

PERFORMANCE & GOVERNANCE COMMITTEE – 28 JUNE 2011

PROPERTY REVIEW – DISPOSAL OF PUBLIC TOILETS (IDE HILL, KEMSING, LEIGH, SWANLEY)

Report of the: Corporate Resources Director

Also considered by: Cabinet – 21 July 2011

Status: For Decision

Key Decision: No

This report supports the Key Aim of Effective Management of Council Resources

Portfolio Holder Cllr. Ramsay

Head of Service Head of Finance and Human Resources – Mrs. Tricia Marshall

Recommendation: That it be recommended to the Cabinet that the public toilets at Ide Hill, Kemsing, Leigh and Swanley be disposed of in accordance with the recommendations contained within the report and subject to any other conditions that the Council's legal advisors consider necessary to protect the Council's interests.

Introduction

- 1 As part of the 2011/12 budget process a number of public toilets were closed to public use and as part of the ongoing Property Review the future of these toilets has been considered.
- 2 The first consideration has been exploring the possibility of transferring the toilets to the relevant town or parish council and should that not prove possible disposal of the premises on the most economically advantageous terms has been investigated.
- 3 Ide Hill Toilets – the parish council has expressed an interest in taking a transfer of the freehold of the public toilets and adjoining lay-by and is currently operating the toilets at their own expense. It is recommended that the toilets and lay-by be transferred to the Parish Council at nil cost.
- 4 Wheatsheaf Car Park, Kemsing – these public toilets were constructed within the free public car park leased from the owners of the adjoining Wheatsheaf Public House. The lease, which expires in 2016 prevents the creation of any sub-leases although the whole lease could be assigned to a third party, the Parish Council do not want to take a lease of the car park as well as the toilets. At present the Parish are operating the toilets at their own expense and

it is recommended that the freeholders be approached to obtain permission to grant a sub-lease of the toilets to the Parish Council at nil cost.

- 5 Leigh Toilets – these toilets were constructed as part of the extension to Leigh School on District Council land and although the school has asked whether they could be transferred to it the possibility that the property may prove suitable for conversion to offices by Time to Talk has been investigated. Time to Talk is the last remaining tenant of the Cobden Road Centre which is currently 92% vacant. Relocating the tenant would enable the future of the Cobden Road Centre to be considered in full by members at a subsequent meeting an subject to the agreement of terms Time to Talk are prepared to consider purchasing Leigh Toilets and converting them at their own expense. It is recommended that officers be authorised to conclude negotiations for the purchase of Leigh Toilets by Time to Talk at a figure to be agreed with the District Valuer. If agreement cannot be reached it is recommended that the toilets be sold on the open market by auction.
- 6 Public Toilets, Station Road, Swanley – When these toilets were constructed 25% of the floor area was designed to accommodate a taxi office which is let on a 20 year internal repairing lease at £2,750p.a. The tenant has expressed an interest in acquiring the freehold of the whole property and it is recommended that officers be authorised to conclude negotiations for the purchase of Swanley Toilets by tenant at a figure to be agreed with the District Valuer. If agreement cannot be reached it is recommended that the toilets, subject to the existing tenancy, be sold on the open market by auction.

Key Implications

Financial

- 7 As there is no operational need for the toilets retaining the toilets will incur the District Council in maintenance, security and business rate liability.

Community Impact and Outcomes

- 8 The community impact of closing these toilets was considered as part of the budget savings process referred to above.

Legal, Human Rights etc.

- 9 No legal or human rights issues have been identified.

Value For Money and Asset Management

- 10 It is not considered good practice to retain vacant property which has no identified operational use

Equality Impacts

- 11 No legal or human rights issues have been identified.

Conclusions

12 The various options are contained within the body of the report

Risk Assessment Statement

13 The risk associated with this matter is that the longer the toilets, which have already been declared non-operational, remain vacant or unused the greater the risk of damage by vandalism

Background Papers: Property Review – Public Toilets file

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