

260407 – Item 17 - Public Toilets Asset Transfer – Key Considerations, Priorities & Options

1. Purpose of This Report

To summarise the key issues the Parish Council must consider before deciding whether to take ownership of the Court Street public toilets, and to outline viable options for future operation, configuration, and income generation.

2. Recommendations

It is recommended that Moretonhampstead Parish Council:

2.1. Agrees in principle that the Highways & Projects Working Group continues to explore the potential asset transfer of the public toilets in detail and develops a full business case setting out the costs, risks and implications of MPC taking on the facility.

2.2. Authorises expenditure on due-diligence work, including surveys, legal advice and specialist assessments, noting that a budget of £7,500 is allocated in 2026/27 for this purpose.

2.3. Establishes a Task and Finish Group under the Highways & Projects Working Group to undertake the detailed work required. The group may draw on councillors and members of the public with relevant expertise (e.g., surveyors, property professionals, contractors) to support the development of the business case.

2.4. Receives a full business case and options appraisal later in the year, enabling the Council to make an informed decision on whether to proceed and on what terms.

3. Strategic Considerations

3.1 Local Government Reorganisation (LGR)

TDC aims to complete transfers before April 2027 due to the formation of a Shadow Unitary Council. Early engagement avoids additional scrutiny and delays.

3.2 Risk of Disposal if MPC Declines

If MPC does not pursue the transfer, TDC has indicated the building will be sold on the open market, risking the loss of public toilet provision in the town.

3.3 Public Expectation & Community Value

Public survey responses (~300 so far) show strong interest. Toilets support tourism, accessibility, local businesses, and events.

4. Financial Considerations

4.1 Running Costs

TDC estimate: £17,045 per annum

Comparable data from neighbouring councils:

Council	Annual Cost	Notes
Bovey Tracy	~£17,500	Uses TDC cleaning contract, not open 24/7
Chagford	£14,000 (two blocks)	WDDC absorbs some cost, one block 24/7, one limited hours
Christow	~£7,000	Previously PC run, now run by community shop
Exminster	£1,650 (not including wages)	Employ a local lady who opens and closes daily.
Newton Abbot	~£13,500 (net)	Uses TDC cleaning contract, not open 24/7
Kingskerswell	~£13,200 (£10,600 cleaning, £500 sundries, £1600 water, £400 electricity + Insurance)	Uses TDC cleaning contract. Open 24/7
Ipplepen	~£12,000 (two blocks)	Uses a local self-employed cleaner 3 days a week. Not open 24/7 (auto lock doors)

4.2 TDC Maintenance Schedule

TDC's planned maintenance schedule identifies:

- £8,690 essential works in years 0–2 (re-decoration, doors, lighting, compliance)
- £860 desirable works in years 3–5
- £6,400 long-term cyclical re-decoration (years 11 & 21)

No major structural issues are identified, but this is not a substitute for an independent RICS survey.

4.3 Transitional Support

Bovey Tracey negotiated six months' running costs as part of their transfer. MPC should seek equitable treatment.

4.4 Capital Liabilities

Unknown until surveys are completed. Potential high-cost items include drainage repairs, electrical remedials, and replacement of fixtures

4.5 Income Generation Potential

- Charging (“pay to pee”)
- Concession unit (e.g., kiosk, micro-retail, bike hire)
- Advertising
- Storage rental
- Parcel lockers

Each requires capital investment and assessment of footfall viability.

5. Due Diligence Requirements

TDC recommends — and MPC should prioritise — the following surveys:

Survey	Purpose	Priority
RICS Level 3 Building Survey	Structural condition, defects, repair liabilities	Essential
EICR (Electrical)	Safety, compliance, remedial works	Essential
Legionella Risk Assessment	Legal compliance for future operator	Essential
Asbestos Survey	Identify Asbestos and management obligations	Essential
CCTV Drainage Survey	Hidden liabilities, blockages	Recommended
Title/Boundary Review	If additional land is sought	If applicable

MPC should request all existing TDC records first.

6. Operational Considerations

6.1 Vandalism

Recent vandalism (last 3 months) suggests:

- Need for regular inspection
- Possible review of opening hours
- Potential increased maintenance costs

6.2 Overnight Closure

Neighbouring councils’ experience suggests reduced hours may be beneficial, as this can reduce vandalism and antisocial behaviour, and reflects common practice in similar towns. However, it would require daily locking and unlocking and may inconvenience night-time users.

Local practice

- Bovey Tracey: not 24/7
- Chagford: one block 24/7, one limited hours
- Christow: reduced to one unisex unit
- Exminster: not 24/7
- Newton Abbot: not 24/7
- Kingskerswell: 24/7 (used to close overnight)
- Ipplepen: one clock 24/7, one block not 24/7

7. Options for Future Configuration

Option A – Maintain the Toilets Largely As-Is

Low capital cost; no income generation; higher running costs.

Option B – Reconfigure the Building: Half Toilets, Half Commercial Unit

Convert part of the building into a concession or storage; convert remaining toilets to unisex + accessible.

Pros: Income potential, reduced cleaning, modern layout

Cons: Capital cost, planning, tenant management

Option C – Install “Pay to Pee” Charging

Contactless preferred. Viability depends on footfall and capital cost.

Option D – Build a New, Smaller, More Efficient Toilet Block

High capital cost but lower long-term running costs.

Option E – Decline the Transfer

No liability, but high risk of losing provision entirely.

8. Key Questions for MPC

Strategic

- Does MPC want to ensure public toilets remain available in the town centre?
- Is the Council comfortable taking on a long-term asset and liability?

Financial

- What is the realistic annual cost after efficiencies?
- What transitional support is MPC seeking?
- What capital investment is required?

Operational

- Who will clean and maintain the facility?

- Should MPC operate directly or contract out?
- Is the Council adequately insured, and what liabilities would it hold? MPC's insurer confirms the toilets can be added to the main policy, noting this will increase the premium and place full maintenance and safety responsibility with the council.

Commercial

- Which income options are viable based on footfall?
- Is there demand for a concession unit?
- What is the payback period for charging systems?

Legal

- What covenants would apply if purchased below market value?
- What curtilage is required for future flexibility?

9. Recommended Next Steps (Prioritised)

Immediate (0–2 months)

1. Submit detailed questions to TDC (done). Request further information on the potential transfer plan, including clarification on land parcels not required by MPC (e.g., area with sign and telecom boxes) and business rate transfer implications.
2. Request all existing condition reports and utility data from TDC.
3. Commission essential surveys.
4. Continue public survey and footfall monitoring.
5. Document recent vandalism incidents.
6. Assess current cleaning regimes and standards to inform future cleaning quotes and contract options.

Medium Term (2–6 months)

7. Explore joint cleaning contracts with neighbouring town and parish councils.
8. Assess reduced opening hours
9. Develop outline business case with options appraisal.
10. Clarify legal costs and process for transfer.

Decision Point (September/October)

11. Review survey results, costs, and business case.
12. Make formal decision on whether to proceed and on what terms.
13. Submit proposal to TDC (price, transitional support, intended use)

Longer Term (post-decision)

14. Engage potential concession tenants (only if MPC decides to proceed with acquisition/operation).

10. Key Risks

A. Asset Transfer Risks

- Financial exposure: Operating costs, inflation, unexpected repairs, and potential business rate liability.
- Condition and compliance: Risk of hidden defects or incomplete information during transfer (e.g., drainage, electrical, accessibility, asbestos).
- Liability: Responsibility for accidents, vandalism, anti-social behaviour, and ensuring adequate insurance.
- Land and legal constraints: Accepting land or structures MPC does not require (e.g., telecom boxes), plus possible covenants or restrictions on use.

B. Long-Term Operational Risks

- Future council burden: Long-term commitments may bind future councils or limit flexibility.
- Rising service costs: Cleaning, utilities, and maintenance may increase beyond projections.
- Service delivery risks: Difficulty securing reliable cleaning provision; higher costs if vandalism increases.
- Commercial uncertainty: Income from charging or concessions may not materialise or may take longer to recover costs.

C. Strategic & Community Impact Risks

- If no toilets remain: Reduced visitor appeal; negative impact on local businesses; potential implications for bus services.
- If MPC takes on the facility: Community expectations may exceed available resources; reputational risk if service levels fall or closures occur.
- Town-wide impact: Loss or reduction of facilities could affect Moretonhampstead's attractiveness as a destination and service centre.

11. Conclusion

The transfer presents both risks and opportunities. With robust due diligence and a clear business case, MPC could secure long-term provision while reducing financial exposure. However, the Council must be prepared to decline the transfer if liabilities prove unsustainable. The next six months are critical for gathering evidence and shaping negotiations.

Appendix: Information Provided by Teignbridge District Council

Responses supplied by Alex Carpenter, TDC

Cleaning & Sanitary Waste

Rationale for current cleaning regime

Cleaning schedules are standard across all non-coastal and non-main-town TDC facilities. Historically, toilets were cleaned twice daily year-round; this was reduced to lower costs without significant impact. The contractor, who attends daily, recommended the revised regime of twice-daily cleaning in summer and once-daily in winter.

Standardisation across TDC

Yes — the same regime applies to comparable facilities across the district.

Basis of apportionment for cleaning and sanitary waste contracts

Apportionment is calculated based on the number of cubicles and urinals.

Sanitary waste collection frequency

One nappy bin is emptied more frequently during summer. All other sanitary bins are emptied monthly. TDC reports no known instances of bins overflowing between scheduled collections.

Water Usage & Hygiene

Last annual South West Water bill and usage

2024/25 water and sewerage cost: £2,074.62.

Water hygiene checks

Routine checks include:

- Monthly and quarterly outlet temperature checks
- Annual cold-water tank inspection and temperature checks

- Quarterly cleaning of spray devices

Applicable guidance for future testing

TDC follows standard public-facility hygiene monitoring practices (temperature checks, tank inspections, spray-device cleaning).

Contractor used

EEUK Ltd.

Electricity

Annual electricity usage and last bill

2024/25 electricity cost: £416.60.

Last electrical inspection

January 2026.

Guidance on next inspection

Annual inspections are recommended.

Maintenance History

Itemised annual maintenance costs

Provided separately in the document: “5 year R&M expenditure – Court Street Public Toilets, Moretonhampstead”.

Details of vandalism or recurring issues

Recent issues include damage to the gents’ urinal waste pipe system and a jammed cubicle door requiring adjustment.

Reason for prolonged closure of a gents’ cubicle

Closure was due to the above damage to the urinal waste pipe system and the jammed cubicle door.

Planned Maintenance Schedule

Basis for £8,690 (Years 0–2) and £860 (Years 3–5)

Costs were derived from an inspection assessing:

- Current condition
- Remaining service life of elements
- Known disrepair
- Anticipated premature disrepair

Medium-term maintenance estimate (~£2,000/year)

Based on the planned maintenance forecast (£9,550 over five years) plus day-to-day expenditure (~£1,800/year), TDC estimates an average annual cost of ~£3,710, noting this should remain flexible.

Explanation for high-cost items

Doors: Replacement with external-quality door set, including installation and decoration.

Lighting: Installation of IP-rated LED fittings with movement sensors by a qualified electrician.

Legal & Transfer Process

Explanation of a legal panel

The reference may relate to a potential framework enabling town/parish councils to access approved solicitors. TDC cannot confirm whether such a framework exists or has been used. Councils that have recently instructed solicitors — e.g., Kingsteignton and Dawlish — may provide insight into processes and costs.

Typical legal costs for similar transfers

TDC advises contacting councils that have already undertaken transfers to obtain indicative costs.

Heads of Terms and policy documents

TDC has provided:

- Draft Heads of Terms
- Town & Parish Council Service Devolution and Asset Transfer Policy

Plans & Curtilage

Plans and title information

The toilets form part of the wider car park title DN513406. TDC has provided:

- Title plan
- Up-to-date building plan
- Initial draft curtilage plan for illustration

Proposed transfer boundary (initial suggestion)

Boundary to follow:

- Title boundary/wall to the south and west

- Outer kerb/pathway to the north and east
- Rejoining the boundary wall to the south

Final curtilage remains subject to agreement.

Footfall Data

The footfall counters were installed on Friday 13th March. The dashboard has been configured using a scale factor of 0.5 for the ladies and gents' doorways. Data from the first week suggests a clear pattern of concentrated use between 09:00 and 17:00, very low activity overnight, and significantly higher footfall on Saturday—particularly mid-afternoon—compared with other days. Overall, activity is heavily focused in daytime hours across the period, with Saturday showing the strongest peaks, Sunday presenting moderate steady use, and weekdays following a consistent pattern of morning build-up, a midday plateau and a gradual decline into the early evening.