

## **Public Conveniences Task Group Final Report (1<sup>st</sup> & 2<sup>nd</sup> Stage)**

### **1.0 Purpose of the Report**

1.1 To present the results of the task groups work.

### **2.0 Background**

2.1 The task group was set up by the Overview & Scrutiny Committee following a member request.

2.2 The 1<sup>st</sup> stage of the work, now completed, focused on the specific issue of the facilities at Timber Street. The recommendations of the Overview & Scrutiny Committee are included as Appendix One.

### **3.0 Membership & Terms of Reference**

3.1 The members of the Task Group are Councillors R. Tonge (Chair), D.B. Allen, R.J. Henning and N.M. Phillips. Councillor J.S.W. Elford chaired the task group through the 1<sup>st</sup> stage prior to his resignation in December 2005.

3.2 The terms of reference of the Task Group are that the group consider the decision to close the Timber Street toilets and possible future options and that following the conclusion of the 1<sup>st</sup> stage of work that the Group reconvene to consider the broader subject of Public Convenience provision.

### **4.0 Evidence Considered**

4.1 The task group considered the following evidence:

4.1.1 Comments from professional officers; (summarised at Appendix Two)

4.1.2 Consultation responses from Parish & Town Councillors (summarised Appendix Three);

4.1.3 Executive Minutes (summarised Appendix Four);

4.1.4 Best Value Inspection reports on other Councils Public Conveniences services (summarised Appendix Five).

4.2 The task group welcomed the evidence from professional officers and the way in which it was tabled. Similarly the inclusion of reports from other Councils was felt to be helpful and germane.

4.3 Officers have been asked to prepare a report for the Executive meeting in March to consider options for the 'B List' facilities. The task group's deliberations were thus focused on the options for these facilities.

**5.0 Conclusion & Recommendations**

**5.1 That facilities considered for closure should be offered to Town or Parish Councils on a devolved basis;**

5.1.1 *Reason: Devolution of facilities will effectively create a community asset. If local administrations and communities manage the asset they will diligent about looking after it.*

**5.2 That it be made clear to that unless the facility is devolved it will be shut;**

5.2.1 *Reason: The Executive should be clear about the future of 'at risk' facilities.*

**5.3 That facilities in Calne and Wootton Bassett should be devolved en bloc;**

5.3.1 *Reason: These Towns may be more inclined to take on one good operational and one bad' facility rather than the bad facility on it's own.*

**5.4 That the basis of devolution should be for a fixed term of ten years and a fixed annual fee increased by inflation annually. This fee to be negotiated before any agreement to devolve is made on the basis on the recipients expected cost and a small administrative uplift.**

5.4.1 *Reason: Towns and Parishes should not be double taxed*

5.4.2 *Reason: This will result in an overhead cost reduction to NWDC.*

**5.4 That Town and Parish Councils be asked to assess the improvement need with the technical assistance of NWDC and to compete, manage and pay any resulting contract up to a sum agreed with NWDC prior to contract.;**

5.4.1 *Reason: If Town or Parish Councils are responsible for budgets the improvement cost are likely to be reduced and potential cost overruns for NWDC will be eliminated.*

**5.5 That any revenue and capital savings generated from devolution or closure need to be reinvested in improving remaining services;**

5.5.1 *Reason: Evidence from the BVI reports suggests this is a proven method of improving the overall service.*

**5.6 That facilities in key strategic tourist locations such as Castle Combe and Cricklade should be considered for investment through partnership funding;**

5.6.1 *Reason: Benefits from increased tourism are widely felt. There is a greater argument for a multiplicity of funding in these locations.*

**5.7 That the 'LIST A' public conveniences currently being upgraded by NWDC should be offered for devolution on the same basis as suggested for those on 'LIST B'.**

5.7.1 *Reason: Overhead savings for NWDC*

**5.8 That s106 agreements at future commercial and residential developments, should be considered to provide facilities in areas of need.**

*5.8.1 Reason: Future developments offer opportunity for planning gain.*

**5.9 The task group considered that the additional benefits of devolution to be;**

*5.9.1 A reduction in direct time, resources and management overhead devoted BY NWDC to the upkeep of the facilities;*

*5.9.2 That devolution of cleansing services to a local level would promote sustainability i.e. reduction in travel;*

*5.9.3 Local Council's would be in a better position to decide and respond to local need i.e. opening times and types of facilities;*

*5.9.4 Local ownership and control of facility could reduce vandalism i.e. a local owned, and locally financed, asset would be valued and protected;*

*5.9.5 Devolution of Public Conveniences will show to our partners that we are committed to finding community solutions to issues and will help in future negotiations.*

**Report Prepared By:**

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**Papers used in the report**

Actions List, Minutes and Agenda Papers of Public Spaces Local Plans Panel 11<sup>th</sup> May 2004 and Executive 27<sup>th</sup> May 2004

**REPORT OF THE PUBLIC CONVENIENCES TASK GROUP TO THE OVERVIEW & SCRUTINY COMMITTEE MEETING OF 16<sup>TH</sup> FEBRUARY 2006**

**Draft Minutes of the Meeting of the Overview & Scrutiny Committee held on Thursday, 15<sup>th</sup> December 2005 in Committee Rooms A-C, Level –1, Monkton Park Offices, Chippenham, commencing at 6.00 p.m.**

**Present:** Chairman: Councillor J.H. Rooke (Vice – Chairman in the Chair)

Committee Councillors: D.B. Allen, J.S.W. Elford, T.R. Sturgis, J.P.S.S. Thomson, R.L. Tonge and S.R. Walls.

**O107. Urgent Item - Public Conveniences Task Group – Final Report – 1<sup>st</sup> Stage Work**

Consideration was given to the Report of the Task Group (circulated) at the meeting that presented the results of the 1<sup>st</sup> Stage work.

Issues discussed included:

- That the detailed options would be considered as part of the 2<sup>nd</sup> Stage work; and
- That additional officer support had been identified to support the work of the Task Group.

**Recommend to the Executive:**

- 1) That the Task Group recommend that public convenience facilities should be provided on or in close proximity to the bus station site;
- 2) That the decision to close the toilet facilities at Timber Street Bus Station, following a fire and extensive damage, was in the circumstances, expedient;
- 3) That in determining the estimated costs of remedial works to bring the facilities back into use the Executive should have considered:
  - a) Ongoing costs such as rates while the facilities were temporarily not in use and whether Council was entitled to a rebate during the 'non use period'.
  - b) The damage caused by the fire and or other vandalism should have been an insured risk enabling Council to claim where appropriate.
- 4) In deciding to close Timber Street toilet facilities consideration to appropriate signage to alternative facilities should have been given and that this situation should be addressed; and
- 5) That consideration be given to the provision of a portable facility as an interim measure.

## Comment of Officers

- 1.1 Professional Officers of the Council were given the opportunity to provide formal comments to the Task Group during the 2<sup>nd</sup> Stage.
- 1.2 The views expressed were the personal views of the officers and thus were treated in confidence. It is worth noting that the views offered varied in emphasis.
- 1.3 A short summary of the range of comments submitted is provided below.

### Summary

- 2.1 Any decision on the level of service provision must be based on levels of use;
- 2.2 Levels of vandalism have a significant effect on costs;
- 2.3 How the cleaning is organised should be reviewed;
- 2.4 Secondary evidence suggest the public expect a decent level of toilets;
- 2.5 Public health is a consideration;
- 2.6 A balance should be struck between the loss of facilities and meeting DDA requirements;
- 2.7 Reduction in service impact disproportionately on the elderly, disabled and those with young children;
- 2.8 Failure to comply with DDA requirements is a legal risk;
- 2.9 Town centre facilities have higher maintenance costs then in rural areas;
- 2.10 Consultation with disability and user groups is desirable;
- 2.11 Partnership arrangements should be explored;
- 2.12 Service should be better aligned to the delivery of corporate priorities, such as tourism and regeneration;
- 2.13 Performance standards and satisfaction measures should be introduced.

## **Analysis of Local Council's with facilities**

All Parish & Town Council's were surveyed by post for their views on public conveniences. 30 Councils replied which represents an excellent response rate of 56%.

Below is a summary of results from respondents with facilities in their area.

- Q1. 100% believe there is still a need for facilities
- Q2. 80% believe provision is adequate
- Q3. 90% believe NWDC should be responsible for provision
- Q4. Views on construction are favourable.
- Q5. Views on cleanliness are mixed.
- Q6. Views on maintenance are generally favourable.
- Q7. 80% believe there is no need to review the location of facilities
- Q8. 100% believe facilities should be a spending priority
- Q9. 40% would consider the possibility of taking over responsibility
- Q10. Some individual detailed responses
- Q11. 100% disagreed that need for public toilets had lessened with the increase in facilities on commercial property.
- Q12. 60% did not believe further consultation with the public was required at this stage.

Below is the extract of the minute from the Executive meeting of the 13<sup>th</sup> of October 2005

**E85. Planned Preventative Maintenance of Public Conveniences**

Consideration was given to Report No.17 (circulated with the agenda) which advised of the current position with regard to public conveniences and sought instructions as to the way forward in terms of a planned preventative maintenance programme.

Issues discussed during consideration of this item included:

- The proposals contained within the report were the first stage of the process to agree the future of the provision and maintenance of public conveniences.
- The provision of public conveniences is not a statutory duty of the District Council.
- The review of options for the Category B Group being undertaken by the Public Conveniences Scrutiny Task Group and reported back to the Executive.
- That any conveniences provided by the Council should comply with disability access legislation and have a RADAR key.
- The possibility of Town and Parish Councils taking responsibility for the provision of the public conveniences in their areas.
- The level of usage of public conveniences, especially in Cricklade which was a town which attracted a high number of tourists.

**Resolved**

(1) That the following public conveniences be enhanced to provide better access for disabled persons and generally refreshed to improved standard:

- (i) The Pippin, Calne
- (ii) Monkton Park, Borough Parade, and Bath Road, Chippenham
- (iii) Castle Coombe
- (iv) Borough Fields, Wootton Bassett
- (v) Corsham.

(2) That the following public conveniences be considered for options and reported back to a future meeting of the Executive:

- (i) Cross Hayes / rear of Town Hall, Malmesbury
- (ii) Biddestone
- (iii) Box
- (iv) Lyneham

- (v) Station Road, Wootton Bassett
- (vi) Purton
- (vii) Cricklade
- (viii) Colerne.



## **Secondary Research Results – Summary of Audit Commission Findings from Reviews of other Council’s Public Convenience Services.**

### **1. Background**

- 1.1 Results of a sample of Best Value Inspection reports were reviewed to identify any common threads for the identification of good service delivery and strategies for improvement.
- 1.2 Best Value Inspection reports are undertaken by the external auditors following the completion of a Best Value Review undertaken by the authority.
- 1.3 A full scale Best Value Review of a small service such as public conveniences is unusual and most the reports are from areas where tourism is a major concern.
- 1.4 Most of the reports from 2001 – 02. The Best Value Inspection Service is no longer in operation and the Audit Commission no longer undertakes service specific reviews.

### **2. Consultation**

- 2.1 Robust consultation is required to establish user satisfaction with services and to establishing need. Establishing satisfaction and need can inform a review of service provision.

### **3. Challenge**

- 3.1 Whilst the provision of conveniences is a discretionary function there is normally perceived by customers that they should be provided publicly. Conveniences play an important part in promoting tourism and public health.
- 3.2 As provision is to be improved within existing budgets than savings need to be identified for re-investment. It is recognised that facilities require capital investment to reach a suitable standard. The most common recommendation is to rationalise the number of traditional blocks and use the savings to re-invest in the remaining facilities.
- 3.3 Any rationalisation must be done strategically on the basis of user levels, strategic location and cost.

Addendum to Overview & Scrutiny Report

Public Conveniences Task Group Report – Officer comment

5.0	RECOMMENDATION	REASON(S)	COMMENT
5.1	<b>That facilities considered for closure should be offered to Town or Parish Councils on a devolved basis;</b>	Devolution of facilities will effectively create a community asset. If local administrations and communities manage the asset they will diligent about looking after it.	Devolution or local service management? Freehold disposal?
5.2	<b>That it be made clear to that unless the facility is devolved it will be shut;</b>	The Executive should be clear about the future of ‘at risk’ facilities.	Is an alternative use proposed? Are they offered for sale?
5.3	<b>That facilities in Calne and Wootton Bassett should be devolved en bloc;</b>	These Towns may be more inclined to take on one good operational and one bad’ facility rather than the bad facility on it’s own.	Asset Management Considerations.
5.4	<b>That the basis of devolution should be for a fixed term of ten years and a fixed annual fee increased by inflation annually. This fee to be negotiated before any agreement to devolve is made on the basis on the recipients expected cost and a small administrative uplift.</b>	Towns and Parishes should not be double taxed This will result in an overhead cost reduction to NWDC.	May be applicable to “LIST A” which Executive have already approved funding for but will represent an un-budgeted cost increase if applied to “LIST B”  And at the end of 10 years?
5.5	<b>That Town and Parish Councils be asked to assess the improvement need with the technical assistance of NWDC and to compete, manage and pay any resulting contract up to a sum agreed with NWDC prior to contract.;</b>	If Town or Parish Councils are responsible for budgets the improvement cost are likely to be reduced and potential cost overruns for NWDC will be eliminated.	May be applicable to “LIST A” which Executive have already approved funding for but will represent an un-budgeted cost increase if applied to “LIST B”
5.6	<b>That any revenue and capital savings generated from devolution or closure need to be reinvested in improving remaining services;</b>	Evidence from the BVI reports suggests this is a proven method of improving the overall service.	If “Devolution” involves payment then only closure is likely to realise savings of any worth.

5.7	<b>That facilities in key strategic tourist locations such as Castle Combe and Cricklade should be considered for investment through partnership funding;</b>	Benefits from increased tourism are widely felt. There is a greater argument for a multiplicity of funding in these locations.	Sponsorship?
5.8	<b>That the 'LIST A' public conveniences currently being upgraded by NWDC should be offered for devolution on the same basis as suggested for those on 'LIST B'.</b>	Overhead savings for NWDC	As 5.4?
5.9	<b>That s106 agreements at future commercial and residential developments, should be considered to provide facilities in areas of need.</b>	Future developments offer opportunity for planning gain.	Managed by Developer or Town/Parish Council.
5.10	<b>The task group considered that the additional benefits of devolution to be;</b>	<p>Reduction in time and resources devoted to the management of facilities;</p> <p>That devolution of cleansing services to a local level would promote sustainability i.e. reduction in travel;</p> <p>Local Council's would be in a better position to decide and respond to local need i.e. opening times and types of facilities;</p> <p>Local ownership and control of facility could reduce vandalism i.e. a local owned, and locally financed, asset would be valued and protected;</p> <p>Devolution of Public Conveniences will show to our partners that we are committed to finding community solutions to issues and will help in future negotiations.</p>	TUPE issues?