

Property Specific Information

1. Property Description

Public Conveniences at The Wastrels, Constantine Bay

Common Land

Mainly the footprint of existing building 105 square meters:



2. Restrictions on the Property

The public conveniences have been constructed on common land. Relevant statutory permission was sought for their construction. It can continue to be used as a public convenience or put to other uses, but any use must not exceed the current curtilage.

The Council do not have ownership of the land and so all that can be granted to a successful tenderer is a common law tenancy.

It may be possible to grant a longer and more secure Lease with the agreement of the St Merryn Parish Council, as the Parish Council are the custodians of the common land.

The Tenant is responsible for obtaining all the necessary permissions for its use of the Property (including, but not limited to, planning permission) and for complying with the conditions that the permissions impose.

Interested tenders are advised to make their own enquiries to the Planning Department for any potential changes of use.

3. TUPE

The Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") may apply where the Council passes a service to a third party to provide. If TUPE applies, the person taking on the service will be obliged to automatically take on anyone who is predominantly employed in cleaning or managing security of the building. As well as having to take on the employment of this person, the successful tenderer will take on all liabilities and obligations

in relation to them, including for example any liability in respect of their Local Government pension.

There is an employee in respect of which TUPE is believed to apply. If you are successful in tendering for this public convenience you will be required to take on this person as an employee. Outline details of the employee are set out below:

*Key-holder -TECS024 Permanent Fixed Part time (1 working hour)
Pension: Not Joined, Contract: Standard Non school 37hrs x 52.14wks
FTE 0.02703 Full salary – 19,485 Actual pay -£526.68*

The Council will require the successful tenderer to enter into an agreement in respect of TUPE and pension obligations. Details of this agreement will be provided on request by prospective tenderers.

4. Third party rights

The following parties have an interest in using the property subject to this tender. Their rights must be protected going forward and will be included in the lease.

- The RNLI patrol the nearby beach on behalf of Cornwall Council. RNLI staff and volunteers have a right to use the public convenience free of charge.
- Cory require the adjacent turning head to be kept clear at all times.

5. Running costs

Annual cleaning cost - £4,966.67
Water and sewage- £1,537.36
Electricity - £1,244.79
Repairs and maintenance £1,348.66
Total running cost - £9,097.48

6. Opening Times and Hours

Daily 1st April to 30th September, Weekends 1st October to 31st March

7. Planning Notes

A two storey building could be considered