

From: Rebecca Spore, Director of Infrastructure

To: Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

Subject: 21/00084 - Disposal of land at Bensted House, Kiln Court, Osbourne Court & Former SEC, Faversham ME13 7NY.

Classification: UNRESTRICTED Report

EXEMPT Appendix 2 – not for publication. Paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended, refers.

Electoral Division: Faversham

Summary:

The report seeks to update the **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services** on the proposed disposal of Land at Bensted House, Kiln Court, Osbourne Court & Former SEC, Lower Road, Faversham, ME13 7NY

Recommendation(s):

The **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services** is asked to agree to the disposal of the sites and delegate authority to:

1. The **Director of Infrastructure** in consultation with the **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**, to finalise the contractual terms of the disposal.
2. The **Director of Infrastructure** to authorise the execution of necessary contractual and land agreements required to implement the above.

1. Introduction

1.1. This paper relates to Kent County Council's intention to dispose of 2 sites (6.77 acres) at Lower Road, Faversham in one transaction ("the site"):

- 1.1.1. Approximately 3.42 acres - Kiln Court (vacant former KCC care home) and Land at Bensted House (vacant land behind Kiln Court).
- 1.1.2. Approximately 3.35 acres. Osborne Court (former respite accommodation for adults with learning difficulties - occupied temporarily by guardians) and former Social Enterprise Centre (SEC). The site lies on either side of Lower Road, adjacent to Bysing Wood primary School.

2. Location

2.1 As illustrated on the site plan below and Appendix 1, Kiln Court (Site A) and the Land at Bensted House (Site C) effectively form one combined site which is located directly opposite Osborne Court and Faversham SEC (Site B).

4. Marketing

- 4.1. A marketing campaign was undertaken by appointed agents in April 2021 culminating in offers being requested from interested parties in May.
- 4.2. Considerable interest was shown during the marketing and multiple offers were received. Following bid appraisal and due diligence, a current preferred bidder has been identified as set out in the exempt appendix 2.

5. Financial Considerations

- 5.1 The site is surplus to KCC requirements and will generate a capital receipt to support the Medium-Term Financial Plan (MTFP) and the delivery of KCC's capital programme.
- 5.2 Further development fees are being kept to a minimum due to the structuring of a conditional contract with further consultant fees being initially borne by the developer.
- 5.3 Once the transaction completes (estimated to be in October 2022 subject to securing planning), KCC will no longer have the holding costs and liabilities associated with a vacant property.

6. Asset of Community Value status

- 6.1. The site was registered as an Asset of Community Value ("ACV") in 2016.
- 6.2. As required, notification of the proposed sale of the site was lodged with Swale Borough Council.
- 6.3. The relevant moratorium periods elapsed without any bids being received from community groups.

7. Options

- 7.1. Options for mixed uses on the site were considered during appraisals, however none were commercially viable given the site constraints.
- 7.2. Kent County Council was also directly approached by a national charity, and separately a neighbouring landowner, however both approaches were established to render the redevelopment unviable.

8. Governance

- 8.1. Appropriate processes have been followed to ensure best value through the open marketing of the property. Solicitors have been appointed in consultation with General Counsel, with Freeths acting on behalf of KCC.

8.2. Data Protection Impact Assessment (DPIA). KCC will not be handling any personal data. The appointed agent is sighted of the personal data for any interested parties and the agent does not pass personal data to KCC.

8.3. Equalities Impact Assessment (EQUIA). There are no equalities impacts as a result of this decision.

9. Consultations

9.1. Local Member consultations were undertaken prior to marketing, no comments were received, and the Local Member has been kept aware of progress regarding the site.

10. Recommendation(s)

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The **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services** is asked to agree to the disposal of the sites and delegate authority to:

1. The **Director of Infrastructure** in consultation with the **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**, to finalise the contractual terms of the disposal.
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11. Background documents

Appendix 1 – Site plan
Appendix 2 – EXEMPT

12. Author Details

Alister Fawley – Disposal and Investment
03000 419951
alister.fawley@kent.gov.uk

Simon Hocken – Consultant Disposals Surveyor
07824 504426
Simon.hocken@kent.gov.uk

Rebecca Spore – Director of Infrastructure
03000 416716
rebecca.spore@kent.gov.uk