

MATTERS REFERRED BY PERFORMANCE AND GOVERNANCE COMMITTEE AND/OR SELECT COMMITTEES

- (a) Property Review – Disposal of Public Toilets (Ide Hill, Lemsing, Leigh, Swanley) (*Performance and Governance Committee – 28 June 2011*)

The Property Manager explained that as part of the Budget Process a number of public toilets had been closed to public use and were being considered for disposal. He noted that the situation with regard to the conveniences in Kemsing had recently changed due to a fire at the Wheatsheaf Public House which owned the land. Where possible, the Council sought to keep operation of the conveniences within the appropriate town/parish.

The Committee discussed each public convenience and the following comments were made:

Ide Hill Toilets

Resolved: That it be recommended to Cabinet that the Ide Hill public toilets and lay-by be transferred to the Parish Council at nil cost subject to any other conditions that the Council's legal advisors considered necessary to protect the Council's interests.

Wheatsheaf Car Park, Kemsing

The Property Manager explained that the Wheatsheaf Public House had the right to the land should they redevelop following a fire in the Pub.

Resolved: That, subject to any other conditions that the Council's legal advisors considered necessary to protect the Council's interests, it be recommended to Cabinet that the Wheatsheaf Car Park public toilets in Kemsing continue to be maintained by the Parish Council until it was known whether the Public House would be redeveloped, at which time the toilets be transferred to the Parish Council if appropriate.

Leigh Toilets

The local Member for Leigh explained in detail the situation of Leigh Primary School. She said that for some time the School had hoped to acquire the area which the toilets were situated in. She felt that there were opportunities to re-house the charity, Time to Talk, which currently occupied the site, but that the school did not have any further opportunities to expand and asked that Members give the school this opportunity.

The Committee discussed in detail the situation of the toilets, school, charity and whether it was within their remit to decide how the toilets were disposed of. The Property Manager noted that the policy for disposal of property did not take into account situations when two parties were in competition for a site. A Member felt that if the figure of the District Valuer was equal in relation to the two parties, that social

benefit was a crucial factor in deciding the transfer. It was noted that Time to Talk had a lease which was protected by the Landlord and Tenant Act.

Resolved: That, subject to any other conditions that the Council's legal advisors considered necessary to protect the Council's interests, it be recommended to Cabinet that the Leigh public toilets be transferred to Leigh Primary School at the District Valuers figure.

Public Toilets, Station Road, Swanley

Resolved: That, subject to any other conditions that the Council's legal advisors considered necessary to protect the Council's interests, the Public Toilets, Station Road, Swanley be offered to the Town Council at a negotiated figure to be agreed with the relevant Portfolio Holder and if this was not successful, to dispose of to the tenant at the District Valuers figure or by auction.

- (b) Argyle Road Offices – Accommodation for Moat Housing - EXEMPT
(*Performance and Governance Committee – 28 June 2011*)

CONDISERATION OF EXEMPT INFORMATION

Resolved: That under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the ground that likely disclosure of exempt information is involved as defined by the relevant paragraph as defined by Paragraph 3 of Schedule 12(A) to the Local Government Act 1972.

The Committee considered an exempt report relating to accommodation for Moat Housing at the Argyle Road Offices.

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