

<b>Subject:</b>	<b>COMMUNITY FACILITY: MAISON DIEU CAR PARK</b>
<b>Meeting and Date:</b>	<b>Cabinet – 14 January 2019</b>
<b>Report of:</b>	<b>Roger Walton, Strategic Director (Operations and Commercial)</b>
<b>Portfolio Holder:</b>	<b>Councillor Trevor Bartlett, Portfolio Holder for Property Management and Environmental Health</b>
<b>Decision Type:</b>	<b>Key Decision</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Purpose of the report:</b>	Dover Town Council has been working with the Dover Community Association on proposals to provide a community facility including new public conveniences within Maison Dieu car park. This report seeks agreement to the Council making the necessary land available and to providing a financial contribution of £90,000 to support the project.
<b>Recommendation:</b>	<ul style="list-style-type: none"> <li>(1) To note and support the proposals being developed by Dover Town Council, in partnership with the Dover Community Association, to provide a community facility including new public conveniences within Maison Dieu car park.</li> <li>(2) To agree to the principle of the Council leasing the land required to support the development to Dover Town Council, and to delegate authority to conclude the details of the agreement to the Strategic Director (Operations &amp; Commercial), in consultation with the Portfolio Holder for Property Management and Environmental Health.</li> <li>(3) In so far as the proposed leasing of the land involves the disposal of land forming part of an open space, to give public notice of the intention to grant the lease to Dover Town Council, pursuant to the requirements of section 123(2A) of the Local Government Act 1972.</li> <li>(4) To agree to provide a financial contribution of £90,000 to Dover Town Council to support the project pursuant to section 136 of the Local Government Act 1972.</li> </ul>

## **1. Summary**

- 1.1 Dover Town Council (DTC) has been developing proposals in partnership with the Dover Community Association (DCA) to provide a community facility including new public conveniences on land owned by Dover District Council within Maison Dieu car park. This report seeks agreement to the Council making the necessary land available and to providing a financial contribution of £90,000 to Dover Town Council to support the project.

## **2. Introduction and Background**

- 2.1 This project has its origins in the decision by Cabinet taken in November 2013 to transfer ownership of Biggin Hall, as a community asset transfer to the Dover Community Association. Following the completion of the transfer in March 2016 Biggin Hall has since been extensively refurbished by the DCA to their credit and is now providing a valuable community facility.
- 2.2 The Biggin Hall premises included within their demise the Maison Dieu public conveniences, which continued to be operated by the DCA supported by DTC until they were closed due to the high cost of operation and issues of vandalism and misuse some 12 months ago.
- 2.3 Since that time DTC have been working with DDC and the DCA to bring forward plans for alternative public conveniences in that area of Dover.
- 2.4 A site adjacent to the CAB building in Maison Dieu car park was identified as potentially suitable, proposals were developed and a planning application submitted by the DCA seeking permission to erect a detached single storey community building incorporating public toilets and a multi-purpose hall. The proposals also involve the widening of the existing footpath by reducing the area of the existing planting bed.
- 2.5 The proposed building would be accessed via ramps and steps. The proposed hall/room would be approximately 44m<sup>2</sup> and would incorporate a small inbuilt office kitchenette. The new toilets have been designed to offer a unisex foyer and individual WC cubicles. The 'foyer' is linked to the additional space by a sliding glass door providing visibility and security. Details of the site and the proposed building are included at Appendix A & B.
- 2.6 Planning consent for the proposed development was granted on 4<sup>th</sup> May 2018, and DTC and DCA are now seeking to take forward the proposed development. The operational details have yet to be finalised but are likely to involve the new facility being let to a tenant who is eligible for charitable status.
- 2.7 The Council is being asked by DTC to make the land available and to consider making a financial contribution towards the costs of the development, which are likely to be c£250k, due to the requirement for flood protection works as part of the construction.
- 2.8 As regards making land available to enable the development to proceed, the proposed site is currently part of the Maison Dieu Riverside Gardens and providing public conveniences at this location would add a welcome community facility within this area.
- 2.9 DTC have indicated that their preference would be for a freehold transfer of the land required to support the development. However such a transfer would clearly leave a situation where the Council's land holdings within the town centre become fragmented and for this reason alone it is recommended that a long lease, for say 99 years, would be a more suitable arrangement.
- 2.10 As the proposed site falls within the Maison Dieu Riverside Gardens the proposed lease of the land to Dover Town Council constitutes a disposal to which section 123(2A) Local Government Act 1972 applies. This provides that the Council may not proceed to dispose of the land unless public notice of the proposed disposal is given and advertised. Any objections must be considered. Recommendation 3 seeks authority to give the public notice. Any objections received will be placed before Cabinet for consideration.

- 2.11 With regards to providing financial support, the Council has over recent years worked with both Dover Town Council and Sandwich Town Council on the development of facilities at Dover Seafront and Sandwich Quay. Following discussions with DTC it is proposed that the Council offers a financial contribution of £90k towards the cost of the development, with this sum to be included within the Council's Capital Programme for 2019/20. Section 136 Local Government Act 1972 allows one or more local authorities to make arrangements for defraying expenditure incurred by one of them in exercising any functions exercisable by both or all of them. As this is an entirely local authority financed initiative, it would seem appropriate to make the financial contribution pursuant to section 136 rather than rely on more general grant-making powers.

### **3 Identification and Evaluation of Options**

- 3.1 There are two Options available to Cabinet:

Option 1: To note and support the proposals being developed by Dover Town Council in partnership with the Dover Community Association to provide a community facility including new public conveniences within Maison Dieu car park and agree to the Council making the necessary land available and to providing a financial contribution of £90k to support the project.

Option 2: To decline to offer support and take no further action.

- 3.2 Option 1 is the preferred option as supporting the project will enable additional community facilities to be provided in this part of the town centre for the benefit of both residents and visitors alike.

### **4 Resource Implications**

- 4.1 The proposals see the Council offering a financial support of £90k which it is proposed if agreed will be included within the Council's Capital Programme for 2019/20.

### **5 Corporate Implications**

- 5.1 Comment from the Section 151 Officer: "Finance has been consulted and has nothing further to add (VB)."
- 5.2 Comment from the Solicitor to the Council: "The Solicitor to the Council has been consulted in the preparation of the report and has no further comment to make". (HR)
- 5.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equality implications, however in discharging their duties members are reminded to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>' (KM)

### **6 Appendices**

Appendix A; Proposed Building: Block Plan

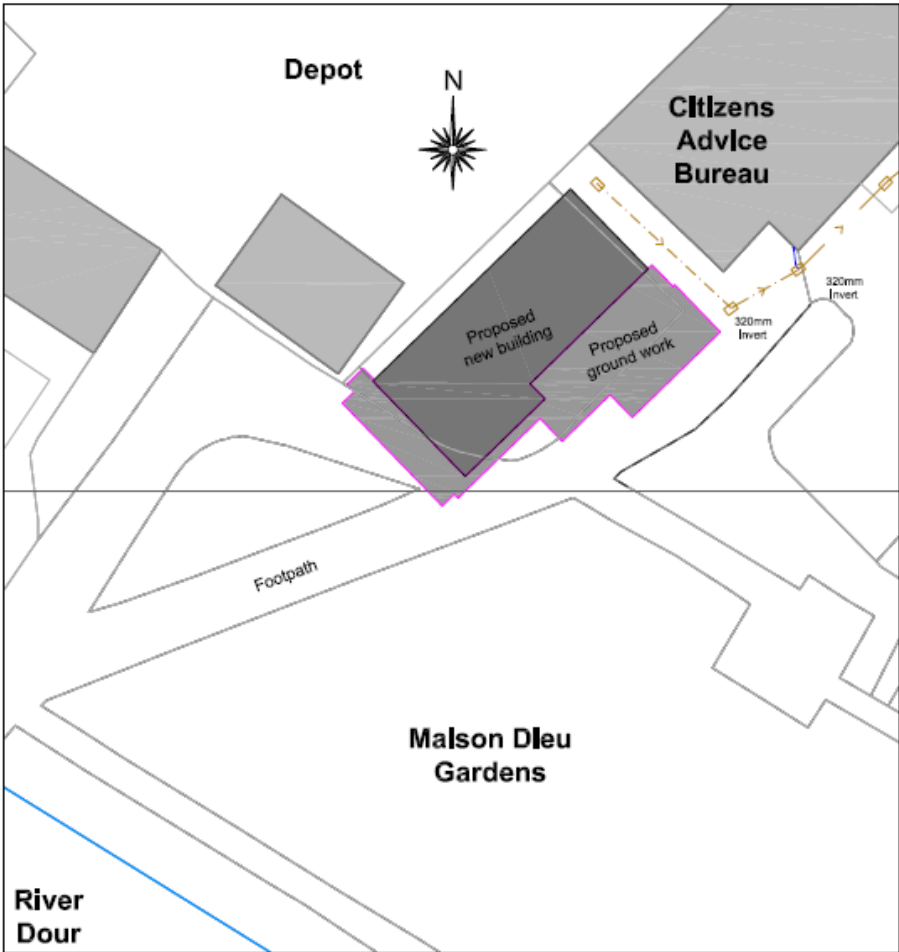
Appendix B: Proposed Building Layout

### **7 Background Papers**

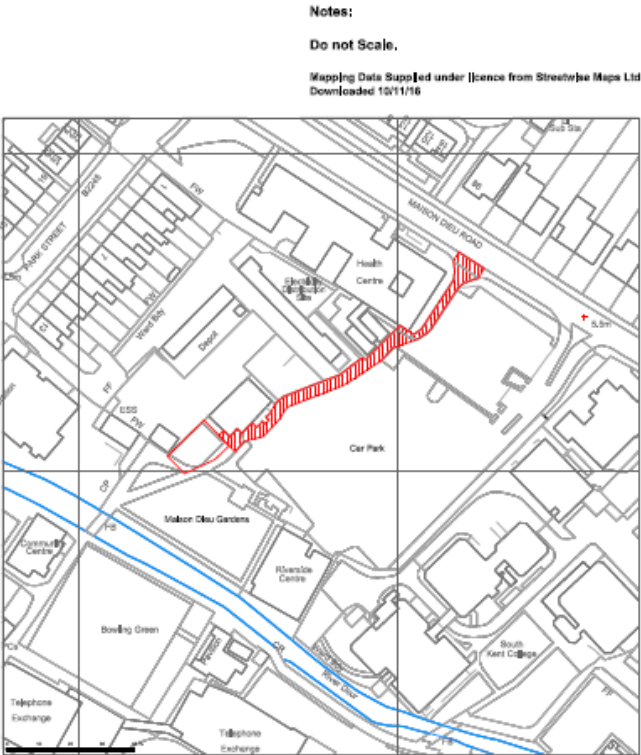
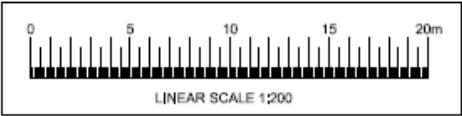
7.1 None.

Contact Officer: Roger Walton Ext: 42420

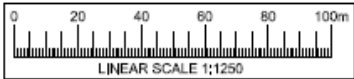
Appendix A: Proposed Building: Block Plan



Proposed Block Plan  
Scale 1:200



Site Location Plan  
Scale 1:1250



- D 18/10/17 Site location amended following comment from Dover Planning.
- C 18/10/17 Site location amended following comment from Dover Planning.
- B 03/10/17 Building position adjusted.
- A 05/08/17 Design alterations.

Revisions

Drawing Status

Approval / Planning

Client

Dover Town Council

**S.C.Green Ltd.**  
*Consulting Structural Engineers*  
Honeywood House  
Honeywood Rd, Whitfield  
Dover  
Kent  
CT16 3EH  
t: 01304 827883  
e: info@scgreens.co.uk

Project Title  
**Proposed Public Building,  
Including Public Toilets**

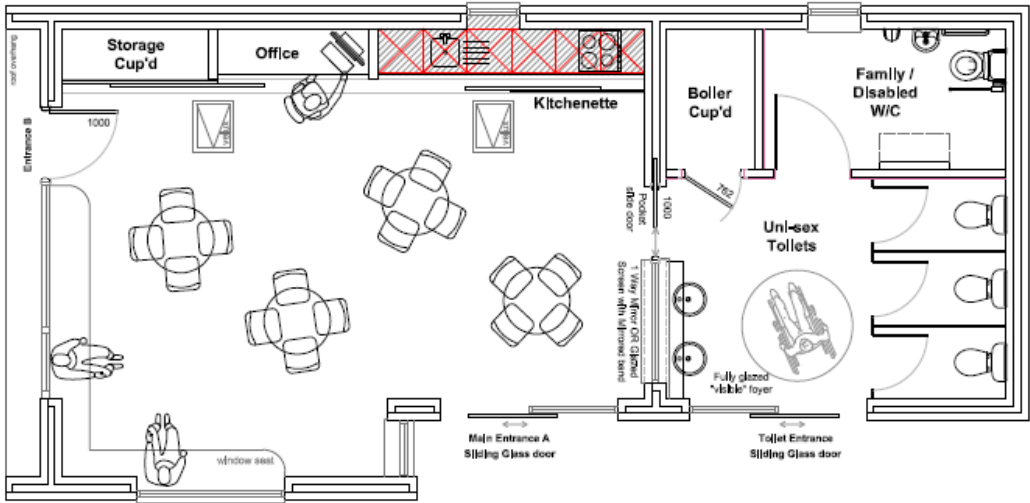
Drawing Title  
**Proposed Block Plan &  
Existing Site Location Plan**

Scale: 1:200 & 1:1250  
Date: August 2017

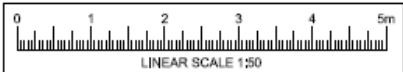
Drawing Number  
**4515/A3/04D**

Appendix B: Proposed Building Layout

Notes: Do not Scale.



Proposed Ground Floor Plan  
Scale 1:50



A - 05/06/17 Design alterations.	
Revisions	
Drawing Status	Approval / Planning
S.C.Green Ltd. Consulting Structural Engineers Honeywood House Honeywood Rd, Whitfield Dover Kent CT16 3EH tel: 01304 827883 email: info@scgreen.co.uk	
Client	Dover Town Council
Project Title	Proposed Public Building, including Public Toilets
Drawing Title	Proposed Ground Floor Plan
Scale: 1:50	Drawing Number: 4515/A3/01A
Date: August 2017	