

# The Highland Council

Agenda Item	7
Report No	LA/6/25

**Committee:** Lochaber Area

**Date:** 27 January 2025

**Report Title:** Station Brae Public Conveniences

**Report By:** Assistant Chief Executive – Place

## 1 Purpose/Executive Summary

- 1.1 The public convenience (PC) at Station Brae in Fort William has been closed since 9 May 2024 due to high levels of ongoing vandalism.
- 1.2 To retain public convenience provision at this site it is proposed that the site is closed by the Council, but that ownership of the facility is retained, and the property is leased for a period of 25 years to a party who will provide a minimum of two unisex accessible facilities for public use.

## 2 Recommendations

- 2.1 Members are asked to **Agree**:
- i. closure of the Station Brae public convenience from 31 March 2025;
  - ii. leasing of the site on a 25-year lease with provision of at least two unisex accessible facilities made available for public use; and
  - iii. support a Comfort Scheme with the lease holder for the Station Brae public convenience from 1 April 2025 to 31 March 2026.

## 3 Implications

- 3.1 **Resource** - The Council currently operates 74 Public Conveniences throughout the Highlands. The function had a revenue budget of £939k (net). The current cost to operate the Station Brae PC is an estimated £7,783 per annum. The total income generated from the site since 2021 was £2,564.96.

Supporting a Comfort Scheme at Station Brae will cost £200 per month.

- 3.2 **Legal** - The Council does not have a statutory responsibility to provide or operate Public Conveniences.
- 3.3 **Risk** - There are no known implications arising from this report.

3.4 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** - There are no known implications arising from this report.

3.5 **Gaelic** - There are no Gaelic implications arising from this report.

#### **4 Impacts**

4.1 In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.

4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.

#### **4.3 Integrated Impact Assessment - Summary**

4.3.1 An Integrated Impact Assessment screening has been undertaken on 13 January 2025. The conclusions have been subject to the relevant Manager Review and Approval.

4.3.2 The Screening process has concluded that there are negative impacts related to equalities, however these are mitigated by the site being leased with the requirement to provide at least two unisex, accessible facilities and for this provision to be supported as a Comfort Scheme.

4.3.3

<b>Impact Assessment Area</b>	<b>Conclusion of Screening</b>
Equality	Negative impact
Socio-economic	No impact
Human Rights	No impact
Children's Rights and Well being	No impact
Island and Mainland Rural	No impact
Climate Change	No impact
Data Rights	No impact

#### **5. Background**

5.1 The public convenience at Station Brae in Fort William has been closed since 9 May 2024 due to high levels of ongoing vandalism.

5.2 To ensure public convenience provision be retained at this location officers have discussed various options with Members for this site, including marketing the property for sale, lease, and seeking alternative Comfort Scheme provision.

5.3 The Council did charge 50p for usage of the Station Brae facility until June 2023 when the formal charging equipment was removed, due to vandalism. Since then, an honesty box has been in place, a full income breakdown for the Station Brae facility is detailed in the table below:-

<b>Financial Year</b>	<b>Cash Income</b>	<b>Contactless Income</b>	<b>Total Income</b>
2021/22	£625.20	£107.55	<b>£732.75</b>
2022/23	£837.10	£680.45	<b>£1,517.55</b>
2023/24	£183.30	£92.46	<b>£275.76</b>
2024/25 up to January 2025	£38.90		<b>£38.90</b>
<b>TOTALS</b>	<b>£1,684.50</b>	<b>£880.46</b>	<b>£2,564.96</b>

5.4 The average annual running costs to operate the Station Brae facility are shown below:-

Water	£ 945
Electricity	£1,103
Maintenance	£ 542
Consumables	£ 707
Staffing	£4,486
<b>Total</b>	<b>£7,783</b>

5.5 The Station Brae facility has therefore been operating at a significant loss each year.

5.6 A Comfort Scheme is also in place at the Nevis Centre from 1 January 2025 to 31 March 2026.

## **6 Proposal**

6.1 To retain public convenience provision at this site it is proposed that the site is closed by the Council, but that ownership of the facility is retained, and the property is leased for 25 years to a party who will provide a minimum of two unisex accessible facilities for public use.

6.2 A draft Head of Terms for the lease agreement is included within **Appendix 1**.

6.3 The proposal is that the Station Brae PC is closed from 31 March 2025 and that the property be marketed for lease from 1 April 2025.

6.4 To offer a Comfort Scheme to the lease holder for the Station Brae public convenience at a cost of £200 per month from 1 April 2025 to 31 March 2026 inclusive.

Designation: Assistant Chief Executive – Place

Date: 13 January 2025

Author: Debbie Sutton, Strategic Lead - Community Operations & Logistics

Background Papers: None

Appendices: Appendix 1 - Draft Head of Terms for Lease agreement

**Draft Heads of Terms; Station Brae Public Conveniences, Fort William**

1. **Property Address:** Station Brae Toilets, Fort William, PH33 6DZ
  - 1.1 **Landlord:** The Highland Council
  - 1.2 **Tenant:** TBC
  - 1.3 **Rent:** £TBC per annum exclusive of VAT, payment monthly
  - 1.4 **Rent free period:** None
  - 1.5 **Landlord's initial works:** None
  - 1.6 **Tenant's initial works:** Tenant to provide fit out plan for Landlord information/approval. Fit-out to include provision of two unisex accessible toilets with individual external accessible entrances
2. **Deposit:** £TBC
3. **Lease length, breaks and rights**
  - 3.1 **Lease length and start date:** 25 years with start date TBC
  - 3.2 **Break clause:** Notice period for exercising: 3 calendar months. Break may be exercised by either party on each fifth anniversary of commencement of the Lease
4. **Rent Reviews:** Every fifth anniversary of commencement of the Lease
5. **Assignment and Subletting:** Assignment of whole allowed with Landlord consent. Subletting not permitted
6. **Services and Service Charges:** None
7. **Repairing Obligations**
  - 7.1 **Schedule of Condition:** External. Tenant responsible for all repairs and maintenance, including maintaining provision of toilets to the reasonable satisfaction of the Landlord
8. **Alterations and Use**
  - 8.1 **Alterations:** No alterations without consent at Landlord's discretion. Tenant may attach internal fittings but must remove at Lease end
  - 8.2 **Permitted Use:** Any legal commercial purpose with any necessary statutory consents. Fit-out must include provision of two unisex accessible toilets with individual external accessible entrances
9. **Insurance:** Tenant insures
10. **Lease management**
  - 10.1 **Dilapidations:** Schedule of Condition to be agreed and attached to Lease
11. **Other issues:** None