

Economy and Property Committee	
Meeting Date	14 th January 2026
Report Title	Oare Gunpowder Works Country Park – Assignment of Lease
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 assignment of the leasehold interest in Oare Gunpowder Works Country Park (as shown on the attached plans at Appendix I) to Faversham Town Council, subject to obtaining the consent of the superior landlord (Brett Gravel Limited). 2. To delegate the enactment of this assignment to the Head of Place, in consultation with the Head of Legal Services.

1 Purpose of Report and Executive Summary

- 1.1 This report recommends the assignment of Swale Borough Council's (SBC) leasehold interest in Oare Gunpowder Works Country Park (the "Site"), off Bysing Wood Road, Faversham, Kent, ME13 7UD, to Faversham Town Council (FTC), 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 an assignment as per the recommendation would be in line with this policy, particularly in reducing ongoing financial liabilities while supporting community stewardship of a heritage asset.

2. Background

- 2.1 The site comprises approximately 7.2 hectares (18 acres) of woodland, open space, historic remains of the former gunpowder works, leats (small water canals), a lake, picnic areas, a visitor centre, toilets, and a car park. It is a Scheduled Ancient Monument (designated by Historic England for its national archaeological importance as a former explosives manufacturing site dating back to the 17th century), part of a Site of Special Scientific Interest (SSSI), and has consistently held Green Flag and Green Heritage awards for its management and accessibility.
- 2.2 SBC holds the site under a 150-year lease dated 21 August 1998 from Brett Gravel Limited (the "Landlord"), registered under title number K789405. The lease commenced in 1998, leaving approximately 123 years unexpired as of January 2026. The rent is a peppercorn (nominal), but SBC is responsible for all maintenance, insurance, and compliance obligations, including those related to the Site's heritage and environmental designations. The lease includes covenants restricting use to a country park focused on heritage interpretation, biodiversity conservation, and public access, with clauses requiring the Landlord's consent for any assignment (not to be unreasonably withheld) and prohibiting subletting without consent.
- 2.3 The site was developed into a country park following a £1.2 million Heritage Lottery Fund grant in the late 1990s, transforming the former industrial remains into a popular visitor attraction. Initially managed in partnership with Groundwork Medway Swale and later Kent Countryside Partnership, operations were brought in-house by SBC. The Site is guided by a management plan emphasising heritage education, biodiversity, and community engagement. It attracts visitors for walking, wildlife observation, and educational activities, with groups such as the Friends of Oare

Gunpowder Works, volunteers, Kent County Council Children's Centre, and home education groups actively involved.

- 2.4 A Steering Group, comprising SBC and Faversham Town Council Members, the Faversham Society, Friends Group, and other stakeholders, steers management of the site. Initial discussions at this group highlighted challenges, including staff budget cuts effective from April 2024, which eliminated funding for a part-time steward responsible for visitor welcome, site opening/closing (weekends and bank holidays), and volunteer coordination.
- 2.5 Budget data shows a net annual cost of £46,150, with costs having ranged from £35,000 to £47,000 since 2022/23. Key expenditure budgets include grounds maintenance (£14,700 annually), building maintenance (£3,260), and site management (£5,650). In addition, there is also a service contract for the toilet provision at £2,900. Limited income is generated from grants/contributions, with small income budgets for document sales, educational courses, and contributions totalling £1,040. These costs represent an ongoing liability for SBC, with no significant revenue generation.
- 2.6 In response to budget pressures, SBC drafted an Expression of Interest (EOI) in August 2023 for third-party operation of the visitor centre and potential catering concession, aiming for a more commercial focus (e.g., food and beverage) while maintaining heritage and biodiversity priorities. The EOI sought proposals for a lease, licence, or concession agreement starting April 2024, with requirements for year-round opening, marketing, and financial viability. However, no viable responses were received, leading to consideration of alternatives, including closure of facilities or full transfer.
- 2.7 The toilet provision on the site was also considered as part of the Public Conveniences Review conducted in the latter half of 2025. On the 12th November 2025, the Environmental Services and Climate Change Committee resolved that the Oare Gunpowder Works 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.
- 2.8 SBC has been approached by FTC regarding potential assignment of the lease for the whole site. FTC, as the local parish authority, has expressed interest in taking over management to ensure continued public access,

enhance local tourism, and integrate the site with Faversham's heritage offerings (e.g. linking to the town's historic gunpowder industry connections). This aligns with FTC's community priorities and could involve volunteer-led operations, grant funding pursuits, and partnerships.

- 2.9 Assuming members support the assignment, it would be usual for the Council to seek the Landlord's consent and consider open-market marketing to secure best consideration. However, the approach from FTC offers potential advantages that may outweigh a nominal capital receipt, including reducing SBC's annual net liabilities (46,150), enabling local stewardship of a heritage asset, and aligning with Corporate Plan priorities.
- 2.10 This assignment could simplify property holdings, provide certainty for FTC over future service delivery, support biodiversity and heritage conservation under local control, and eliminate SBC's management, maintenance, and insurance liabilities.

3. Proposal

- 3.1 To delegate to the Head of Place to negotiate and agree terms of the assignment of the leasehold interest in Oare Gunpowder Works Country Park (as shown on the attached plans at Appendix I) to Faversham Town Council, subject to obtaining the consent of the superior landlord (Brett Gravel Limited).
- 3.2 To delegate the enactment of this assignment to the Head of Place, in consultation with the Head of Legal Services.

4 Alternative Options Considered and Rejected

- 4.1 To market the lease assignment on the open market. This could generate a modest premium (estimated £10,000-£50,000 based on similar community/heritage sites) but would require Landlord consent and may not attract interest due to the site's restrictions and liabilities. If no assignee is found, SBC could revert to the EOI process or close facilities, risking loss of public access and heritage value. This option is not recommended for progression at this point. Although it might generate a small capital receipt, it

would not guarantee community stewardship and maintain the community benefits as effectively as assignment to FTC. With respect to the toilet provision, nor would this approach align with the resolution of the Environmental Services and Climate Change Committee on the 12th November, when it considered the outcome of the Public Convenience Review.

- 4.3 To retain the lease and seek a commercial operator via the EOI process (e.g., for visitor centre concession). This could generate rental income (e.g., £5,000-£10,000 p.a.) but would require SBC to retain overall liability, including grounds maintenance and compliance costs. This option is not recommended as it is considered unlikely to attract sufficient commercial interest and retains net costs for SBC. With respect to the toilet provision, nor would this approach align with the resolution of the Environmental Services and Climate Change Committee on the 12th November.

5 Consultation Undertaken or Proposed

- 5.1 Informal discussions have occurred with FTC, the Steering Group, and stakeholders (e.g., Friends group, Faversham Society). No formal public consultation has been undertaken other than through the Public Convenience Review, but the site's existing community focus suggests minimal adverse impact from the proposed assignment.
- 5.2 If recommendations are agreed, further negotiation with FTC and consultation with the Landlord (Brett Gravel Limited) will be required. Public engagement could be led by FTC post-assignment.

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 assignment would eliminate SBC's annual net liability of £46,150 plus £2,900 for the WC contract. Nominal consideration may apply under community transfer policies, forgoing a small premium but reducing future risks (e.g., maintenance backlogs). A funding allocation for improvements at Oare Gunpowder Works was made through the UK Shared Prosperity Fund, to assist with improvements on site, which align with FTC's ambitions.
Legal, Statutory and Procurement	The Council has discretion to assign leases under section 123 of the Local Government Act 1972, subject to best consideration (exceptions apply for transactions under £2m, supporting priorities via General Disposal Consent 2003). Landlord consent is required but cannot be unreasonably withheld. Legal will draft documents. Any future FTC development of the site would need to secure the necessary consents and would be required to observe existing covenants. As part of the transfer process there may be employee protections (TUPE) which will need to be considered.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	Assignment to another community focused organisation will support biodiversity (SSSI compliance) and net gain requirements. FTC must preserve heritage and environmental features of the site.
Health and Wellbeing	Continued public access promotes outdoor activity and education.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	The proposed assignment would reduce SBC's risks from holding a heritage site with liabilities.
Equality and Diversity	None identified at this stage.
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: Site Plan and Title Plan (K789405)

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