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| **Services and Facilities Committee Meeting** |  A black and white drawing of a building with a tower  Description automatically generated with low confidence  Market Drayton Town Council |
| **Agenda Item: Newport Road Toilets** |
| **Date: 5 October 2023** |
| **Appendix : SF73** |

The following information was provided at the Services and Facilities Meeting held on 27th January 2022.

**Future use of the empty toilet blocks at Newport Road**

The lease for the skatepark and toilet block area is dated 31st March 2016 and expires on 30th March 2045.

Following the meeting of the Services and Facilities Meeting held on the 4 November 2021 the following questions were sent to Shropshire Council to find out if it would be possible to amend the lease to allow the toilet block to be used for commercial purposes. Shropshire Councils responses are in red and provided without Prejudice and Subject to Contract.

* Can a change of use be granted for part of the building to commercial use?   Initially any proposed change of use would require agreement in principle from SC (from an Estates perspective)  because of the user restrictions in the agreed lease.  If SC were happy with your proposals, you would then need consider whether formal planning consent is required for the change of use.   In this respect, please refer any planning questions you may have to our planning team who can be contacted at planning.northern@shropshire.gov.uk.   It would be standard practice to include a reinstatement clause in any revised agreement, whereby the Town Council would need to return the property to its original state at the end of the lease at Shropshire Council’s discretion. This is unlikely to be enforced, however it is something you should be aware of.
* Can a change of use be granted for the whole of the building, if Town Council decide they do not want to provide toilet facilities in the future?  This could be achieved by agreement between the respective councils, but the same comments apply as in the paragraph above.
* Would change of use require planning permission?  Yes, it would. Once again, I would recommend contacting our planning team for further advice on this.
* Can the lease be changed to allow Town Council to sublet part of the building?  Yes, this could be achieved but obviously will require the agreement of both councils.  We would need to consider detailed proposals and look at the income that would be generated to determine whether this could be re-invested into this property or possibly reflected in the rent charged under the revised head lease.
* Would Shropshire Council consider an asset transfer of the building to the Town Council?  Presumably you mean a freehold transfer.  This can be considered in exceptional circumstances, but SC normally prefer long leasehold options for property transfers involving buildings.  In this case SC would also need to consider possible redevelopment implications when the existing swimming pool reaches the end of its useful life.
* Would Shropshire Council extend the time of the lease?  This could be considered depending on the details of your long-term proposals.
* Can the Town Council ‘return’ the toilet block back to Shropshire Council before the end of the lease?  There is no provision for a break clause within the current lease, but it is always possible for both parties to agree an early surrender if they wish.

Any changes in lease would be subject to Market Drayton Town Council covering the cost of Shropshire Council’s legal and surveyors fees and approval from the Council’s Asset Management Team.

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**Alternative use of the toilet block**

At the Services and Facilities Meeting held on the 27 January 2022 it was **resolved:**

**To advertise for expressions of interest from local organisations/businesses outlining proposals for the future use of the unused toilet sections at Newport Road.**

One expression of interest was received; this was not progressed.

**Maintenance Costs for Newport Road Toilets 2021 to current date**

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| **Date** | **Description** | **Cost** |  |
| 27/09/23 | Repair roof tiles and install new drainpipes. | £550 | Due to vandalism |
| 25/08/23 | Damaged Electric Box | £38 | Due to vandalism - box was kicked off the wall |
| 13/07/23 | Removal of heater | £36 | Due to vandalism – heater pulled off wall |
| 12/06/23 | Handwash Fixed | £30 | Due to wear and tear |
| 25/05/23 | Electrical work | £425 | Due to flooding |
| 11/05/23 | New Metal Gate (maintenance Room) | £295 | To stop vandalism of the door |
| 26/04/23  | Electric Certificate  | £150 | Legal requirement |
| 29/07/22 | New Door (maintenance Room) | £3050 | Old door was bowed due to vandalism |
| 11/08/22 | Wood to block maintenance room | £66 | Due to vandalism |
| 19/05/21 | Repairing locks | £160 | Due to vandalism |
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