
TITLE: BURWELL PUBLIC CONVENIENCES

Committee: Asset Development Committee

Date: 17 December 2018

Author: Director Commercial

[T157]

1.0 ISSUE

1.1 To consider the transfer of the freehold of the public conveniences at The Causeway, Burwell.

2.0 RECOMMENDATION(S)

2.1 Members are requested to approve the transfer (at the value of £5.00) the freehold of the public conveniences at The Causeway, Burwell to Burwell Parish Council, subject to the conditions set out in 3.5.1 of this report.

3.0 BACKGROUND/OPTIONS

3.1 On 22 June 2016, Commercial Services Committee (Agenda Item 7) approves the closure of the public conveniences at The Causeway, Burwell and make a compensation payment to Burwell Parish Council equivalent to 1 years running costs.

3.2 The Council ceased the operation of the public conveniences on 31 August 2018 and made a compensation payment of £9,026 to Burwell Parish Council.

3.3 Burwell Parish Council recognised that there was a need provide public conveniences and as such made alternative provision.

3.4 In October 2017 Burwell Parish Council formally wrote to the District Council requesting the Council to consider transferring the freehold interest of the building to Burwell Parish Council to allow them to use the building for the provision of public conveniences and storage.

3.5 Following negotiations with Burwell Parish Council, on 29 October 2018, the Director Commercial made a final offer, subject to Asset Development Committee consent, to Burwell Parish Council. The final offer made is set out below:

3.5.1 Offer the freehold interest in the public conveniences to Burwell Parish Council on payment of the sum of £5 and subject to a restrictive covenant that the build must be used as a public convenience and storage only, no other uses are permitted. Further conditions are associated with this offer:

- No more than 40% of the building shall be used for storage and this will be clearly defined on a plan (to follow after agreement in principle)
- The Parish Council undertake to use the £9,026 already provided by the District Council to facilitate the improvements
- The Parish Council will undertake to make the improvements as soon as practicably possible following acquisition of the building, those improvements being:
 - o Improving facilities to install a unisex, accessible toilet with baby changing facilities in the 60% element of the building to a high quality standard

- In the event that the Parish Council do not undertake such works then 100% of the building must be retained for public conveniences, i.e. no storage use will be permitted
- Regardless of the storage use, in the event that the Parish Council cease to operate public conveniences the freehold will revert to East Cambridgeshire District Council for the consideration of £5
- The Parish Council will provide to the Council the opening days/times- this will stipulate the minimum that would be acceptable to ensure that the public conveniences are deemed to be considered 'in operation'
- In the event that the building reverts to East Cambridgeshire District Council it will be agreed that the building would be in the same condition as at handover from East Cambridgeshire District Council to Burwell Parish Council.

3.6 On 13 November 2018 Burwell Parish Council resolved to accept the offer set out in 3.5.1 above.

4.0 ARGUMENTS/CONCLUSIONS

4.1 The District Council has worked proactively with Burwell Parish Council and recognise that there is a desire for Burwell Parish Council to provide facilities for the residents and visitors of Burwell.

4.2 The Director Commercial is satisfied that adequate provision has been made to protect best value when disposing of public assets; this has been reflected in the conditions set out in 3.5.1 above and as such it is recommended that Members approve the transfer of the freehold of The Causeway, Burwell to Burwell Parish Council subject to the conditions set out in 3.5.1.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 Each party will meet its own legal fees to complete the transfer.

5.2 Equality Impact Assessment (INRA) not required.

6.0 APPENDICES

6.1 None

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Burwell Public Conveniences- Commercial Services Committee- 22 June 2016- Agenda Item 7	Room 107 The Grange, Ely	Emma Grima Director Commercial (01353) 616960 E-mail: emma.grima@eastcambs.gov.uk