Northumberland
County Council

COMMITTEE: ASHINGTON AND BLYTH LOCAL AREA COUNCIL

DATE: MARCH 2021

TITLE OF REPORT: Petition Regarding Northumberland County Council asset transfer of redundant public toilet to Newbiggin Town Council

Report of the Director of Local Services, Paul Jones

Cabinet Member: **Councillor Glen Sanderson, Leader of the Council**

Purpose of report

To acknowledge the recently received petition and seek the views of the Local Area Council.

Recommendations

It is recommended that members consider the report and note that an asset transfer of a public convenience from Northumberland County Council to Newbiggin by the Sea Town Council is in accordance with the provisions in the Northumberland Town and Parish Council Charter.

Link to Corporate Plan

This report is relevant to the "We want you to love where you live" priority included in the NCC Corporate Plan 2020-2021.

1. Key issues

1.1 The public convenience building in Prospect Place, Newbiggin by the Sea adjacent to Cresswell Arms Public House, was operated and maintained by the County Council until 2016 when it was closed.

1.2 The County Council invested in a new modern public toilet facility at Front Street in Newbiggin, this new facility opened in December 2017.

1.3 In the Town and Parish Charter the County Council makes a commitment to support Town and Parish Councils to maintain their own local services and assets if they wish to do so.

1.4 Newbiggin by the Sea Town Council, through a formal resolution of the Council, do wish to maintain this local asset.

1.5 As part of the asset transfer the County Council would make available the avoided demolition costs, estimated at £20,000, to the Town Council as this would be 'cost neutral' to the County Council and would be used as part of their funding arrangements to secure the refurbishment of the facility.

2. Background

2.1 A request for an e-petition was received in November 2020 seeking support from interested people in opposing the transfer of the public toilets. The wording of the petition request was:

To stop the asset transfer of derelict toilets to Newbiggin Town Council Newbiggin Town Council held a meeting on 18 November and voted for (3 for only 2 against), the proposed asset transfer of the derelict toilets next to the Cresswell Arms Public House, Newbiggin from Northumberland County Council.

This petition is opposed to the asset transfer and redevelopment of a new toilet block at this location to be paid for by Newbiggin residents and instead wants this eyesore demolished and the site cleared. We believe that this best represents the views of local residents who have not been consulted on this matter.

2.2 The petition opened on 3 December 2020 and when it closed on 3 February 2021 it was supported by 185 signatories. It is therefore eligible for a formal response from the County Council.

2.3 The toilets in question are currently closed and have not been operated by Northumberland County Council for a number of years. Immediately prior to closing the facilities were vandalised and are in a poor state of repair.

2.4 In 2019 discussions took place between the County Council's Neighbourhood Services Team and the Town Council exploring the potential of an asset transfer, but the Town Council decided at that time not to proceed with a transfer.

2.5 Having invested in a new modern public toilet facility at Front Street in Newbiggin, the County Council had no intention of refurbishing and reopening the facilities next to the Cresswell Arms. As the County Council had no further operational use for the building, and given its poor condition and the risk of attracting vandalism and anti-social behaviour, at the end of 2020 a budget was identified to enable its demolition.

2.6 The Head of Neighbourhood Services wrote to the Town Council on 11 November 2020 advising of the County Council's intention to demolish the building and make good the ground. The letter also acknowledged that there had been a number of discussions regarding the possible transfer of the asset, and stated that if the Town Council did wish to formally request an asset transfer they would need to request this prior to 30 November 2020. This timetable was set as the County Council wanted to

progress the procurement exercise for the demolition of the building and to undertake the works before the end of the 2020/21 financial year.

2.7 As part of the dialogue and prior to the Town Council formally considering this matter, they sought clarification over whether the County Council would be willing to include a financial contribution as part of the asset transfer in lieu of the demolition costs that would be incurred by the County Council. The County Council confirmed that it would be willing to offer £20,000 to the Town Council as part of an asset transfer arrangement in lieu of the estimated disposal costs, on the basis that the Town Council took on the responsibility for the facility in perpetuity. On 23 November the Clerk of the Town Council wrote to the County Council confirming that the Town Council had formally resolved to proceed with the asset transfer on this basis.

2.8 The transfer of this asset is in accordance with the Northumberland Town & Parish Charter. Through the Charter the County Council commits to "support Town and Parish Councils to maintain their own local services and assets if they wish to do so". Transferring public conveniences has taken place in other Towns and Parishes through the Charter and it is proposed that the County Council support Newbiggin by the Sea Town Council's formal resolution that they wish to maintain this asset and have it transferred to them.

2.9 This petition, to Northumberland County Council challenges both organisations decision to progress the transfer of this asset from Northumberland County Council to Newbiggin by the Sea Town Council. For clarity this report only responds to that petition from the County Council's perspective.

2.10 The Clerk of the Town Council has written and provided the town Council's response to this petition which is attached in Appendix 1. The Town Council's response is provided for information and its contents are not commented upon within this report.

Implications

Policy	None
Finance and value for money	The County Council has identified a £20,000 budget to enable the demolition of the building. The asset transfer proposal includes transferring this £20,000 to the Town Council in lieu of the avoided disposal costs to support their plans for its refurbishment as a public toilet. There is therefore no financial difference between the two options available to the County Council of either demolishing the building or supporting its asset transfer to Newbiggin by the Sea Town Council. However, the asset transfer would deliver better value for money for the County Council as it would support the provision of a new public toilet facility at this location, to serve the local community and visitors.

Legal	None
Procurement	None
Human Resources	None
Property	The Council is seeking to confirm title to the property and under the community asset transfer process would transfer the freehold title to Newbiggin by the Sea Town Council so they could undertake its refurbishment and bring it back into use as a public toilet facility.
Equalities (Impact Assessment attached) Yes ☐ No ☐ N/A ☐	None
Risk Assessment	None
Crime & Disorder	The existing disused building is subject to vandalism and anti-social behaviour so either option would help reduce the risk of crime and disorder associated with having an empty and used building.
Customer Consideration	The report is in response to a local petition raised through the council's e-petitions web page.
Carbon reduction	None
Wards	Newbiggin Central & East Electoral Division

Background papers:

Northumberland Town & Parish Council Charter
https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Councillors-and-Democracy-Media/Parish%20and%20Town/Northumberland-T-PC-Charter-Final-October-2019-3.pdf

Report sign off.

	Initials
Monitoring Officer/Legal	NM

Executive Director Finance & S151 Officer	CH
Relevant Director	RO'F
Chief Executive	N/A
Portfolio Holder(s)	GS

Author and Contact Details

Greg Gavin, Head of Neighbourhood Services

Tel: 01670 622278

email: greg.gavin@northumberland.gov.uk

Appendix 1

Ashington and Blyth Local Area Council

Representations of Newbiggin by the Sea Town Council in relation to an e-petition against an asset transfer between NCC and the Town Council

It is a matter of concern that the County Council has hosted, indeed arranged, a petition against its own proposal regarding the asset transfer of a building it deems surplus to its requirements after offering that building to the Town Council.

The published petition contains inaccuracies and a challenge to the democratic decision taken by the Town Council to accept the transfer for the benefit of the local community and its many visitors.

There will be no 'new toilet block' but the comprehensive renovation and upgrading of a public facility, that is not Disability Discrimination Act compliant, that should have been carried out some years ago at a site where public conveniences have been provided for over 80 years.

The scheme will not be paid for by Newbiggin residents as contributions have been provided in the current financial year from Section 106 regeneration funds and Neighbourhood Services leaving less than 10% of the building refurbishment cost to be met by the Town Council.

A subjective view in the petition that the building is an 'eyesore' is contradicted by representations received during consultation on the emerging Neighbourhood Plan specifically requesting its preservation.

Despite the inference the petition reflects only the views of a small minority of local residents. It has attracted only 185 signatories over two months from a population of 6,500, despite a social media campaign and disinformation, which is less than 3%.

The provision of improved public toilet facilities needs to be considered in context:

Such provision was the number one requirement from public consultation on the Town Plan.

There are no other public toilet facilities in the vicinity of the main car park at the adjoining Church Point where virtually all visitors to the town arrive. Newbiggin by the Sea is probably the only town in the county which does not have toilet facilities near to its main car park which are usually a first requirement for visitors.

A main priority for the Town Council is the regeneration of the town which will be based mainly on visitor attraction where progress is being made regarding a number of projects.

Visitor numbers have been increasing year on year and improved car parking arrangements should be provided shortly. Added to that the recent effects of the Covid Pandemic have shown that the public is recognising the importance of regular exercise particularly for the elderly and Newbiggin by the Sea has shown itself to be the ideal location with its largely accessible Bay and Promenade.

Visitors require appropriate facilities, in particular those visitors and local residents with disabilities. No mention has been made in the petition of the stated intention of the Town Council to refurbish the building to 'Changing Places' standards to accommodate the needs of the severely disabled and their carers. The County Council itself is providing such facilities at visitor locations further north along the coast, at much greater expense, and Newbiggin Town Council will take this opportunity to do so and provide the first in South East Northumberland.

It is entirely unconscionable that the County Council could contemplate the reversal of a decision to offer this building to the Town Council and deprive the local community of much needed improved facilities for everyone but especially those with disabilities.