

## **Brenchley and Matfield Parish Council**

### **“Business Case” in support of the proposed transfer of title for the Public Conveniences situate in Brenchley and Matfield from TWBC to B&MPC**

**RESOLVED at a meeting of Brenchley and Matfield Parish Council on 3<sup>rd</sup> October 2022**

#### **Background**

1. The two blocks containing Public Conveniences, situated in High Street, Brenchley and Maidstone Road, Matfield, are currently owned by TWBC.
2. Some years ago, TWBC gave notice that they intended to close both facilities to save money.
3. This caused considerable concern to B&MPC and to local residents.
4. The matter was raised at the Annual Parish Meeting and a show of hands of those present and an informal local referendum thereafter gave an overwhelming majority in favour of retaining these facilities.
5. As a result, a management contract was agreed between TWBC and B&MPC whereby TWBC would keep the facilities open but recharge directly associated costs to B&MPC. The costs have formed a significant part of the Parish Council’s annual precept calculation since then.
6. These costs escalated annually and, some six months before the expiry of the last three-year agreement at 31/3/2021, TWBC proposed a further increase of some 25% in the annual charge as a non-refundable contingency coupled with a new, uncapped liability to be charged in addition for any additional costs that might be incurred arising from malicious damage, graffiti removal, property maintenance etc.

#### **The present and future**

1. Such an increase was seen as unjustified and unacceptable to B&MPC and resulting protracted discussions eventually led to an agreement that, subject to final authorisation at TWBC and completion of the legal requirements, the freehold title to the buildings of the public conveniences and the land upon which they stand would be transferred to B&MPC for a nominal consideration.
2. In the interim, it was agreed that B&MPC would become responsible for contracting and paying directly for the daily maintenance and cleaning of the facilities, using the same company as previously used by TWBC. This was effective from 1/4/2022. TWBC were to recharge B&MPC for the directly incurred costs related to utility provision (i.e. power and water), building and liability insurances and necessary building maintenance, pending completion of the legal transfer process.
3. As far as B&MPC are aware, ours are the last Public Conveniences within the rural part of TWBC area still owned and operated by TWBC, the others having either been closed down or already transferred to the relevant local Parish Councils to own and manage.
4. B&MPC have already contracted and are paying for the daily maintenance and cleaning services. These costs, combined with the anticipated typical costs to be taken on once the transfer is complete for insurance, utilities and maintenance, will total considerably less than

the new annual charge from April 2022 that had been proposed by TWBC.

5. They are thus entirely affordable for B&MPC for the foreseeable future and should allow the related element within the annual precept calculation to be reduced, thereby benefitting the local rate-payers financially as well as securing the ongoing service provision that local residents were so keen to maintain, both for their own use and for the many visitors passing through.
  
6. B&MPC are committed to maintaining these facilities for the foreseeable future.

Chantal Brooks  
Clerk and Proper Officer

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