

## **REPORT TO: EXECUTIVE COMMITTEE**

**Date of Meeting: 9 April 2019**

**Report of: Director of Place**

**Title: Results of Consultation on Public Toilets**

**Is this a Key Decision?**

Yes

**Is this an Executive or Council Function?**

Executive

### **1. What is the report about?**

The report details the responses from the public consultation on the future of public toilets across the City. The report makes a series of recommendations to the Executive on how we may achieve the required budget savings, whilst retaining some degree of service provision.

### **2. Recommendations:**

That the Executive Committee:-

- 2.1 Note the results of the consultation exercise
- 2.2 Support the decision to close all of the 13 public conveniences listed the report with immediate effect in addition to the two already closed. Leaving 11 in operation as detailed in appendix 1.
- 2.3 Allow the City Surveyor to divest the running of the toilets to other organisations, or to explore alternative uses including potential disposal, to achieve best value for the authority. Priority consideration should be given to alternative uses which incorporate a publicly accessible toilet.
- 2.4 To investigate further the introduction of a Community Toilet scheme.

### **3. Reasons for the recommendation:**

- 3.1 To rationalise the number of public conveniences across the City to a more manageable number which will save over £60,000 per year in revenue funds and enable the Council to set a balanced budget.

### **4. What are the resource implications including non financial resources.**

- 4.1 This will result in the loss of two posts (currently filled by temporary staff) and a saving of just over £60,000 per year.

### **5. Section 151 Officer comments:**

- 5.1 The proposal is noted. As Members are aware the budget for 2019-20 has now been approved by Council and this proposal meets the requirement to deliver a saving in

this area. Therefore, if the proposal is not agreed savings of an equal value must be identified at the meeting to ensure the Council maintains a balanced budget.

## **6. What are the legal aspects?**

- 6.1 Local authorities are under no statutory obligation to provide public conveniences; it is at the discretion of the authority, who may charge such fees for the use of any such convenience as is deemed fit. (S.87 Public Health Act 1936).

## **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer.

## **8. Report details:**

### **8.1 Background**

We operate 26 public conveniences across the City Council area, with two of those currently closed due to anti-social behaviour. In January 2019 the Executive committee supported a decision to begin a consultation of the future of our public toilets. The consultation proposed closing 13 public toilets in addition to the two already closed to save over £60,000 per year.

As well as saving money it was recognised that many were built a long time ago and are hidden away, in the wrong location and some are in poor condition. Some sites also attract serious and repeated anti-social behaviour including drug use and are regularly vandalised. They fare poorly in comparison to the large number of good quality, publically accessible toilets, provided by our shops, cafes or shopping centres. Consequently some are rarely used for legitimate purposes.

- 8.2 Provision of public toilets is not a statutory responsibility for the Council and many authorities around the country have been reviewing their provision in light of continuing budget reductions. A report by the BBC in 2018 noted;

- At least 1,782 facilities have closed across the UK in the last decade,
- Ten areas, including Newcastle, Merthyr Tydfil in south Wales and Wandsworth in South London, now have no council-run public toilets at all,

- 8.3 Continued central government funding reductions are putting increased pressure on public services throughout the UK. On top of several years of budget cuts, the City Council has to find an additional £3.9 million over the next two years. All services have been through challenge to ensure that they are delivering maximum value for money.

- 8.4 We have resisted closing public toilets in the past but retaining current numbers is no longer sustainable. Many of our public toilets require significant investment to bring them up an acceptable condition but continued austerity has eroded the resources required to do this. In spite of the claims austerity has ended, the reality is that for local government it has not, nor is there any indication that it is likely to do so any time soon.

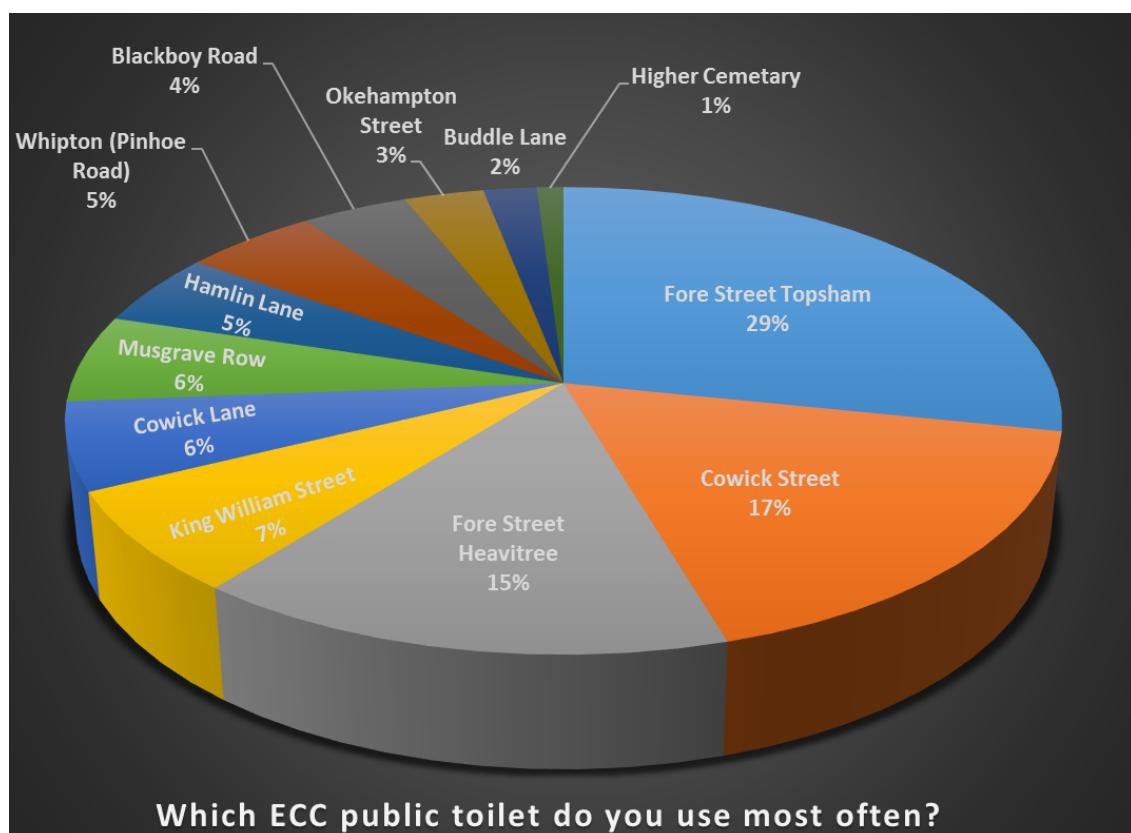
## 8.5 Consultation process

A web based consultation was carried out over three weeks in February 2019, with hard copies available in our customer service centre. Not everyone chose to use the online survey and some letters and emails were received separately and fed into the consultation. Separate letters came from individuals and organisations such as Public Health Devon, the Topsham Community Association and the Exeter Green Party.

- 8.6 In total 526 people replied to the consultation, 447 identified that they live in Exeter, 230 work in Exeter, 71 visit Exeter and 41 run a business in Exeter (some will have picked more than one option). Appendix 3 contains the questions and 4 contains the full, online consultation results.

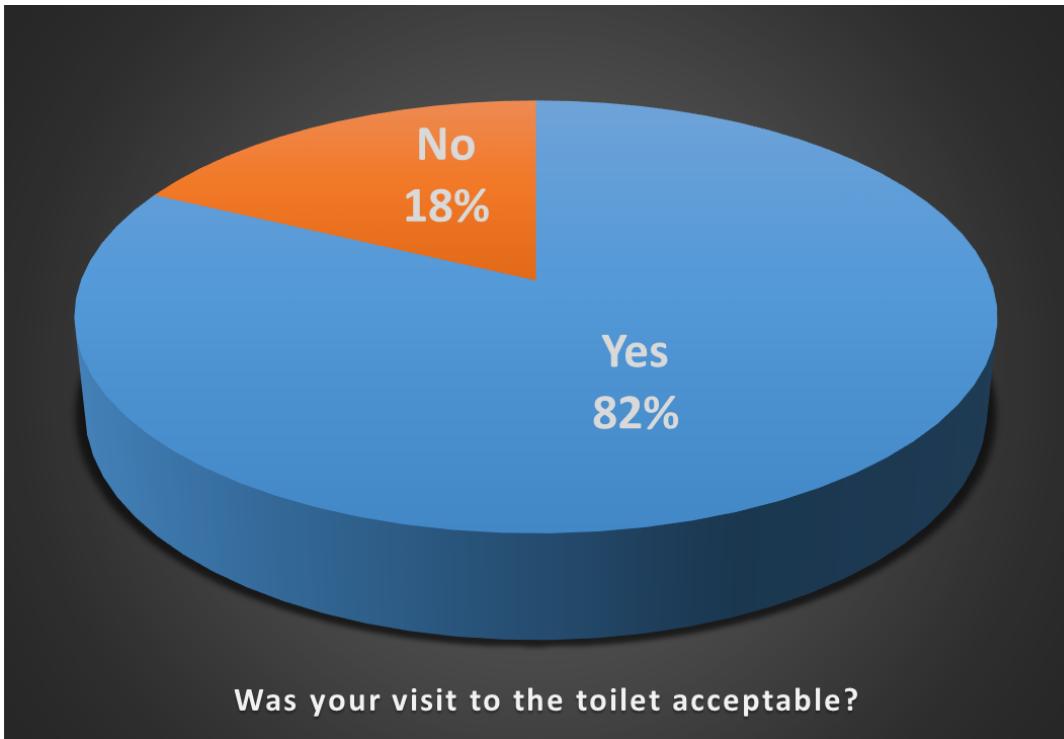
## 8.7 Highlighted Consultation responses

### 8.8 Which ECC public Toilet do you use most often?



Fore Street Topsham was the most frequently used public toilet on the proposed list for closure with 127 responses or 29%. Other local shopping centres such as Fore Street, Heavitree and Cowick Street also received larger numbers at 15% and 17% respectively. City Centre toilets where there are good alternative publicly accessible choices, received very few responses.

#### 8.9 Was your visit to the toilet acceptable?

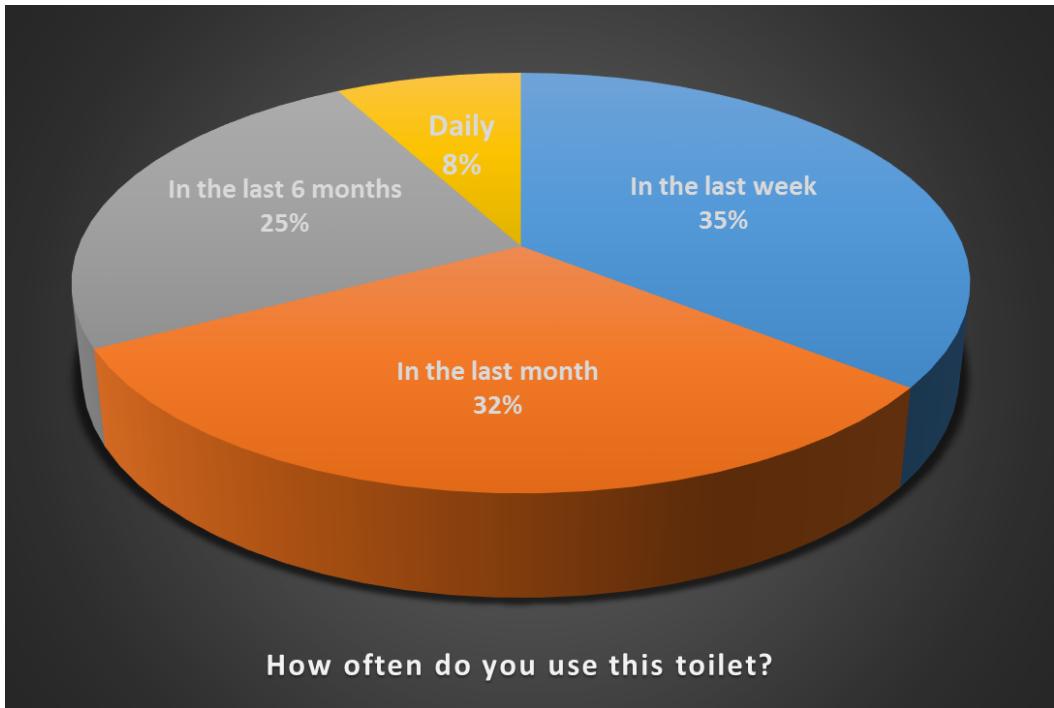


Somewhat surprisingly given the condition of our assets 82% of respondents rated their visit as acceptable. This doesn't tally with the associated comments and toilets which were rated as acceptable attracted comments such as "Just about acceptable in case of emergency. Humans deserve better than this" and "May be smelly but I'm pleased that it's there". Had this consultation not been about closing toilets, we expect that this would have been much lower.

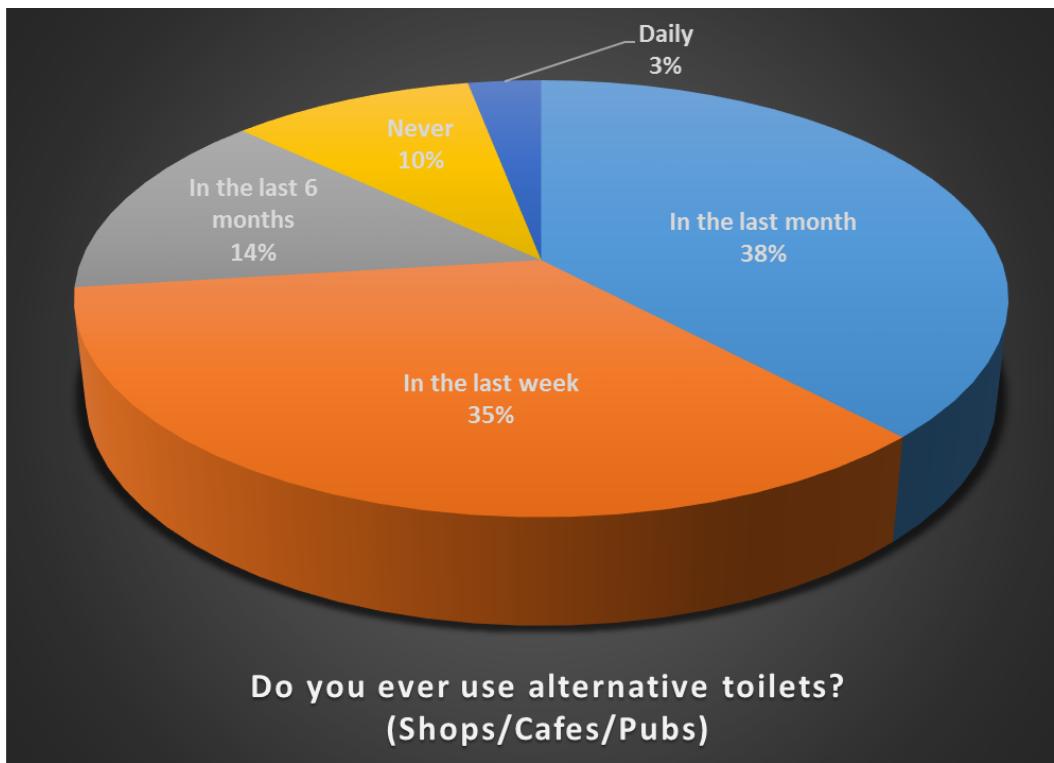
Toilets where there are known problems with drug use and ASB as expected, fared far worse. Comments in those locations included "Broken bottles on floor and men and a woman drinking in ladies toilets. I walked back out and went to use M&S toilets instead. It didn't feel safe for myself or my daughter" and "Drug taking paraphernalia in the sink".

#### 8.10 How often do you use this toilet?

Frequency of use was surprisingly low from the respondents to the survey with only 8% using them daily but 35% had used them in the last week.



#### 8.11 Do you ever use alternative toilets?

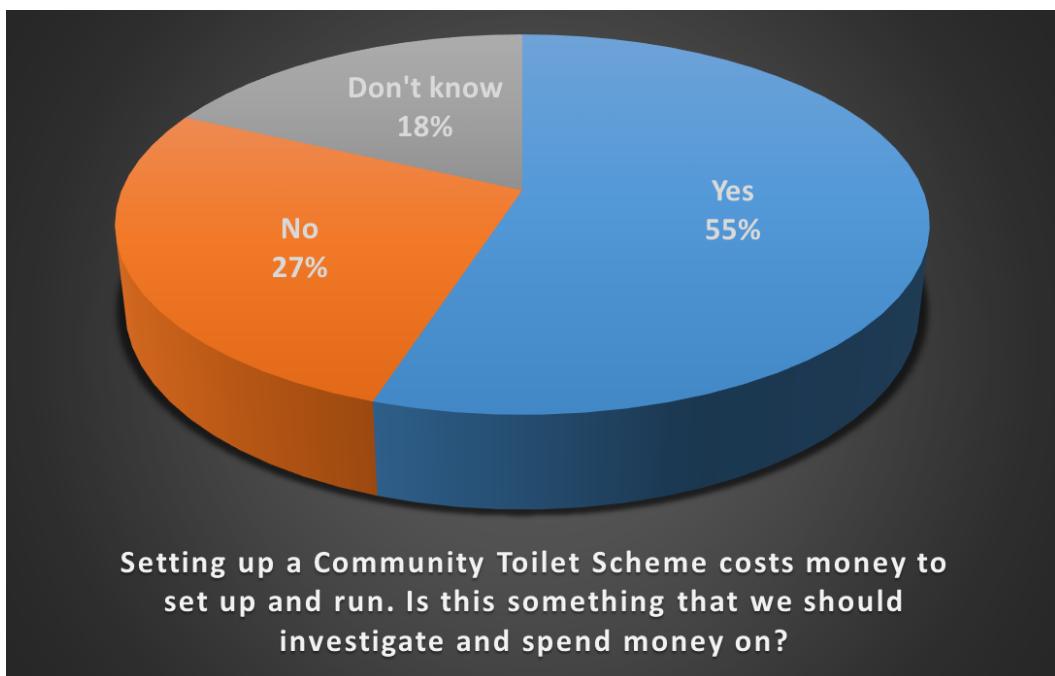


The use of alternative publicly accessible toilets was largely similar to the use of our own facilities. When asked if they experienced any difficulties in accessing or using the toilets 56% said no, leaving 46% who had. By far the most common reason for not using alternative toilets was the expectation that you had to be a customer and to buy something, this was both real by example and perceived. There were also concerns

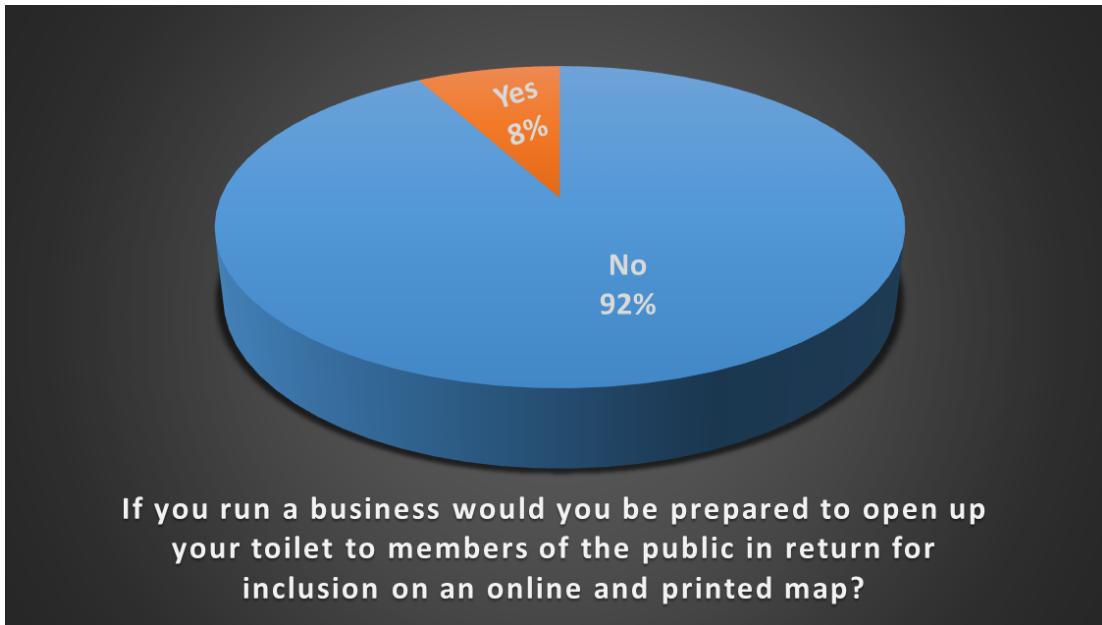
around accessibility, with many premises having toilets either up or down stairs. Also mentioned was that they are always very busy in the larger stores which reflects our observations that the vast majority of shoppers would prefer to use toilets in shops or cafes rather than our public toilets.

#### 8.12 Community Toilet scheme.

A community toilet scheme is where local businesses sign up to an advertised scheme whereby they allow their toilets to be used by the general public. The benefits to businesses are increased publicity for their business and increased footfall. The Bristol scheme places business who sign up, onto an online interactive map of the City, together with a printed community toilet scheme map available for tourists, visitors and residents to the city. Bristol currently has 32 business signed up to the scheme which has resulted in increased availability of better quality publically accessible toilets.



The idea of a community toilet scheme similar to the Bristol scheme was generally supported, with 55% of respondents in favour of it being set up, 27% against it and 18% undecided. This possibly reflects that people are unsure of how the scheme will work and what it actually means.



The responses to this question indicate a significant issue but on closer inspection many of the respondents didn't actually own a business and failed to spot the instruction to click 'next' if you didn't own a business. Of those who left relevant comments some of the barriers to opening to the public were the suitability and location of the facilities (too small or in secure private areas of the building) or businesses run from home. Whilst this question did not prove entirely useful, it does cast doubt on whether a community toilet scheme would prove viable in the City. Further work is required to see if this proposal has merit. Specifically this will require direct canvassing of individual businesses, to see if they would be prepared to participate. Whilst this question did not prove entirely useful it does highlight the need to explain the benefits of the scheme carefully and only select suitable premises,

#### 8.13 Additional comments

The full range of additional comments can be found in Appendix 2. The comments of 328 out of 526 respondents were against the proposed closures. There were many comments asking for more investment to bring the facilities up to an acceptable standard and some that suggested employing extra staff as toilet attendants. Other common concerns included the displacement of antisocial behaviour which currently goes on in and around the toilets. There were 23 comments in favour of the proposed closures mainly from people who work or live close to the facilities where antisocial behaviour regularly occurs.

#### 8.14 Conclusions and recommendations

The consultation attracted relatively few responses for a City-wide issue at only 526. After the initial rush in the first week, responses slowed significantly and by week three had virtually stopped. It is therefore unlikely that even if the consultation period had been longer, we would have received many more responses. This contrasts with the consultation on the Air Quality Action Plan last year which attracted nearly 3000 responses (over a longer period of time). However the proposals are undoubtedly unpopular with those who responded.

- 8.13 The fact remains that we do not have the funding to keep all of these facilities open across the City, nor do we have the funds to bring them up to an acceptable standard. Numbers must therefore be reduced to some degree.
- 8.14 The recommendation is for all 13 to be closed in addition to the two already closed which would leave 11 open across the City, mainly in parks, sporting facilities and tourist areas. This compares favourably to Bristol which is a city nearly four times the population of Exeter.
- 8.15 Once the facilities have closed to achieve the savings required, the City Surveyor should be tasked with exploring options for community asset transfer (should organisations come forward), or looking at alternative uses which would achieve best value for the Council. Uses which incorporate alternative publically accessible toilets should be given priority consideration.
- 8.16 In recognition that the remaining toilets need to be brought up to an acceptable standard, the toilets at Exeter Quay and Topsham Quay should put forward for refurbishment as part of the capital programme.
- 8.17 The community toilet scheme has not proved to be a popular idea with those respondents who highlighted that they ran a business. More work is therefore required to establish directly with business if this is something they would be prepared to support.

## **9. Human Resources considerations**

- 9.1 Two posts will be removed from the structure which are currently filled by temporary staff supplied by an Agency,

## **10. How does the decision contribute to the Council's Corporate Plan?**

- 11.1 The proposed closures will help to provide a balanced budget and will retain some public toilets mainly in our parks, sports facilities and tourist areas. .

## **12. What risks are there and how can they be reduced?**

- 12.1 A risk register is included as appendix 2.

## **15. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**

- 15.1 A full Equalities Impact Assessment has been prepared which is include as Appendix 5. We will examine ways to mitigate the impact of the closures such as the potential for a community toilet scheme and when looking at alternative uses we will favour those options which contain publically accessible toilets.

## **16. Are there any other options?**

- 16.1 Community Transfer  
The toilets in Topsham, Heavitree and Cowick Street generated a larger number of replies than any other location. These three sites could be examined for asset transfer to a community organisation (if one can be found) and the potential for grant funding

for renovation examined. They should still be closed while this process is undertaken to achieve the required budget savings.

16.2 Closing Topsham Quay rather than Fore Street Topsham.

There are three toilets in Topsham but only two of the size required to realise savings. We can no longer afford to maintain all three. If the toilet on Fore Street is popular then consideration could be given to closing the toilets on Topsham Quay instead. These are however more heavily used and in a better condition than those in Fore Street. This does not make good sense and has been rejected by this report.

16.3 Converting toilets to pay on entry

Pay on entry systems would require renovation to offer some degree of value for money and would be extremely unlikely to recoup their costs in the City Centre where there are many publically accessible alternatives. It will also not provide adequate pay back on our lesser used toilets. They may prove more viable in some of the District Centres but with no way of recording visitor numbers this is impossible at present to evaluate properly. Pay on entry systems require a regular staff presence to collect cash and are an ongoing maintenance liability so will undoubtedly raised revenue costs. Charges would have to be high enough to cover these additional costs.

**Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

None

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## Appendix 1: Proposed closures

Location	Close Y / N	General comments
Cathedral & Quay Car Park	Y	<b>Closed in 2016</b> due to repeated anti-social behaviour
Guinea Street	Y	<b>Closed in 2016</b> due to vandalism, heavy drug use and repeated anti-social behaviour.
Blackboy Road	Y	Heavily used for drugs, constant vandalism to baby change area but relatively new. ASB issues constantly as it's on the boundary of the no alcohol limit and Police in regular attendance.
Buddle Lane	Y	Poor location and so rarely used, replacement roof required, access not compliant with current regulations for disabled people
Cowick Barton Playing fields	N	Heavily vandalised but used by sports activities, and no other nearby provision. Review as part of the physical activity strategy.
Cowick Lane	Y	Poorly located and so little used but regular graffiti and vandalism.
Cowick Street	Y	Under the railway arch, awful condition, drainage problems, regular vandalism and extensive ASB.
Ennerdale Way	Y	Mainly used at weekends for recreation but was not transferred to Exeter College. High levels of drug use through the week and vandalism.
Exeter Quay	N	Roof constantly leaks, hand wash facilities poor but very well used by traders / visitors etc. It serves a major tourist area but is of poor quality and requires a significant refurbishment when funds are available.
Exwick Cemetery (In mess room)	N	Part of staff mess room and used by funerals.
Fore Street Heavitree	Y	Regular ASB Issues including drug use and vandalism due to poor design.
Fore Street Topsham	Y	Needs extensive refurbishment with a pungent smell which is impossible to get rid of but still well used. Topsham has 3 toilets at present but the only disabled toilet is here.
Hamlin Lane	Y	Long history of Anti-Social Behaviour and repeat fly tipping. Used by small number of refuse teams and parks staff.
Heavitree Park	N	Next to sport & leisure activities and well used in spring / summer. Should be considered as part of proposals for a community building / café.
Higher Cemetery	Y	Rarely used by anyone but location and infrequent use means that it's vulnerable to misuse.
Honiton P&R	N	Commuter facilities. Potential to divest to DCC but considered unlikely
King George V Playing Fields	N	Next to leisure & sport facilities. Review as part of the physical activity strategy.
King William Street	Y	Heavy drugs use & vandalised regularly causing issues to Citizens advice offices.
Matford Park & Ride	N	Commuter facilities. Potential to divest to DCC but considered unlikely.

Musgrave Row	Y	Awful smell, very poor condition, oppressive blue lighting due to constant drug use. Kept open overnight on Friday's & Saturdays as a trial.
Okehampton Street	Y	Heavily used for drugs and extensive ASB issues, no designated ladies it's shared with disabled
Paris Street	N	Very busy with visitors and commuters, continue to operate until new facilities open.
Pinhoe Road, Whipton	Y	Poor condition and constantly vandalised but is at least in a good location near shops.
St Thomas Park	N	Next to leisure & sport facilities. Suffers from vandalism and drug use, requires upgrading. Review as part of the physical activity strategy.
Topsham Cemetery	N	Cemetery toilet, not used much but offers little in the way of a saving
Topsham Quay	N	Needs updating, but is used heavily by tourists and visitors to Topsham.

## Appendix 2: Risk Register

No.	Risk (Threat to achieving the goals of the project)	Risk Mitigation Measures
1	Failure of businesses / community organisations to get involved with the community toilet scheme.	<ol style="list-style-type: none"> <li>1. We will utilise the marketing skills of our own Communication, Tourism and Culture team to make the project appealing to businesses and to emphasise the benefits to them.</li> <li>2. We will utilise our contacts to approach as many suitable businesses in the City as possible. Some of these already offer their facilities to the public and some have expressed interest when the bus station toilets were proposed to close.</li> <li>3. We will work with the BID to promote the scheme to their members.</li> </ol>
2	People not knowing where the nearest publically accessible toilet is in the City	<ol style="list-style-type: none"> <li>1. We will either produce a separate map with publically accessible toilets and community toilet scheme members on it or integrate it into our existing tourist maps of the city.</li> <li>2. We will produce and interactive map on our website which will show locations, information on what to expect and provide directions to the nearest facility.</li> <li>3. We will work with older peoples groups and forums, equalities groups and forums as widely as possible.</li> <li>4. By working with the Communication, Tourism and Culture team we will ensure that we liaise with the RAMM, Underground passages and other key tourist locations.</li> <li>5. Those participating in the scheme will have a sign outside their premises indicating exactly what provision is available.</li> <li>6. Reconfigure street directional signs to match the changes.</li> <li>7. Signposting on closed facilities directing them to the nearest suitable alternative.</li> </ol>
3	The closure of some sites may take place before alternative provision is available.	<ol style="list-style-type: none"> <li>1. There is already a large provision of publically accessible toilets within the City Centre in shops, shopping centres, bars and cafes. Large numbers of shoppers and visitors already favour these facilities over our own.</li> <li>2. Focussing on those who already have publically accessible toilets and targeting their early sign up will give good coverage across the city.</li> <li>3. Signposting on closed facilities and quick updating of online resources once businesses have signed up.</li> <li>4. In areas where alternative provision is going to be a problem consider community asset transfer.</li> </ol>

- Appendix 3 - Online Survey Result
- Appendix 4 - Online Survey Questions
- Appendix 5 - Equalities Impact Assessment