



Cabinet report

Date	14 JULY 2022
Title	DISPOSAL OF LAND AT THE EASTERN GARDENS, CULVER PARADE, SANDOWN (ADJACENT TO AVENUE ROAD SLIPWAY) TO SANDOWN TOWN COUNCIL FOR PROVISION OF NEW PUBLIC TOILETS
Report of	CABINET MEMBER FOR STRATEGIC FINANCE, TRANSFORMATIONAL CHANGE AND CORPORATE RESOURCES

EXECUTIVE SUMMARY

1. The paper seeks approval for the council to dispose of an area of land adjoining the southern water pumping station on eastern gardens to Sandown Town Council to facilitate the provision of new public toilets to replace the existing former Isle of Wight Council (IWC) toilets at eastern gardens.
2. The disposal will be via a long lease restricted to public toilet use and as such the value is nominal. It is proposed therefore to enter into a lease at peppercorn rent. The town council have applied for planning permission and any lease will be subject to planning approval.
3. Parish, Town and Community Councils are the main provider of public toilets across the Island and the IWC is supportive of the investment being made by local councils in their facilities to the benefit of both the local community and visitors to the Island.

RECOMMENDATION

4. THAT Cabinet grant a lease to Sandown Town Council for the provision of new public toilets at eastern gardens, Culver Parade (Avenue Road Slipway), Sandown (shown outlined on the attached plan at Appendix 1). Final terms of the lease to be agreed by the Cabinet Member for Strategic Finance, Transformational Change and Corporate Resources in consultation with the Director for Regeneration.

BACKGROUND

5. In 2015 the IWC resolved to no longer provide and manage public toilets across the Island and agreed to offer the existing facilities to local councils at a nominal value as they were restricted to toilet use.

6. Since this time a number of local councils have invested in the provision of new and up graded toilet facilities in their areas. This has helped them reduce running and maintenance costs as well as generate income to help clean and manage the toilets for the benefit of local residents and visitors.
7. Sandown Town Council have approached the authority regarding the establishment of new toilet facilities at eastern gardens on Sandown esplanade. They have undertaken survey work of the existing toilets which are considered to be in a generally poor condition and have identified engineering issues and other matters which have led the council to determine they need to be replaced rather than refurbished. They have identified an area of land adjoining the southern water pumping station (as show on the plan attached at appendix 1) and a planning application for a modular building providing toilets and showers (ref 22/00923/FUL). was validated on 6 June and is awaiting determination. A plan showing the proposed design of the toilets is attach at appendix 2.
8. The land is currently used as a hardstanding amenity area with some limited seating.
9. The town council have commissioned Danfo to provide the new toilets/showers and the company have experience working with local councils on the island having already built a number of similar new facilities at locations including Shanklin and Yarmouth.

CORPORATE PRIORITIES AND STRATEGIC CONTEXT

Responding to climate change and enhancing the biosphere

10. The recommendation would provide for new resource efficient toilets that use less water and power thereby contributing to the journey to net zero.
11. The development supports the UN sustainable development goals for clean water and sanitation and supporting life below water. Providing public toilets encourages and supports the island community in connecting people with their environment through enabling more time to be spent outdoors.

Economic Recovery and Reducing Poverty

12. The proposal would provide new facilities which would assist the area in providing a range of services to local people and visitors that would encourage more visits and thereby more business opportunities to grown and sustain the local economy.

Impact on Young People and Future Generations

13. The recommendation would provide for sustainable new long-term facilities for the local community.

Corporate Aims

14. The proposal will support the following aspirations of the Corporate Plan:

- (a) Keep the council solvent and take all the measures we can to improve the financial position of the council.

CONSULTATION

15. The town council have carried out wide ranging engagement with the local community regarding toilet provision in the town including public meetings and online consultation. In summary, they state there is wide support for the plans to provide new facilities and that the key priorities identified were provision at St Johns Road and Eastern Gardens with Yaverland to follow at a later date. The St Johns Road toilets were completed in 2021 and the focus is now on the new toilets at eastern gardens.

FINANCIAL / BUDGET IMPLICATIONS

16. The disposal of the land will not result in a capital receipt to the council as the use of the land is restricted to public toilet use. There are no other direct financial or budget implication as the site is currently unused and not subject to any maintenance costs. The legal resources associated with the completion of the lease are not currently budgeted for.

LEGAL IMPLICATIONS

17. The Council has the power to dispose of property under section 123 of the Local Government Act 1972, which requires it to achieve 'best consideration' in any disposal. The council can dispose of property at an undervalue using a general consent of the Secretary of State. The difference between the unrestricted value of the property and the disposal consideration must not exceed £2 million and the purpose of the disposal must be likely to contribute to the achievement of the promotion or improvement of economic well-being; the promotion or improvement of social well-being; and/or the promotion or improvement of environmental well-being in its area or for residents in its area. Subsidy control implications will also need to be considered.

EQUALITY AND DIVERSITY

18. The council, as a public body, is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
19. The proposal if built would provide a new accessible toilet in this area.

PROPERTY IMPLICATIONS

20. The land is not part of any operational site and has not seen as having significant commercial value. It is also not considered to have any strategic value to the

council. Whilst not currently having any direct liabilities, its disposal to a third party would remove any such future risks.

OPTIONS

21. Not to dispose of the land at eastern gardens to Sandown Town Council.
22. THAT Cabinet grant a lease to Sandown Town Council for the provision of new public toilets at Eastern Gardens, Culver Parade, Sandown (shown outlined/hatched on the attached plan at Appendix 1). Final terms of the lease to be agreed by the Cabinet Member for Strategic Finance, Transformational Change and Corporate Resources in consultation with the Director for Regeneration.

RISK MANAGEMENT

23. If the council does not agree to the proposed lease it may not be possible for the town council to find an alternative suitable site that is support by the local community. It may leave the town council with no option but to either refurbish older toilets that are deemed to have engineering and other issues and may be uneconomic to upgrade, manage and maintain or not provide any facilities in this area of the town.
24. It would leave the authority responsible for any liabilities and future management of the site when there is no budget allocated to do so.
25. The council may receive commercial interest if it offered the land on the open market but its use is limited by the location adjoining the water pumping station.
26. An agreement for a new lease would not necessarily result in the construction of the new toilets which is still subject to planning approval. If the toilets did not receive consent then the lease would not be completed and the site would remain in council ownership. The council would then be able to re-evaluate its position.

EVALUATION

27. Sandown Town Council are investing in its public toilet facilities and have consulted and engaged with the local community to ascertain their views and the location and construction of new toilets at eastern gardens is supported. A planning application has been submitted for the new facilities and subject to approval the town council have confirmed the funds are in place to commence construction as soon as consent is granted.
28. Disposal of the land via a long lease would enable the investment to be made by the town council with works likely to commence following the summer season 2022 and the toilets would provide an additional new facility for the many visitors and residents who visit this area of the Bay and would support its wider regeneration.

APPENDICES ATTACHED

29. Appendix 1 – plan showing area of land at eastern gardens for disposal
30. Appendix 2 – plans showing design of proposed new toilets and shower facilities at eastern gardens (from planning application ref. 22/00923/FUL.)

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