

Bath & North East Somerset Council

MEETING:	Cabinet	
MEETING DATE:	7 December 2011	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2312
TITLE:	Strategy for provision of public toilets in Bath & North East Somerset, 2011- 2026	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix A: Provision strategy for Public Toilets in Bath & North East Somerset, 2011 - 2026		

1 THE ISSUE

Publicly accessible toilet facilities are a fundamental need for everyone whenever they are “away from home”. This Provision Strategy establishes a framework for future provision in a range of ways and by a range of providers and with a range of funding sources, to achieve an overall improved standard of quality, quantity and distribution.

2 RECOMMENDATION

The Cabinet agrees:

- 2.1 to adopt the Provision Strategy for Public Toilets in Bath & North East Somerset, 2011-2026, with reviews to be carried out every 5 years.

3 FINANCIAL IMPLICATIONS

- 3.1 **Strategic:** The national and local financial position is under increasing pressure and is likely to remain so for a number of years. There is little prospect of the Council being able to allocate any increase in capital or revenue funding to this non-statutory service. Any substantial development works around public toilets by the Council will therefore need to be self-funding either through efficiencies or income generation (i.e. charging for use or funded by external contributions).
- 3.2 This strategy will support and facilitate changes to the way publicly accessible toilets are potentially funded in the ways shown below, sometimes in combination. This seeks to relieve ongoing Council budgetary pressure in this area.

- developer funding towards major refurbishments of existing toilet facilities
- developer provision of new sets of toilets in or near appropriate housing or commercial (retail, entertainment, leisure) developments
- local partnership and sponsorship working with retail, hospitality and other businesses
- innovative solutions in joint arrangements with toilet industry providers
- business case-supported capital/revenue investment by the Council (self-funding through charging and external contributions)
- extended use of planning channels and licensing policies

3.3 There are currently two projects at an initial proposal stage, one on improvements at Riverside Coach Park toilets, a key gateway for visitors to the city, the other for a possible permanent installation in the Orange Grove area to serve night-time and day-time needs. Cross-service support and corporate approval is being sought to enable these projects to progress and identify alternative sources of funding.

3.4 **Neighbourhoods Operations:** The strategy establishes recommended quality and quantity standards for the existing provision. The 2011/12 Neighbourhoods budget (£295k) includes cleansing (labour, transport and materials/consumables); utilities; rates; insurances; Automatic Public Convenience (APC) leasing, maintenance and service contracts; and Parish Council fees. Miscellaneous and APC income totals £14K.

3.5 Overall, the average cost of managing and cleansing operations of the Council's public toilets is approximately £10k per annum per facility (27 in total as at November 2011). There is an action in the strategy delivery to review cleansing

operations and standards on a periodic basis to ensure most efficient and effective within available resources, every two years.

- 3.6 **Property Services:** Since 2004, approximately £540k has been spent on upgrading a number of the Council public conveniences, mainly focussed on Disability Discrimination Act (DDA) compliance works which has been completed at most of them. This is in addition to regular responsive and planned repairs and maintenance and miscellaneous servicing costs.
- 3.7 There is also an action in the strategy delivery to work with Property Services to develop a rolling programme to maintain Council-run facilities at a minimum British Toilet Association 3 Star grading or higher where possible. This will need to be considered alongside other priorities and budget pressures, and will include cost-benefit consideration of energy- and water-saving measures.
- 3.8 Two Council public toilets are programmed for DDA works in 2011/12 – Sydney Gardens, Bath and Ashton Way, Keynsham. Refurbishment and remodelling works are in progress at two locations this year – Gullock Tynning, Midsomer Norton and Monksdale Road, Bath, part-funded by Aiming High for Disabled Children.
- 3.9 The Council spend on public toilet provision through Neighbourhoods and Property Services will be subject to the annual revenue budget and medium term service and financial planning processes.

4 CORPORATE PRIORITIES

- 4.1 A policy on the provision of public conveniences will contribute to the medium to long term goals and the Council's priorities in the areas of:-
- Better lives for young people
 - Climate change
 - Independence for older people
 - Feeling safer
 - Sustainable growth
 - Transport & public spaces
- 4.2 In anticipation of the transfer of responsibility for Public Health to the Council, a clear policy will also contribute to improving public health and reducing health inequalities through the priority of:
- Health and wellbeing
- 4.3 Overall, this Strategy will clearly define what the Council is seeking to provide in this area and may help to arrest any decline in the standard of provision brought about by reductions in budget.

5 THE REPORT

- 5.1 Publicly accessible toilets are an important factor in delivering a 'people friendly' and attractive environment for everyone who goes to shopping centres, leisure and entertainment venues, sports facilities, parks and green spaces, everyone who moves about on foot, or bicycle, car, van, lorry or public transport for many and varied reasons, whether for work or pleasure.

- 5.2 There are those with particular needs like families with babies and children, older people, people with disabilities and poor or specific health conditions. The overseas tourists and visitors to our villages, towns and city are also important as their overall experience can be influenced by their impressions of such essential facilities.
- 5.3 Although the current economic position will adversely affect Bath and North East Somerset for now, the area is set to grow through new housing developments, through tourism and through economic development. This is therefore an opportune time to set a framework for providing toilet facilities where they are needed and wanted, so that we are well placed to ensure maximum public benefit as and when developments occur.
- 5.4 The full draft Provision Strategy for Public Toilets in Bath & North East Somerset is attached as Appendix A. It has been developed from national guidance, referencing and benchmarking with other authorities, comments and clarifications from the Planning Transport and Environment PDS Panel, previous consultation with the Safer and Stronger Communities Panel, as well as a public consultation exercise in 2009/10.
- 5.5 The background papers include the Communities and Local Government document “Improving Public Access to Better Quality Toilets - a strategic guide” and the Parliamentary Select Committee on Communities and Local Government report which recommended that Local Authorities develop a strategy for the provision of public conveniences in consultation with their local communities.
- 5.6 It sets the standards of provision required by the Council and its residents through the public consultation (2009-10) related to quality, quantity and distribution. Any new toilet provision, however it is to be delivered, needs to be demand-driven with the local community involved in the assessment and decision-making.
- 5.7 It enables resources to be targeted at the areas where public customer satisfaction needs to be improved and where the local community is involved in identifying a need. FOBRA raised a number of issues in 2008 through the Cleansing Task & Finish Group, requesting these be addressed through this process.
- 5.8 It includes the following overarching aim and headline objectives where “provide or facilitate” means that the Council will give leadership and support where possible to enable publicly accessible toilets to be in place.

<p>Our Aim:</p> <p>To provide or facilitate the provision of clean, safe, accessible and sustainable toilets for residents and visitors at key locations across Bath & North East Somerset.</p>
<p>Our headline objectives are to provide or facilitate:</p> <ul style="list-style-type: none"> • Clean, safe and well maintained facilities • Facilities accessible to all, at all practicable locations • Facilities suitable for the location making it viable and inclusive • Easily found facilities with good direction signage and

individual facility information signs

- Enough facilities for the local population and users
- Enough facilities for the high levels of visitors to central Bath
- Evening/overnight provision at key locations where specific need is established
- User information available through webpages and other media
- Maximised availability through Council, partnership and commercial provision
- Frameworks for future needs provided by commercial developments through Council strategy and planning channels
- Provision of adequate temporary toilets by the promoters/organisers at one-off events
- Sustainable provision and within the budget available

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

6.2 If the strategy is not adopted, the risk is that there will be continuing and significant financial and public pressure on the Council to provide more public toilets itself. There will also be the risk of further reductions in the existing cleansing and property budgets which would be likely to lead to a decline in quality and quantity standards.

7 EQUALITIES

7.1 An Equalities Impact Assessment has been carried out using corporate guidelines as part of the drafting of this strategy. No negative impacts on particular groups were raised during the EIA.

7.2 It recognises, however, the aims of working towards a number of positive impacts including increased provision of women's cubicles to match provision for men, baby changing facilities in both female and male toilets, additional provision of disabled accessible toilets, improved signposting and location information in general, and in particular to free-entry toilets, where an entry charge might disadvantage lowest income groups.

7.3 Equalities and special interest groups (e.g. related to specific illnesses) were identified with the support of the Equalities Team and other Service areas such as Community Development and contacted for the consultation in 2009/10 and will continue to be contacted for specific input where identified.

8 RATIONALE

8.1 Strategic – A policy on the provision of public conveniences will contribute to the medium to long term goals and the Council's priorities as noted in Section 4. It will clearly define what the Council is seeking to provide in this area and may help to

arrest any decline in the standard of provision brought about by reductions in budget.

8.2 Economic – The strategy will assist the Council in expanding the level of private provision of public conveniences which could replace and supplement existing Council-provided facilities and thereby relieve internal budgetary pressure. It will set a standard intended to avert failure to manage the existing assets and resources necessary to provide a service.

8.3 Timescale - Approval of the strategy in 2011/12 will allow integration with the Local Development Framework and its progress, and other planning interventions that will facilitate and capitalise on future opportunities for funding contributions such as through the Community Infrastructure Levy (CIL) (largely replacing the previous Section 106 planning obligations arrangements), Late Night Levy and other sources as they arise.

9 OTHER OPTIONS CONSIDERED

9.1 Other options which have not been considered in depth are outlined here:

(1) Closure of some or all of the Council's existing public toilet facilities. This would be contrary to the 2004 Executive Member decision (E075) "Public Convenience Provision" and have a significant detrimental impact on the residents and visitors.

(2) Major capital investment by the Council in redeveloping and upgrading existing public toilet facilities and in constructing new facilities in a number of key locations. This would be an unaffordable spend in the current economic climate on a non-statutory service.

10 CONSULTATION

10.1 Ward Councillors; Cabinet Member; Parish Council; Town Council; Trades Unions; Policy Development and Scrutiny Panel; Staff; Other B&NES Services; NHS B&NES; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer, Strategic Director.

10.2 A public consultation exercise was carried out in 2009/10. The results were reported back to the Safer & Stronger Communities panel. The outcomes and recommendations have been incorporated into the strategy.

10.3 The draft strategy document was considered by the Planning, Transport and Environment PDS Panel in September 2011; comments and clarifications have been included in the strategy document in Appendix A.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Sustainability; Human Resources; Property; Young People; Human Rights; Corporate; Health & Safety; Impact on Staff; Other Legal Considerations

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Matthew Smith, Divisional Director, Environmental Services, Ext 6888 John Crowther, Service Manager, Neighbourhoods, Ext 6878
Sponsoring Cabinet Member	Councillor David Dixon
Background papers	<p>(1) Report on a Draft Strategy for Provision of Public Toilets in Bath & North East Somerset – to Planning, Transport & Environment PDS Panel, September 2011 Link to report and minutes http://democracy.bathnes.gov.uk/ieAgenda.aspx?A=3333</p> <p>(2) Report on Consultation - Locally derived standards for a Provision of Public Conveniences Strategy – to Safer & Stronger Communities Overview & Scrutiny Panel, 25th March 2010 Link to report or full web address http://democracy.bathnes.gov.uk/CeListDocuments.aspx?Committeed=127&MeetingId=2412&DF=25%2f03%2f2010&Ver=2</p> <p>(3) Penny for your Thoughts.....Public Consultation documents and questionnaires, November 2009 – February 2010 Link to consultation or full web address http://consultations.bathnes.gov.uk/inovem/consult.ti/PCs.Standards.2009/consultationHome</p> <p>(4) Provision of Public Conveniences Strategy report to Safer & Stronger Communities Overview & Scrutiny Panel, 29th January 2009. Link to report or full web address http://democracy.bathnes.gov.uk/CeListDocuments.aspx?Committeed=127&MeetingId=2405&DF=29%2f01%2f2009&Ver=2</p> <p>(5) Communities and Local Government document “Improving Public Access to Better Quality Toilets - a strategic guide” (March 2008) Link to report or full web address http://www.communities.gov.uk/publications/localgovernment/publicaccesstoilets</p> <p>(6) Parliamentary Select Committee on Communities and Local Government report (October 2008) Link to report or full web address http://www.publications.parliament.uk/pa/cm200708/cmselect/cmcomloc/636/63602.htm</p>
Please contact the report author if you need to access this report in an alternative format	

Appendix A – Copy of “A Provision Strategy for Public Toilets in Bath & North East Somerset, 2011 - 2026” (December, 2011)