

**FORMAL RESPONSE OR CONSULTATION REQUESTS FROM THE CABINET  
AND/OR SELECT COMMITTEES FOLLOWING MATTERS REFERRED BY THE  
COMMITTEE**

- a) Property Review – Disposal of Public Toilets (Ide Hill, Lemsing, Leigh, Swanley) (Cabinet 21.07.11)

The Cabinet considered a report which explained that a number of public toilets had been closed as part of the 2011/12 budget process and the ongoing Property Review. In looking at the future of these toilets a number of factors had been considered including the desirability of not retaining vacant property which had no identified operational use but would still incur business rates and could be subject to vandalism. In each case the possibility of transferring the toilets to the relevant town/parish council had been explored but where this was not possible the disposal of the property on the most economically advantageous terms had been investigated.

The Cabinet was asked to approve the disposal of four former public toilets. It was proposed that the toilets at Ide Hill be disposed of by transferring the lease to the toilets and lay-by to the Parish Council at nil cost and the toilets in the Wheatsheaf Car Park, Kemsing by seeking the permission of the freeholders of the adjoining Wheatsheaf Public House to grant a sub-lease of the toilets to the Parish Council at nil cost.

The report proposed that the toilets at Leigh School should be sold to Time Talk at a figure to be agreed with the District Valuer for conversion to offices. This would allow Time Talk to relocate from the Cobden Road Centre, where they were the last remaining tenant, which would allow the future of the Centre to be considered by Members. The Cabinet was also asked to agree to the sale of the public toilets at Station Road, Swanley to the existing tenant of the taxi office currently operating from part of the site at a figure to be agreed with the District Valuer. In the case of the commercial disposals if terms could not be agreed with the interested parties the properties would be sold on the open market by auction.

The Cabinet had regard to the comments and recommendations made by the Performance and Governance Committee at its meeting on 28 June 2011. In particular the Cabinet considered the recommendation that the Leigh Public toilets should be transferred to Leigh Primary School at the District Valuers figure as it considered that the social benefit of this should be a determining factor. Cllr. Mrs Cook addressed the Cabinet to support the sale of the toilet to the Primary School and explained that the school needed to have the land and had the funds available to purchase it. She was also concerned that any alternative prospective owner would need to be suitable to operate in proximity to young children. The Cabinet noted the arguments for transferring the property to the school and felt that whatever decision was made should include resolution of the ongoing land dispute with KCC, which might be possible as it was understood that KCC would fund the purchase by the school. In view of this the Cabinet felt that the disposal of the Leigh Public toilets should be re-evaluated before making a decision.

The Performance and Governance Committee had also recommended the Public Toilets at Station Road, Swanley should be offered to the Town Council rather than

Performance and Governance Committee – 27 September 2011

to the existing tenant. At the time of writing the report it had been understood that Swanley Town Council did not wish to take over responsibility for the public toilets but it was felt that negotiations may have been with the outgoing Town Council. Cllr. Brookbank informed the Cabinet that he believed that Swanley Town Council was interested in taking responsibility for the toilets and had understood that this was being pursued with the District Council. He asked for a decision to be deferred until the position could be ascertained and the Cabinet agreed to the deferral.

Resolved: (a) That the public toilets at Ide Hill and Kemsing be disposed of in accordance with the recommendations contained in the report and subject to any other conditions that the Council's legal advisors consider necessary to protect the Council's interests.

(b) That the disposal of the Leigh and Swanley public toilets be re-evaluated within the next 3 months in light of the Cabinet's discussion and the views expressed by the Performance and Governance Committee and recommendations brought back to the Cabinet within that timescale.

b) Argyle Road Offices – Accommodation for Moat Housing (Cabinet 21.07.11)

The Cabinet considered an exempt report relating to accommodation for Moat Housing at the Argyle Road offices and welcomed the recommendations contained in the report.

Resolved: That capital reserves be used to provide office accommodation for Moat Housing on the terms and conditions detailed in the report and on such other conditions as the Council's legal advisors consider necessary to protect the Council's interests.