

Hickling Public Toilet Lease Surrender	
Executive Summary	<p>The Council's lease of the Hickling public toilets is currently due to end in 2071, with the Council being liable for operational costs at this property until the end of the lease.</p> <p>The proposed mutual surrender of the lease relinquishes the Council's rights and liabilities granted by the lease along with its operational costs for the duration of the lease term.</p> <p>It is understood that the Landlord intends to continue the operation of the facilities for use by the public following the surrender of the lease.</p> <p>It is recommended that the Cabinet approve the lease surrender for the Hickling public toilets and delegate authority to the Asset Strategy Manager to negotiate the terms of the surrender.</p>
Options considered	<p>The following options have been considered:</p> <ol style="list-style-type: none"> 1. Surrendering the Council's lease of the public toilet facilities – Recommended. 2. Continuing operation of the public toilet facilities – Not Recommended. 3. Closing the public toilet facilities but not surrendering the lease – Not Recommended.
Consultation(s)	<p>Alun Lane - Corporate Health & Safety Officer Russell Tanner - Assets and Property Programme Manager Landlord - Norfolk Wildlife Trust</p>
Recommendations	<p>Resolution for Cabinet to approve:</p> <ul style="list-style-type: none"> • To surrender the Council's lease of the public toilet at Hickling Staithe • Delegated authority to the Asset Strategy Manager to agree terms and associated costs relating to the lease surrender.
Reasons for recommendations	<ul style="list-style-type: none"> • To reduce the Council's financial and property management liabilities.
Background papers	NA

Wards affected	Hickling
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Cabinet member(s)	Cllr Lucy Shires Portfolio Holder for Finance, Estates & Property Services
Contact Officer	Milo Creasey – Trainee Estates Surveyor - milo.creasey@north-norfolk.gov.uk Renata Garfoot - Asset Strategy Manager - Renata.Garfoot@north-norfolk.gov.uk

Links to key documents:	
Corporate Plan:	A strong responsible and accountable Council
Medium Term Financial Strategy (MTFS)	The proposal secures cost savings to the Council following the surrender of the lease.
Council Policies & Strategies	Asset Management Plan 2018 - 2022

Corporate Governance:	
Is this a key decision	Yes
Has the public interest test been applied	Information in this appendix involves the likely disclosure of exempt information as defined in paragraph 3, Part 1 of schedule 12A (as amended) to the Local Government Act 1972. This paragraph relates to: <p style="margin-left: 40px;">Para 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> The public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons: Paragraph 3: The appendix contains information which is commercially sensitive, relating to business information, including financial information around council assets. Releasing this information would be likely to have a prejudicial impact upon the Council.
Details of any previous decision(s) on this matter	Cabinet 9 September 2024 – Decision - Full and winter closures is progressed by officers, for the least well used and most aged sites in terms of management or maintenance, to include discussions with town and parish councils and other interested parties, regarding possible transfer of sites, where there is a particular context for doing so.

1. Purpose of the report

- 1.1. The purpose of the report is to seek Cabinet approval to surrender the Council's lease of the public toilet located in Hickling.

2. Introduction & Background

- 2.1. The property is a brick building with a pan tile roof with male and female facilities and a separate accessible toilet.
- 2.2. The current lease of the property commenced in October 1991 and is due to expire in October 2071
- 2.3. Following the identification of the site in the Cabinet report, Savings - public toilets dated 9/9/24 and subsequent decision to consider the potential transfers of public toilet sites, negotiation to implement the recommendation with the landlord of the property has taken place.
- 2.4. This report outlines the proposal to surrender the Council lease for the property as soon as is practically possible to reduce the Council's operational costs for operating public toilets.

3. Proposals and Options

- 3.1. Following negotiations to surrender the Council's lease of the public toilet facilities in Hickling, proposed terms have been agreed with the Landlord to implement this. Full details are outlined in the exempt appendix.
- 3.2. This option preserves the public toilet facilities as it is understood the Landlord intends to continue operating the building as public toilets.
- 3.3. Alternative options for public toilets were considered in the 'Savings – Public Toilets' report dated 9/9/24.

4. Corporate Priorities

- 4.1. This proposal aligns with the Council's Corporate Plan priority. A Strong Responsible and Accountable Council by reducing the expenditure.

5. Financial and Resource Implications

- 5.1. Officer resource is required to process the lease surrender; however, following this, there will be a reduced demand on office resources as a result of the surrender of this asset.
- 5.2. Surrendering the lease will reduce the Council's financial liabilities associated with this asset. Further financial details have been provided in the exempt appendix.

Comments from the S151 Officer:

The S151 Officer (or member of the Finance team on their behalf) will complete this section.

The Council needs to make savings so that it can set a balanced budget for 2025/26. Members have been looking at numerous service areas to identify where savings can be made and in doing so have identified several public conveniences that could be closed permanently, closed throughout the winter or transferred to another provider. The toilets at Hickling if transferred would still retain the facility but would reduce the Council's operational costs for public toilets.

6. Legal Implications

- 6.1. By ending the lease early, the Council relinquishes its rights and obligations under the terms of the lease.
- 6.2. Eastlaw have provided advice and will deal with the transaction.

Comments from the Monitoring Officer

The Monitoring Officer (or member of the Legal team on behalf of the MO) will complete this section. They will outline any legal advice provided.

This report, with exempt appendix, follows on from Cabinet's previous recommendation which included entering into discussions with interested parties regarding possible transfer of sites. Such a discussion has resulted in a positive outcome but further Cabinet authority is required to action the transfer.

7. Risks

- 7.1. Risks have been outlined in the 'Savings – Public Toilets' report dated 9/9/24.

8. Net Zero Target

- 8.1. The Council's Net Zero Strategy & Action Plan identified leased building emissions and a commitment to reduce carbon by improving energy efficiency. If the Council surrenders this property there would be a reduction in the Council's own emissions.

9. Equality, Diversity & Inclusion

- 9.1. There are no equality, diversity and inclusion implications identified with this proposal.

10. Community Safety issues

10.1. There are no community safety issues identified as a result of the surrender of this lease

11. Conclusion and Recommendations

11.1. Following the 'Savings – Public Toilets' report approved by Cabinet on 9/9/24, negotiations have taken place with the landlord to surrender the lease.

11.2. It is recommended that Cabinet approve the surrender of the lease for the Hickling public toilets and delegate authority to the Asset Strategy Manager to agree the terms of surrender and associated costs relating to the lease surrender.