



NEW PUBLIC TOILET

TOWN COUNCIL MEETING

REPORT 16/21

8 FEBRUARY 2021

The purpose of this Report is to summarise and assess the development of the Town Council's regeneration project to build a new, disability friendly Public Toilet in the Central Car Park as the basis for the next phase.

No. DETAILS

1) BACKGROUND

- a) The Project has its origins in Minute 95/19 of the Town Council meeting of 12 August 2019 that unanimously authorised the Clerk, advised by the Assets and Services Working Group to:
 - o initiate the following initial stages of the project including discussions with the Isle of Wight Council about the arrangements for the installation of a disability friendly Public Toilet in the Central Car Park;
 - o the development of related plans and drawings required for an application for planning permission with costs to be recovered from the funding arrangements for the project; and
 - o the preparation of tender documentation.
- b) Note 2(b) of the Assets and Services Group meeting of 4 February 2020 – at which all members were present – records the discussion of and the decision about the choice between a closed and open tender process: *We discussed the choice between the Closed and Open tender processes and agreed on the former as used for the refurbishment of Salisbury Gardens.*
- c) That recommendation was accepted unanimously by the following Town Council meeting of 10 February - at which all Members were present - by Minute 16/20 that included the commitment to *An Invitation to Tender in the form of a letter in the name of the Clerk and the accompanying specification as agreed by the Assets & Services Working Group will be mailed to three Island Companies known to have the capability to complete the work to the required standard and the track record to provide the necessary assurance of that.*
- d) The Project has also been on the Agenda of the Town Council meetings of 9 March 2020, 12 October 2020, 14 December 2020 and 11 January 2021.

2) CURRENT PROCUREMENT REGULATIONS

- a) Public Procurement – the entering into contracts for projects of this nature – is required to comply with *The Public Contracts Regulations 2015 Part 4, Ch. 8 Reg 110.*
- b) The Town Council asked the Hampshire Association of Local Councils (HALC) for advice on whether the 'closed tender' approach adopted by the Town Council for this Project was compliant with those Regulations and were assured that it was: the full advice is available via this [link](#).
- c) That assessment was further confirmed by a statement from Anthony Collins Solicitors, available via this [link](#).

3) TRANSPARENCY

- a) The Town Council's track record of transparency is among the best on the Island, and that has applied to this Project throughout.
- b) The Town Council's meetings throughout the period of development have been live-streamed through our YouTube channel and always advertised through and available from the home page of its web-site.
- c) In addition, its weekly Clerk's Column that is directly emailed each Monday to the 490 people on our Residents' Forum list and is also reproduced each week on page 4 of the South Wight Chronicle's 800 weekly average sales has referred to the Project in 13 of its 43 editions to date.

4) RESIDENT RESPONSE

- a) No concerns or questions about the Project have been raised by residents at or after discussions or decisions about the Project at the Town Council's meetings.
- b) The Clerk's Column invites responses directly to the Clerk on the content of every issues: none has been received in relation to this Project.
- c) The Project has featured twice on the locally popular website *On the Wight*:
 - o A posting on 6 March 2020 under the headline *New accessible public toilets planned for Ventnor* received seven comments mainly welcoming the development and available via this [link](#).
 - o the posting on 20 January 2021 under the headline *Criticism over bidding process to build £150k public toilets refuted by Mayor* received four comments from contributors and is available via this [link](#).
- d) A leaflet critical of the Project has been recently circulated to some local households and published on Facebook with an invitation to anyone is sharing its view to phone the Clerk's direct line.
- e) A total of seven calls were received by the Clerk in response to that invitation
 - o all were from people confused about why they had received it and who it was from;
 - o two gave up when I began explaining that it wasn't from the Town Council;
 - o one thought there was no need for a new toilet at all;
 - o one thought the work should be advertised for everyone to apply for it; and
 - o three welcomed the prospect of a new town centre toilet and said it was the kind of thing the Town Council should be doing.

5) ISLE OF WIGHT COUNCIL

- a) County Councillor Gary Peace has assured the Mayor and Clerk at a series of meeting since august last year that he is supportive of all the Town Council's Regeneration projects and the proposal for a new public toilet in particular.
- b) He also said that he would arrange a meeting with appropriate Cabinet members to discuss the proposed charge for the four car park bays with the Mayor directly; that has yet to happen.
- c) The Isle of Wight Council's Director of Regeneration responded positively to the Town Council's discussions of *A Better Ventnor* and agreed to a meeting with the Clerk to discuss progress with its range of regeneration projects.
- d) The meeting – as confirmed in Chris Ashman's notes of it – included the proposed £5,900 charge for the use of the four bays and the Town Council's Business Case for the management of all the town's car parks presented over two years ago and still without a response.
- e) Four car park Permits for the Central Car Park would cost £796 which would be a more acceptable level of charge, given that the Town Council is responding to the loss of the Market Street Toilet sold by the Isle of Wight Council for £80,000.
- f) There has as yet been no further development with either of these matters.

6) RECOMMENDATION

Subject to the Isle of Wight Council agreeing to a charge of £1,000 or less a year for the hire of the four car park bays in the Central Car Park required for the new Public Toilet and the receipt of Borrowing Approval the Town Council is recommended to contract with its Preferred Contractor D N Associates Ltd for the construction of the new Public Toilet.
