

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)