

APPENDIX I

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 29 NOVEMBER 2011

Title:

TRANSFER OF CRANLEIGH PUBLIC CONVENIENCES

[Portfolio Holder: Cllr Bryn Morgan]

[Wards Affected: Cranleigh East & Cranleigh West]

Summary and purpose:

To present an update on the proposed devolution of Cranleigh Public Conveniences to Cranleigh Parish Council, and to seek formal approval to transfer the facilities on the basis set out in this report.

How this report relates to the Council's Corporate Priorities:

This report relates to the Council's 'Improving Lives' priority, as the provision of accessible public conveniences in the Borough's towns and villages improves the quality of life for all, particularly the more vulnerable in our society.

Equality and Diversity Implications:

The availability of accessible public conveniences is a particular need of those with certain medical conditions.

Climate Change Implications:

There are no climate change implications.

Resource/Value for Money Implications:

It currently costs the Council approximately £20,000 per annum to maintain its public conveniences in Cranleigh. As a discretionary service however, the Council is not obliged to provide any such facilities and the value for money of this service must therefore be considered in the light of other spending priorities.

Legal Implications:

Public Conveniences are a discretionary service. The Council is therefore not legally required to provide them.

Background

1. As part of the ongoing move towards devolution of local community assets to local town and parish Councils, a meeting took place in December 2010, between the Clerk of Cranleigh PC (CPC) and the Council's Head of Environmental Services at which the opportunity to devolve the two Cranleigh Public Conveniences was discussed. Since that time, detailed proposals and draft 'Heads of Terms' have now been worked-up and agreed, in principle, between the two parties, as follows:-
 - a. Transfer to be on the basis of a three-year diminishing contribution towards the £20,000 maintenance costs from WBC (100% in year 1; 65% in year 2; and 30% in year 3), with no further contributions thereafter but a requirement on CPC to undertake to keep the toilets open for at least two years after the WBC contribution comes to an end (with penalties applied for not doing so);
 - b. Freehold transfer of Village Way Public Conveniences and long-term lease (with peppercorn rent) of Cranleigh Common Public Conveniences. Both agreements to be conditional upon long-term provision of public conveniences;
 - c. WBC to carry out some capital improvement works prior to transfer taking places, as detailed in the following table.

Item	Cost
Repairs to foul water sewers at both sites*	£5,560*
Re-tiling both sites	£6,750
Installation of modesty boards at Village Way	£650
Total	£12,960

**It could reasonably be argued that this work would have been necessary regardless of whether the facilities were to be transferred*

2. The repairs to the sewers were carried out towards the end of the 2010/11 financial year and were financed from that year's annual rolling 'capital' allocation; and the remaining works are to be funded from the current year's £10,000 budget (which was specifically allocated to facilitate devolution projects).

Legal costs

3. It is estimated that the Parish Councils' legal costs would amount to approximately £2,900 in total.
4. The Parish Council has indicated that it would be unwilling to pay all of these costs, and has not budgeted to do so; instead feeling that this Council should be prepared, as part of its 'spend to save' package to put the funds forward. In order to try to resolve this issue, Waverley has now offered to support CPC by making a 50% contribution towards the total legal costs (with an agreed ceiling of £1,500), and to require them to finance the remainder. This sum can be financed from the aforementioned 2011/12 'rolling programme' budget.

5. The contribution towards legal costs would bring this Council's total investment in this project to £14,460; £8,900 of which is to be financed from this year's rolling programme budget.
6. With the ongoing costs of maintaining the facilities amounting to approximately £20,000 per annum, and a proposed mechanism to phase-out WBC's financial support to CPC over a three-year period, this is still considered a good investment.

Formal approval to transfer facilities

7. Although the principle of transferring the facilities to Cranleigh Parish Council has been discussed for some time, no formal decision has yet been made to do so.
8. The Executive is therefore asked to formally agree to the transfer to CPC, on the basis set out in Paragraph 1 above, of the freehold interest in Village Way, and to retain ownership of Cranleigh Common Toilets; transferring this instead under a long-term lease.

Recommendation

It is recommended that the Executive:-

1. formally authorises the transfer of the freehold interest in Village Way Public Conveniences on the basis set out in Paragraph 1 (a)-(c); and
2. authorises the transfer of the Cranleigh Common Public Conveniences under a long-term lease on the basis set out in Paragraph 1 (a)-(c).

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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