

1 Purpose of Report and Executive Summary

- 1.1 The Council currently contracts with Tile Hill Interim and Executive Limited, through the LGRP Framework, for the provision of interim professional support for its estate management function. The current contract has run from April 2024 to December 2025, at an estimated cost of £112,000 per annum.
- 1.2 This report sets out the ongoing need for this support and recommends that the contract continues to operate for a further period, at an estimated pro-rata cost of £115,000 per annum, while the Council seeks to recruit a suitably qualified, permanent member of staff.

2 Background, Context and Proposals

- 2.1 Despite several recruitment campaigns, using different strategies, the Council has been unable to recruit a permanent Estates Manager, the latest attempt being summer 2025. The position requires a qualified Chartered Surveyor (and a member or fellow of the RICS) to be the professional lead for the council in all areas of property advice, valuation and property asset management.
- 2.2 Consequently, it has been necessary for a series of interim arrangements to be in place to provide the required experienced and professional input. The current contract for this is with Tile Hill Interim and Executive Limited, through the LGRP Framework, at an estimated annual cost of £112,000 per annum.

- 2.3 The contract expired on 31st December 2025 but has been extended for a further month to cover the period to 31st January, until a report could be brought to this committee.
- 2.4 The Council is, again, seeking to recruit a permanent Estates Manager, the outcome of which is, at the time of writing, unknown. Should this be successful there would, nonetheless, be a temporary, ongoing need to maintain interim support, assuming notice periods for a successful candidate and a handover period to support a smooth transition of responsibilities and projects. If the recruitment is unsuccessful then there would remain a need for the current interim arrangements to continue.
- 2.5 Officers have been satisfied that the advice and work of the current interim Property Advisor has been of a high quality and having been working with Swale Borough Council over an extended period he has developed an understanding and knowledge of the Borough, the Council's property portfolio and the relevant wider policy framework. The Interim Property Advisor has confirmed he would welcome the opportunity to continue to work for the Council.

3 Recommendations

- 3.1 That the Committee approves the ongoing appointment of Tile Hill Interim and Executive Management through the LGRP Framework to provide interim professional support for the Council's estate management function.
- 3.2 Given the uncertainty of the current and any future recruitment campaigns for the Estates Manager post, it is recommended that the committee allow delegated authority to the Head of Service to extend the contract for a period up to 31st March 2027, pending the recruitment of a permanent, suitably qualified member of staff.

4 Alternative Options Considered and Rejected

- 4.1 Terminate the contract with Tile Hill Executive Management to cease the provision of Interim professional support for the Council's estate management function. Cessation is not recommended as it provides the required level of input from a suitably qualified and experienced property advisor to help manage the Council's Property Portfolio, which currently generates over £2 million per annum in rent receipts for the Council, which is set to increase over the next three years.
- 4.2 Seek an alternative provider. The appointment through a competitive framework reflects the current market rate and a change of provider is not recommended at this time, as the current interim property advisor has worked with the Council over an extended period, provided good quality advice, has developed a knowledge and understanding of the Borough, the Council and its property portfolio and has established, ongoing project work. Should the existing contractor leave the role then this can be revisited at this stage.

5 Consultation Undertaken or Proposed

- 5.1 Internal consultation with the Council's services indicate a general satisfaction with the current interim arrangements in place.

6 Implications

Issue	Implications
Corporate Plan	The recommendations support the Council's Corporate Plan, specifically through their importance to implementing the Property Asset Strategy, to support best use of our assets and look to increase our income. The property portfolio makes a significant net positive contribution to the Council's financial position overall. The post also helps deliver social and economic value by helping provide effective management of the estate, delivery of specific projects backed by committee decisions and wider partnership ambitions around the future use and transfer of individual assets to town and parish councils.
Financial, Resource and Property	Anticipated annual spend on the contract, if agreed, is anticipated to be £115,000. The anticipated total contract value for the period to March 31st 2027 (if required) is estimated as £124,500 representing the likely maximum total cost of the extension as set out in the report. The costs of meeting the contract have been met through vacant posts held across the property and programmes team, with an additional provision of £50,000 made in the 2025/26 budget by Members, which has been requested for 2026/27, although this would be subject to the outcome of the current recruitment process. The role contributes significantly to the Councils ambitions to increase its property income and to rationalise its estate, generating both revenue income and property disposal receipts. In 2026/27 any increase in property income could contribute to helping offset the cost. If this post is vacant, there is a direct impact on the pace of the work programme and the ability to generate related receipts and saving
Legal, Statutory and Procurement	Providing professional advice through a contract which delivers qualified and experienced interim support helps ensure that the right commercial capability and standards are in place to manage the Council's property estate. This is through both direct advice/input and by helping the Council act as an informed and 'intelligent' estate manager when dealing with third parties and other relevant contractors.

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 absence of suitably qualified and experienced advice in managing the Council's property estate could present significant risks including and not limited to inappropriate leases and licence arrangements with Council tenants; decisions that do not deliver full value for money without appropriate valuation advice and negotiation experience and less able and informed management of contracts with third parties in respect of the estate. The current Interim Property advisor retains membership of the Royal Institute of Chartered Surveyors and is a registered valuer.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage
Local Government Reorganisation	As the Council moves towards Local Government Re-organisation, the effective management of property assets will be a significant issue, prior to and during the process of bringing together the relevant authorities. Once the geography of Local Government Reorganisation in Kent is confirmed there will be an opportunity to discuss professional resourcing with the relevant authorities – to assess whether suitably qualified employees across the group have capacity and capability to work together and understand the degree to which ongoing interim support will be required, if still in place.

7 Appendices

7.1 No appendices

8 Background Documents

8.1 No Background papers