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Community Asset Transfer Proposal - Public WC in School Lane car park, Newton Poppleford

Report summary:

The purpose of this report is to consult AMF on a Community Asset Transfer application that has been received in respect of the public toilet building in School Lane car park, Newton Poppleford.

The application form is attached in the appendix to this report. The report sets out the approved procedure which will be followed in assessing this application.

Consultation has been undertaken with officers of relevant council services, along with the local ward member.

A decision on whether we go to Stage 2 (where Newton Poppleford PC prepares a detailed business case), is then made by the Portfolio Holder for Economy and Assets on the basis of a report from the Assistant Director – Place, Assets & Commercialisation which will be written following consultation with the above.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

1. That AMF notes the report and offers its thoughts on the application, as part of the consultation process.
2. That AMF notes that following completion of this consultation, that in accordance with the Procedure, Officers will make a recommendation to the Portfolio Holder for Economy and Assets on whether the applicant should be invited to submit a business case for the site.
3. That AMF notes that should the recommendation be that this application does not progress to the Business Case stage, officers will contact the Parish Council to discuss their proposals and identify whether there is scope for a collaborative approach to achieve some of their objectives set out in the EOI.

Reason for recommendation:

To enable the application to be assessed in line with the Procedure and a decision to be taken by the Portfolio Holder for Economy and Assets.

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☐ Democracy, Transparency and Communications
- ☒ Economy and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk

Links to background information [EDDC Community Asset Transfer Procedure \(eastdevon.gov.uk\)](#)

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ Better homes and communities for all
- ☒ A greener East Devon
- ☐ A resilient economy

Report in full

1. Background.

- 1.1 The Council's procedure for Community Asset Transfers was approved last year. A copy of the procedure can be found at [EDDC Community Asset Transfer Procedure \(eastdevon.gov.uk\)](#).
- 1.2 An Expression of Interest has been submitted by Newton Poppleford and Harpford Parish Council to acquire the public toilet building in School Lane car park (see plan and photos below).
- 1.3 The Expression of Interest is attached as Appendix 1.

2. Procedure.

- 2.1 On receipt of the EOI, the council consults with:
 - a) SLT
 - b) Ward Member: Cllr Chris Burhop
 - c) The Asset Management Forum (hence purpose of this report)
 - d) Any other persons or bodies as deemed appropriate

2.2 A decision on whether we go to Stage 2 (where the Parish Council prepares a detailed business case), is then made by the Portfolio Holder for Economy and Assets on the basis of a report from the Assistant Director – Place, Assets & Commercialisation which will be written following consultation with the above.

2.3 Consultation with individuals of SLT, ward member and Streetscene, has already taken place.

3. Site Detail.

3.1 The wc is shown in yellow on the plan below. It sits within an EDDC owned car park. The car park is free to use and provides a much needed area for local residents and for school drop off.





3.2 The Parish Council has submitted the **Expression of Interest** (see attached, Appendix 1). **See questions 8 – 12** for details of their proposal and the reasons behind it. The applicant has stated that it would like to acquire all areas of land for free.

3.3 In brief, the reasons for wanting to acquire the land are as follows:

To retain a public wc and to repurpose the remainder of the building as a store for emergency flood defence equipment.

3.4 The Parish Council already lease the building but they wish to hold the freehold in order to invest in the asset.

4. **Consultation with Relevant Council Services.**

4.1 We have consulted with the Senior Leadership Team, local Councillor and Streetscene colleagues in respect of this EOI.

4.2 Comments received were as follows:

- This transfer to Newton Popp makes absolute sense, since they have run the facility since the 2005 toilet review. It was due to transfer as part of the tidying up of the toilet review anyway, with Cabinet approving that in May 2021.
- My only comment would be to please consider legal fees, with work levels as they are this may need to be outsourced. We would consider at the time it comes forward. If the potential tenant isn't instructing their own lawyers this can lead to additional work for EDDC so we would encourage them to instruct lawyers on their own behalf.
- In terms of my view, I am in favour of this proposed asset transfer. The Parish Council would very much like to put in place a sustainable WC installation which would require some significant (in parish council terms) long term investment. Transferring ownership to it will facilitate this & remove the future bureaucracy involved with requesting permissions etc. The PC currently lease the block for a peppercorn rent and therefore are fully appraised of the running costs of the facility.

- In view of the position of the wc block within the car park consideration should be given as to whether it might be sensible to explore the possibility of transferring the car park asset as well. This happened at Woodbury and East Budleigh where free car parks were transferred with the toilet blocks.

5. Next Steps.

- 5.1 We will collate the feedback from the various consultees and from the comments at this meeting, and a report will be prepared for the Portfolio Holder, Economy and Assets with a recommendation from the Assistant Director for PAC.

Financial implications:

Currently costs of this toilet provision is met by the parish Council, this proposal continues that arrangement and strengthens this certainty going forward including parish council investment in the asset. It is assumed the car park remain and therefore this does not restrict future utilisation of the site but confirmation of this would be helpful to assist members in their decision.

Legal implications:

The application must be dealt with in accordance with our adopted procedures. If it progresses a business case will be needed from the Parish Council for consideration.