



## **PUBLIC CONVENIENCES IN RURAL WARDS**

### **Cllr Hayley Eachus, Cabinet Member for Environment and Enforcement**

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<b>Report to:</b>	<b>Cabinet</b>
<b>Meeting date:</b>	09 March 2021
<b>Ward(s):</b>	<b>Kingsclere, St Mary Bourne, Overton and Whitchurch</b>
<b>Key Decision:</b>	<b>Yes</b>
<b>Appendix 1:</b>	
<b>Papers relied on:</b>	

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#### **Foreword** - Cllr Hayley Eachus, Cabinet Member for Environment and Enforcement

*In the 2019 residents' survey, almost half (46%) of our residents stated that public toilets were among the three least important services we provide to them and their community. Usage of these facilities is low and the running and future maintenance costs are not sustainable within the council's budget pressures.*

*However, we understand that the toilets may be a facility of local value. Therefore rather than close these facilities we have been working with those parish or town councils to explore whether they wish to take over the daily running and maintenance of these facilities if they feel they benefit the local area. Their feedback indicates a desire to retain these facilities in their area, and a willingness to explore taking over their operation. In order to inform their decision making we have commissioned a detailed condition survey.*

*This report will provide delegated authority to transfer these assets to the relevant parish or town council or to decommission such facilities if this does not happen.*

#### **It is recommended that Cabinet approves:**

Delegated authority to the Head of Property and Assets in consultation with the Head of Law and Governance

- to transfer toilet facilities in St Mary Bourne, Overton, Whitchurch and Kingsclere to the relevant Parish or Town Council.
- to decommission the relevant toilet facility in the event that the relevant Parish or Town Council declines the transfer.

## **Main considerations**

### **1 Executive Summary**

- 1.1 The approved revenue budget for 2021/22 includes an ongoing saving of £0.05M to be achieved following a review of public convenience services. Where these toilets are located in parish areas, further consideration was to be given to whether the toilets could be managed and operated by the parish council.
- 1.2 Constructive discussions relating to the transfer of toilets have been held with the relevant parish councils over the past year. In order to provide the council and the parish councils with a complete understanding of the future financial requirements, a detailed condition survey of each facility is being undertaken. Once this has been completed, the relevant parish council will be asked if they wish to take over the toilets. If the offer is declined the toilets will be closed once decommissioning work has been completed.
- 1.3 The purpose of this report is to seek delegated authority for officers to transfer toilet facilities to parish or town councils where appropriate and to decommission toilets where the Parish or Town Council decline the transfer.

### **2 Background**

- 2.1 A savings proposal relating to public conveniences was put forward for consideration as part of the 2020/21 – 2023/24 budget. The proposal was approved by Council in February 2020 and is included in the approved Revenue Budgets.
- 2.2 There are 4 toilets located in parish areas:
  - Overton Parish Council - Winchester Street, Overton;
  - Whitchurch Town Council - Bell Street car park, Whitchurch;
  - Kingsclere Council - Swan Street, Kingsclere;
  - St Mary Bourne Parish Council - (near the Community Centre in St Mary Bourne
- 2.3 As part of the consultation process, the four parish councils were contacted in September 2020 and asked if they would consider taking over the operation and running of the toilets from April 2021.
- 2.4 To assist the parish councils with funding, where appropriate, a one-off contribution of £2,500 to cover the estimated day to day costs associated with cleaning and consumables was offered for 2021/22.
- 2.5 To enable the parish councils to consider the future financial implication of taking over the running of the toilets, the council's property team have commissioned a detailed condition survey which will identify essential maintenance work and an estimate of the costs. The results of the survey will be shared with the relevant parish council.

- 2.6 On receipt of the survey each parish will be asked to confirm whether they intend to take over the running of the facility from April 2021. Subject to the approval of the recommendations contained in this report, the council's Property and Legal teams will progress the transfer to those parish councils who agree to taking over the facility.
- 2.7 If agreement is not reached, the toilets in the parished areas will be closed after 31 March 2021 following appropriate decommissioning led by the Property team. This will include where appropriate securing the buildings against anti-social behaviour.

## **Corporate implications**

### **3 Legal**

- 3.1 Section 87 of the Public Health Act 1936 gives local authorities a power to provide public toilets, but imposes no duty to do so. This act also makes provision for charging for use of toilet facilities.

### **4 Financial**

- 4.1 The current approved Revenue Budget for 2021/22 includes an ongoing saving of £0.05M to be achieved following a review of public conveniences.
- 4.2 The proposal to hand over the public conveniences to the parishes as detailed in this report would contribute to this saving as follows;

<u>Financial Year</u>	<u>£M</u>
21/22	0.01
22/23	0.02

- 4.3 However, if the public conveniences are not handed over and the decision is made to close them, the saving will be realised earlier than detailed above.
- 4.4 The balance of the saving is to be found through the review of the town public conveniences.
- 4.5 Any decommissioning costs are expected to be minor and will be met from existing budgets.

### **5 Risk management**

- 5.1 A risk assessment has been completed in accordance with the council's risk management process and has identified no significant (Red or Amber) residual risks that cannot be fully minimised by existing or planned controls or additional procedures.

### **6 Equalities**

- 6.1 An Equality Impact Assessment (EIA) was completed before the public consultation on the 2020/21 budget proposals to consider the potential impact on the protected characteristics and vulnerable groups. This assessment identified potential issues for older people, individuals with certain disabilities

and parents with babies. These concerns were also raised through the public consultation and were considered as part of the decision-making process. The budget, including the review of the provision of public conveniences, was approved in April 2020.

- 6.2 More research was carried out on the options for local provision in September 2020. The EIA was revisited to consider the feedback from consultation with parish councils, which have public conveniences in their area, and the proposed closure of these facilities after 31 March 2021 if they are not taken over by these parish councils. This concluded that, if the toilets are closed after March 2021 it could have a negative impact on some individuals from the groups noted above. Further engagement will take place with the Disability Forum to explore any steps that can be taken to mitigate the impact on these groups, if any of these facilities close.

## **7 Consultation and communication**

- 7.1 Consultation was undertaken as part of the 2020/21 budget process. Feedback from parish councils was reported to Cabinet in February 2020.

## **8 Climate change**

- 8.1 Transferring ownership of these facilities to parish council control will have a **positive** impact on the council's carbon footprint as a result of no longer needing to power/heat the buildings, as well as removing the need for journeys for daily cleaning.
- 8.2 If transferred, these facilities are likely to still be required leading to no change in the overall borough carbon footprint for operation of the buildings. However, local responsibility has the possibility to reduce the carbon impact of activities such as maintenance and cleaning by avoiding journeys.

## **9 HR**

- 9.1 There are no direct HR issues arising from this report.

## **Conclusion**

### **10 Summary and reason for the decision**

- 10.1 The recommendations contained in the report will enable public conveniences located in rural wards to be transferred to the appropriate parish council subject to the mutual agreement with the Council. Where a parish council declines the option to transfer the facility, the recommendations approve the decommissioning of the relevant public convenience.

### **11 The options considered and rejected**

#### **a) Do nothing**

If the council chose to do nothing, the approved savings associated with the recommended option would not be achieved. This option is not recommended

**b) Close the public conveniences without exploring whether the service can be provided on a local basis.**

This option would deny the relevant parish councils the opportunity to consider the devolution of the service and the ongoing use of the buildings to meet local needs. This option is not recommended

**c) Offer to transfer public conveniences to the relevant parish councils prior to closure.**

This option enables full consideration to be given by parish councils about the transfer of the service. This option also ensures that the approved savings are met. **This option is recommended**

**Date: 09 March 2021**  
Cabinet

<b>Lead officer</b>	Tom Payne Head of Environmental Services
<b>Report author</b>	David Perkins Parks & Streetscene Manager
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<b>Status</b>	Open
<b>Confidentiality</b>	It is considered that information contained within this report do not contain exempt information under the meaning of Schedule 12A of the Local Government Act 1972, as amended, and therefore can be made public.