

# Cabinet – Supplementary agenda No.1

**A meeting of the Cabinet will be held on:**

**Date:** 13 January 2026

**Time:** 7.00pm

**Venue:** St George's Centre, Pembroke Road, Chatham ME4 4UH

## Items

- |     |   |                    |
|-----|---|--------------------|
| 13. | Property Review and Future Management of Heritage Sites | (Pages<br>3 - 16)  |
| 14. | Exclusion of the Press and Public                       | (Pages<br>17 - 22) |

For further information please contact Jon Pitt, Democratic Services Officer/Vanessa Etheridge, Democratic Services Officer on Telephone: 01634 332715/332115 or Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

**Date:** 7 January 2026

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## **Cabinet**

**13 January 2026**

### **Property Review and Future Management of Heritage Sites**

Portfolio Holders: Councillor Nina Gurung, Portfolio Holder for Heritage, Culture & Leisure  
Councillor Zoe Van Dyke, Portfolio Holder for Business Management

Report from: Adam Bryan, Director of Place

Authors: Paul Cowell, Head of Culture & Libraries  
David England, Head of Valuation & Asset Management

#### **Summary**

This report informs the Cabinet of the outcome of the consultation with English Heritage in respect of Upnor Castle following agreement by Cabinet on 11 March 2025, and makes recommendations about the future of Temple Manor, Rochester Castle, and Upnor Castle.

#### **1. Recommendations**

1.1. The Cabinet is asked to grant delegated authority to the Director of Place to:

1.1.1. Renew the Local Management Agreement (LMA) in respect of Rochester Castle ensuring that Rochester Castle will remain under the management of Medway Council.

1.1.2. Make the necessary arrangements to hand back Upnor Castle and Temple Manor to English Heritage (EH), including terminating the LMA in respect of these two assets, so that EH takes on the full management.

1.2. The Cabinet is requested to authorise the Council's legal department to conclude the resultant contractual documents.

## 2. Suggested reasons for decision

- 2.1. To reduce running costs, to generate a capital receipt, to bring Temple Manor into more intensive use and to hand back Upnor Castle to EH, which is better placed to manage this property.

## 3. Budget and policy framework

- 3.1. The closure of operational properties are matters for Cabinet.
- 3.2. Temple Manor can be disposed of using the Director of Place's delegated authority in consultation with the Council's Corporate Landlord Board (CLB).
- 3.3. The Director of Place is authorised to manage the Council's property resources in compliance with current legislation and Council policy.
- 3.4. Whilst this report was included in the [Cabinet Forward Plan](#), with the required 28 days' notice, it was not possible to include this report in the main Cabinet agenda published on 5 January 2025. This is because it was necessary to liaise with staff and trade unions in respect of the proposals ahead of publication of this report. The Cabinet is asked to accept this report as an urgent item because it is necessary to seek approval to the proposals at the earliest opportunity to ensure that the timelines set out in section 5 of this report can be met.

## 4. Background

- 4.1. Medway Council is proud to steward a wealth of heritage assets that showcase the area's rich and diverse history. We are dedicated to conserving and celebrating this physical heritage, ensuring that historic landmarks are preserved for future generations while bringing their stories to life for our communities. These treasured sites are at the heart of Medway's identity, shaping the character of our towns, supporting tourism, and enriching the lives of residents and visitors alike.
- 4.2. Since 1995 Medway Council and before it, Rochester Upon Medway City Council have managed Upnor Castle, Rochester Castle, and Temple Manor under a Local Management Agreement (LMA) with English Heritage (EH).
- 4.3. With the invaluable support of external partners such as English Heritage and the National Lottery Heritage Fund, we have invested over £2.8 million into the preservation and enhancement of these heritage buildings since 2016. This ongoing commitment reflects our dedication to safeguarding Medway's unique identity and making heritage accessible, engaging, and meaningful for all.
- 4.4. The most recent LMA expired on 31 March 2025. Since then, both parties have continued operations under the terms of the expired agreement, pending

the negotiation of a new LMA.

- 4.5. In 2024, Medway was designated as a National Lottery Heritage Fund Priority Area, marking the start of a long-term partnership of 10 years or more. This status brings increased recognition and targeted support for heritage-led regeneration and community engagement, underlining both the significance of Medway's historic environment and our commitment to safeguarding it for future generations.
- 4.6. Medway Council has taken a proactive and enabling role in this partnership, helping partners secure external funding for heritage projects. By fostering strong collaborations with local organisations, community groups, and national bodies, the Council has shaped compelling funding bids and provided strategic leadership to ensure projects align with wider regeneration and cultural ambitions.
- 4.7. Our support has included facilitating access to grant schemes, offering match funding, coordinating multi-agency partnerships, delivering training and masterclasses, and celebrating community heritage through events and campaigns.
- 4.8. These efforts have resulted in successful awards from major bodies such as the National Lottery Heritage Fund, National Lottery Community Fund, Arts Council England, Historic England, and the Architectural Heritage Fund. Funding has supported festivals, events, and activities; protected and repurposed historic buildings; and uncovered stories of nationally and globally significant people and events connected to Medway.
- 4.9. This collaborative approach has strengthened Medway's heritage sector and unlocked significant investment into the area's historic assets, ensuring that heritage remains a driver for regeneration, cultural vitality, and community pride.
- 4.10. Temple Manor
  - 4.10.1. Medway Council holds the freehold of Temple Manor, which is under the Guardianship of EH. This Guardianship arrangement places responsibility for the property's maintenance with EH. Under the LMA, the Council has historically managed and maintained the property. In recent years, Temple Manor has rarely been open to the public. The property is both Grade I Listed and a Scheduled Ancient Monument, which affords it statutory protection from inappropriate use or development. Cabinet declared the property surplus on 29 October 2024 and delegated authority to the Director of Place in consultation with the Corporate Landlord Board (CLB) to dispose of the property.
- 4.11. Rochester Castle
  - 4.11.1. Medway Council owns the freehold of Rochester Castle, which is also under the Guardianship of EH. This Guardianship arrangement places

responsibility for the castle's maintenance with EH. However, whilst EH is responsible for its maintenance, the Council has managed and maintained the castle under the LMA. In 2023/24, the castle welcomed 66,000 visitors and in 2024/25 59,000 visitors. The property is a Scheduled Ancient Monument, which affords it statutory protection from inappropriate use or development.

#### 4.12. Upnor Castle

4.12.1. The Crown Estate owns the freehold of Upnor Castle, which is also under EH Guardianship. Medway Council has managed and maintained the site under the LMA. In 2023/24, the castle welcomed 19,003 visitors and in 2024/25 13,000 visitors. The property is a Scheduled Ancient Monument, which affords it statutory protection from inappropriate use or development. On 11 March 2025 Cabinet agreed that officers could consult with EH on the future management options for Upnor Castle.

#### 4.13. Upnor Castle Car Park

4.13.1. As part of the current management arrangement, EH has permitted the Council to use the unsurfaced car park on Upnor Road free of charge. This facility serves both castle visitors and residents, given the limited parking in the area.

### 5. Options

#### 5.1. Option 1 (Recommended)

##### 5.1.1. Rochester Castle

Given its continued popularity and heritage significance as a Scheduled Ancient Monument, it is recommended that the Council continues to manage Rochester Castle under a new LMA to be agreed with EH by April 2026.

##### 5.1.2. Temple Manor

It is proposed that the LMA for Temple Manor be terminated by April 2026, returning operational management to EH. This arrangement will remain in place until the freehold is sold, at which point, the new owner will be responsible for negotiating future management arrangements directly with EH. EH is responsible for maintaining the property under the Deed of Guardianship. EH has indicated that when the LMA with the Council has ended that it will then seek to engage volunteers to open Temple Manor to the public.

##### 5.1.3. Upnor Castle

It is proposed that the LMA for Upnor Castle be terminated by April 2026. While this may raise concerns about public access, EH has confirmed its intention to continue operating the site for public visits on a seasonal basis, April to October, consistent with current

arrangements. Medway Council will continue to operate and manage the site until a full handover has taken place by April 2026, after which EH will assume responsibility. EH have suggested they will carry out a range of improvements works at the castle including those listed below:

- Refurbishing the shop.
- Introducing some form of food & beverage offer.
- Replacing the till system and integrating it with their new ticketing system.
- Replacing the interpretation scheme.
- Installing an EH branded signage scheme.
- Preparing Risk Assessments and Maintenance Schedules.
- Installing CCTV.

#### 5.1.4. Upnor Castle Car Park

While EH is expected to end this arrangement once management of Upnor Castle reverts to them, they have indicated that the car park itself will remain available for public use. Also, EH is already able to terminate the Council's use of the car park should it want to.

### 5.2. Option 2

5.2.1. The Council can continue to manage the three heritage properties via a new LMA agreed with EH.

## 6. Advice and analysis

6.1. English Heritage protects the over 400 historic buildings it manages, and those buildings under local management agreements through a combination of legal safeguards, expert conservation, and strategic planning. Many of these sites are legally protected as listed buildings or scheduled monuments, meaning any alterations require formal consent and must meet strict preservation standards. English Heritage works within national legislation such as the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Ancient Monuments and Archaeological Areas Act 1979 to ensure these protections are upheld.

6.2. Beyond legal measures, English Heritage undertakes regular inspections, preventative maintenance, and specialist repairs to preserve the structural integrity and historical value of its sites. Each property typically has a tailored heritage management plan, guiding its long-term care and public engagement. The organisation also monitors vulnerable sites through its Heritage at Risk Register and provides expert advice to owners and local authorities, helping to safeguard England's cultural legacy for future generations.

### 6.3. Rochester Castle

6.3.1. Rochester Castle will remain under the management of Medway Council. As a nationally significant heritage site and a key cultural

asset for Medway, its continued management by Medway Council ensures strategic alignment between heritage preservation, community engagement, and economic development.

- 6.3.2. Local stewardship enables responsive decision-making rooted in community insight, allowing the Council to deliver relevant programming and events that enhance civic pride and educational value. Through a formal conservation partnership with English Heritage, the Council has implemented a robust management plan that safeguards the site's integrity while supporting sustainable use.
- 6.3.3. As a major visitor attraction, the castle contributes significantly to Medway's tourism economy.
- 6.3.4. Ongoing investment proposed by EH in accessibility and visitor experience will ensure that the site remains inclusive and welcoming securing its role as a cultural, educational, and economic asset, delivered through a governance model that prioritises local value and strategic impact.

#### 6.4. Upnor Castle

- 6.4.1. The termination of the LMA for Upnor Castle and the transfer of its management back to EH would alleviate operational and financial pressures on Medway Council. This transition will ensure that the site is managed by a nationally recognised organisation with deep expertise in heritage conservation and visitor experience, aligning with best practice and long-term sustainability goals.
- 6.4.2. EH's extensive resources, specialist knowledge, and established infrastructure would support the ongoing preservation and enhancement of Upnor Castle. Their national brand, marketing reach, and membership network are expected to significantly boost the site's visibility, increase visitor numbers, and unlock new opportunities for engagement, education, and income generation, benefits that would be difficult to achieve under the current local management model.

#### 6.5. Temple Manor

- 6.5.1. The proposed termination of the LMA for Temple Manor and subsequent disposal of the property represents a financially and operationally sound decision for Medway Council. This approach will deliver both revenue and capital savings, whilst generating a capital receipt that can be reinvested into priority areas.
- 6.5.2. Temple Manor is a Grade I Listed building and Scheduled Ancient Monument and is subject to statutory protections that ensure its continued preservation and appropriate use, regardless of ownership.
- 6.5.3. English Heritage will retain custodianship, ensuring Temple Manor's preservation and protection as a nationally significant heritage asset.



EH has raised no objections to the Council's proposal, reinforcing the viability of the disposal strategy.

6.5.4. Under Section 123 of the Local Government Act 1972, the Council has the authority to dispose of property, provided best consideration is achieved or relevant consents are obtained. This legal framework supports the Council's ability to proceed with the disposal in a compliant and commercially advantageous manner.

6.5.5. The proposed disposal of the site offers an opportunity to unlock greater value and utility, either for community benefit or through private sector investment, whilst the property remains subject to appropriate heritage safeguards. This aligns with the Council's strategic objectives to optimise the performance of its cultural assets, reduce ongoing financial liabilities, and enable more efficient use of internal resources.

6.5.6. The continued involvement of English Heritage brings the following strategic advantages:

- Specialist conservation oversight – safeguarding the site's architectural and archaeological integrity through nationally recognised expertise.
- National visibility and branding – leveraging English Heritage's profile to enhance public engagement, educational outreach, and tourism potential.
- Access to expert resources - including guidance on interpretation, visitor experience, and heritage management, which supports long-term sustainability and quality of provision.

## 7. Risk management

7.1. The following risks have been identified:

Risk	Description	Action to avoid or mitigate risk	Risk rating
Adverse reaction from the public because of the Council no longer managing Upnor Castle.	Members of the public and third parties are concerned that Upnor Castle will not be managed, maintained and open to the public if the Council ends the LMA.	EH is the legal guardian of the castle and has committed to keeping it open.	DIII
Adverse reaction from the public because of the Council no longer	Local members of the public and third parties are concerned that the car park will no longer be available for them to use.	EH is the owner of the car park and the Council only has use of the car park based on a non-secure licence with a rolling termination	CIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
controlling the car park on Upnor Road.		clause. EH has indicated that it will keep the car park open to the public.	
Adverse reaction from the public as a result of the Council no longer managing Temple Manor.	Members of the public and third parties are concerned that the property will not be managed, maintained and open to the public if the Council ends the LMA.	As of late, the property has rarely been open.  EH is the legal guardian of the property and has said that it will endeavour to open it more when the LMA is ended.	CIII
Adverse reaction from the public because of the Council selling Temple Manor.	Members of the public and third parties are concerned that the property will not be managed, maintained and open to the public if the Council sells it.	The property is protected by its status as a Grade 1 Listed building and a scheduled ancient monument.  EH is the legal guardian of the property and is responsible for maintaining it. EH has said that it will endeavour to open it more when the LMA is ended and will collaborate with any new owner regarding the future provision of public access.	BIII

Likelihood	Impact:
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

## 8. Consultation

- 8.1. Officers have met with EH on multiple occasions at the time of this report to discuss all the issues.

- 8.2. The Council's Legal and Finance teams and the Portfolio Holders have all been consulted and have no objections to these proposals.

## 9. Climate change implications

- 9.1. The Cabinet's decision enables the Council and its strategic partners to rationalise the heritage property portfolio, ensuring that resources are deployed more effectively. This approach will allow for targeted investment and operational focus on assets that are to be retained and enhanced, while recognising the constraints of available funding. By streamlining responsibilities, the Council can deliver a more sustainable and efficient model for heritage management.

## 10. Financial implications

- 10.1. These are set out in the Exempt Appendix to this report. Ending the LMA in respect of Upnor Castle will generate revenue and capital savings for the Council.
- 10.2. Ending the Local Management Agreement in respect of Temple Manor and disposing of the property will generate revenue and capital savings for the Council and will also generate a capital receipt.
- 10.3. The estimated cost of the Council continuing to manage Rochester Castle is set out in the exempt appendix to this report.

## 11. Human Resource Implications

- 11.1. As the operational responsibility for the Upnor Castle reverts to English Heritage both parties have agreed that a Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) applies and that the two permanent staff employed by Medway Council in connection with the operational running of Upnor Castle are eligible for transfer under TUPE provisions. This would ensure continuity of employment and protection of existing terms and conditions for affected employees.
- 11.2. Discussions between the two organisations are ongoing to determine the detail and timescales involved. These are expected to focus on due diligence, employee consultation, and the practical arrangements for any potential transfer, in line with statutory obligations.

## 12. Legal implications

- 12.1. The Council has the power but not the obligation to manage Heritage properties.
- 12.2. The Council has a duty to ensure that Scheduled Ancient Monuments and listed buildings within its area are not allowed to fall into disrepair.

- 12.3. The Council has the power to dispose of property (including the granting of leases) under s123 of the Local Government Act 1972. However, the Council has a duty to obtain best consideration, unless the express consent of the Secretary of State is obtained, or one of the general consents relating to that Act applies.

### Lead officer contact

Paul Cowell: Head of Culture and Libraries  
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David England: Head of Valuation & Asset Management  
[david.england@medway.gov.uk](mailto:david.england@medway.gov.uk)

### Appendices

Appendix 1 – Diversity Impact Assessment

Exempt Appendix - Financial information in respect of the three heritage properties

### Background papers

[Report to Cabinet 29 October 2024](#)  
[Report to Cabinet 11 March 2025](#)

# Diversity impact assessment

<b>TITLE</b>
Property Review and Future Management of Heritage Sites
<b>DATE</b>
16 December 2025
<b>LEAD OFFICER.</b>
Paul Cowell, Head of Culture & Libraries David England, Head of Valuation & Asset Management
<b>1 Summary description of the proposed change</b>
What is the change to policy / service / new project that is being proposed? How does it compare with the current situation?
<p>The Cabinet is asked to grant delegated authority to the Director of Place to:</p> <ul style="list-style-type: none"> <li>• Renew the Local Management Agreement (LMA) in respect of Rochester Castle ensuring that Rochester Castle will remain under the management of Medway Council.</li> <li>• Make the necessary arrangements to hand back Upnor Castle and Temple Manor to English Heritage (EH), including terminating the LMA in respect of these two assets, so that EH takes on the full management.</li> </ul> <p>That Cabinet agrees to authorise the Council's legal department to conclude the resultant contractual documents.</p>
<b>2 Summary of evidence used to support this assessment</b>
E.g. Feedback from consultation, performance information, service user. E.g. Comparison of service user profile with Medway Community Profile
Officers have met with EH on multiple occasions at the time of this report to discuss all the issues.
The Council's Legal and Finance teams and the Portfolio Holders have all been consulted and have no objections to these proposals.
<b>3 What is the likely impact of the proposed change?</b>
Is it likely to:
Adversely impact on one or more of the protected characteristic groups
Advance equality of opportunity for one or more of the protected characteristic groups
Foster good relations between people who share a protected characteristic and those who don't
(insert Yes when there is an impact or No when there isn't)

## Diversity impact assessment

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
<b>Age</b>	N	N	N
<b>Disability</b>	N	N	N
<b>Gender reassignment</b>	N	N	N
<b>Marriage/civil partnership</b>	N	N	N
<b>Pregnancy/maternity</b>	N	N	N
<b>Race</b>	N	N	N
<b>Religion/belief</b>	N	N	N
<b>Sex</b>	N	N	N
<b>Sexual orientation</b>	N	N	N
<b>Care experience</b>	N	N	N
<b>Other (e.g. low income groups)</b>	N	N	N

#### 4 Summary of the likely impacts

Who will be affected?

How will they be affected?

English Heritage has confirmed its intention to operate the sites for public visits on a seasonal basis, April to October, consistent with current arrangements.

English Heritage have suggested they will carry out a range of improvements works at the castle enhancing the visitor experience.

Therefore, we anticipate no impact to visitors.

As the operational responsibility for Upnor Castle reverts to English Heritage both parties have agreed that a Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) applies and that the two permanent staff employed by Medway Council in connection with the operational running of Upnor Castle are eligible for transfer under TUPE provisions.

# Diversity impact assessment

## 5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

What alternative ways can the Council provide the service?

Are there alternative providers?

Can demand for services be managed differently?

Council officers will continue to work with English Heritage to ensure a smooth handover of both sites.

## 6 Action plan

Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date
Continued working with English Heritage on operational handover	Paul Cowell	April 2026
Continued working with English Heritage on TUPE arrangements	Paul Cowell	April 2026

## 7 Recommendation

The recommendation by the lead officer should be stated below. This may be: to proceed with the change, implementing the Action Plan if appropriate, consider alternatives, gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

To proceed with the proposed change, implementing the action plan

## 8 Authorisation

The authorising officer is consenting that the recommendation can be implemented, sufficient evidence has been obtained and appropriate mitigation is planned, the Action Plan will be incorporated into the relevant Service Plan and monitored

**Assistant Director**

**Date of authorisation**

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## Cabinet

**13 January 2026**

### Exclusion of the Press and Public

Portfolio Holder: Councillor Vince Maple, Leader of the Council

Report from: Bhupinder Gill, Assistant Director, Legal and Governance

Author: Jon Pitt, Democratic Services Officer

#### Summary

This report summarises the contents of exempt appendices, which, in the opinion of the proper officer, contain exempt information within one of the categories in Schedule 12A of the Local Government Act 1972. It is a matter for the Cabinet to determine whether the press and public should be excluded from the meeting during consideration of these documents.

#### 1. Recommendation

- 1.1 The Cabinet is required to decide whether to exclude the press and public during consideration of the following documents because consideration of these matters in public would disclose information falling within one of the descriptions of exempt information contained in Schedule 12A to the Local Government Act 1972, as specified below, and, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

<b>Report Title</b>	Property Review and Future Management of Heritage Sites
<b>Agenda Item</b>	13
<b>Summary</b>	The exempt appendix provides further financial information in respect of Rochester Castle, Temple Manor and Upnor Castle and HR related information in respect of Upnor Castle.
<b>Category of exempt information (Schedule 12A of the Local</b>	Not for publication under paragraph 3 of Schedule 12A of the Local Government Act 1972 – Information relating to financial or business affairs of any particular person

<b>Government Act 1972)</b>	(including the authority holding that information).
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- 1.2 Members are advised that the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires 28 clear days' notice of a Cabinet meeting to be held in private.
- 1.3 A notice of intention to conduct business in private was originally issued on 30 June 2025. No representations have been received.
- 1.4 This report confirms the previous notices of intention to conduct this business in private.

### Lead Officer Contact

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### Appendices

None

### Background Papers

[Forward Plan – 29 July 2025](#)

NOT FOR PUBLICATION

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

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