

Report to: **South Hams Executive**

Date: **14 March 2019**

Title: **Public Toilet Project**

Portfolio Area: **Environment Services**

Wards Affected: **All**

Relevant Scrutiny Committee:

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:

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Recommendations:

It is recommended that the Executive resolves to:

1. Approve the installation of Pay on Entry (PoE) equipment at Fore Street public toilets, Kingsbridge.
2. Approve the installation of PoE equipment at the three public toilets in Totnes (Civic Hall, Coronation Road and Steamer Quay) unless an alternative funding solution is offered by the Town Council by 28 February 2019 (verbal update to be given). It is further recommended that the decision on any alternative funding solution offered by the Town Council is assessed for financial and operational viability by the Head of Environment Services Practice in conjunction with the Leader and Portfolio Holder in order to ensure it provides adequate compensation for any income not generated through PoE.
3. Approve the proposed approach of Salcombe Town Council working in partnership with the Salcombe Harbour Board to take over the management and running of the Salcombe Estuary Toilets for a 2 year trial period. This proposal requires a transfer of the 2019/20 service budget to facilitate the pilot and, in the first year, includes a £9,000 contribution towards the roof repairs costs at Mill Bay. It is further recommended that the decision on

whether any alternative funding solution offered by the Town Council is financially and operationally viable is taken by the Head of Environment Services Practice in conjunction with the Leader and Portfolio Holder.

4. Following further consultation, retain toilet services at the following locations until 30 September 2019, where Parish Councils have decided against a full asset transfer:
 - Newton Ferrers (Newton & Noss Parish)
 - Staverton.
5. Following further consultation, retain the public toilet service at Holbeton until 30 September 2019 only, unless a full asset transfer is agreed by the Parish Council.

1. Executive summary

- 1.1 This report requests that Members consider the above recommendations and resolve to proceed as recommended for each facility or group of facilities.

2. Background

- 2.1 Members will be aware that the public toilet service was previously considered, as part of the budget process, on 1st February and 26th April this year, where decisions in respect of the way forward were resolved. Update reports have been presented to Executive Members on a regular basis throughout this project.
- 2.2 Resolutions were made in respect of the majority of public toilets at the Executive meeting on 22 November 2018, although decisions in respect of the three facilities in Totnes (Civic Hall, Coronation Road and Steamer Quay) and the three rural facilities in Holbeton, Newton Ferrers (Newton and Noss Parish) and Staverton were the subject of a further consultation following consideration by the Overview & Scrutiny Panel at its meeting on 12 December 2018.
- 2.3 In respect of the remaining public toilets included in this review, a summary of the resolutions made and actions taken thus far is attached at Appendix A.
- 2.4 This report contains updated information in respect of the outstanding facilities:
 - i. **Kingsbridge** – Fore Street
Kingsbridge Town Council has confirmed that it accepts that PoE will be installed at Fore Street public toilets, and that it doesn't wish to make an annual payment in lieu of this.
 - ii. **Totnes** –
 - Civic Hall

- Coronation Road
- Steamer Quay

Totnes Town Council has confirmed that it would like to submit an alternative funding proposal to the District Council, so that the installation of PoE is avoided. At the time of writing the report, the proposal had not been received, so a verbal update will be given to the Executive.

iii. **Salcombe estuary –**

- Mill Bay, East Portlemouth
- Ferry Steps, East Portlemouth
- Batson Creek, Salcombe
- North Sands, Salcombe
- South Sands, Salcombe
- Whitestrand, Salcombe

Salcombe Town Council and Salcombe Harbour Board are working in partnership in respect of the above public toilets and, following discussions with officers, made an outline proposal as detailed in the previous report to the Executive.

In order to facilitate the proposal, it is recommended that responsibility for all six facilities listed above is transferred to Salcombe Town Council, with effect from 1 October 2019, who will work in partnership with Salcombe Harbour Board to provide the public toilet service at these locations.

The partnership has requested that all six facilities be leased to them for two years initially, to give them time to establish seasonal footfall and any logistical challenges which may be faced in managing the service.

At the end of two years, assuming that all has gone as anticipated by all parties, four facilities (Mill Bay, Ferry Steps, North Sands and South Sands) would be the subject of an asset transfer from the District Council to Salcombe Town Council, and that the details of a more permanent asset transfer be work up with the Town Council during the second year.

Batson Creek and Whitestrand will remain in the ownership of the District Council, so that any future development of the sites can be considered at the appropriate time.

The partnership has requested that the District Council transfer funds equivalent to the running costs it would have had to meet should the facilities have stayed under the management of the District Council, minus anticipated PoE income, and this amount is yet to be finalised.

The Mill Bay toilet facility requires essential maintenance, estimated at £18,000, to repair the roof which is currently leaking. The Salcombe proposal requests that the District Council fund half of this cost in addition to revenue running costs (minus previously-anticipated PoE income). The facility was previously resolved for permanent closure on 22 November 2018. It is recommended that the District Council funds 50% of the roof repair costs and contributes towards the running costs of this facility, as the reason the facility was recommended for closure previously was because of the cost of the refurbishment, together with the inability to install a reliable PoE system due to the lack of electricity. Should the facility be managed by the partnership, the District Council will not be faced with the same level of financial constraint.

Future long-term revenue funding for the toilets would need to be considered by the District Council in consultation with the Salcombe partnership as part of any Council-wide considerations of the wider public toilet service during the second year of the initial agreement, and an agreement reached on how this would be treated at the point of transfer.

The potential to develop Batson Creek and Whitestrand sites is to be kept under review and, should an asset transfer become a feasible option, a recommendation would be made to the Executive as part of the overall scheme detail.

iv. **Holbeton, Newton & Noss and Staverton Parish Councils**

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- Holbeton
- Newton Ferrers
- Staverton

Members will recall that, following consideration by the Overview & Scrutiny Panel, officers were instructed to re-open negotiations with all three Parish Council and this has been done.

All three Parish Councils were requested to respond to the District Council by 20 February 2019. At the time of writing the report, no response had been received from the Parish.

Both Newton & Noss and Staverton Parish Councils requested that the Council reconsider this matter and continue to fund and manage the facilities. However, it is recommended that all three should close, in line with previous decisions made (unless an alternative feasible proposal is received from Holbeton Parish Council).

In respect of all three facilities, should an asset transfer be requested by April 2019, it will be accommodated, giving the

Parishes further opportunity to consider this matter if they wish.

3. Outcomes/outputs

- 3.1 Consultation has already been undertaken with Towns, Parishes and other stakeholders, and this will continue as necessary in order to ensure the smooth completion of all recommendations.
- 3.2 Press releases have gone out and Towns and Parishes in particular have engaged in constructive dialogue with both Members and officers.
- 3.3 It should be noted that free access to public toilets will continue to be available for disabled customers, who are able to purchase a RADAR key. This is a national scheme allowing anyone who is registered as disabled to access disabled toilet facilities.

4. Options available and consideration of risk

- 4.1 Each facility above has been the subject of an individual Comprehensive Impact Assessment.

5. Implications

Implications	Relevant to proposals Y/N	Previously circulated to the Executive.
Legal/Governance		Under s87 of the Public Health Act 1936, the Council has the power to provide public toilets and to charge a fee where it is reasonable to do so.
Financial		Appendix C sets out the financial information.
Risk		The closure of public toilets is likely to result in adverse publicity for the District Council. However, there is sound information to demonstrate the requirement to make the associated financial savings and, where possible, alternative solutions have been highlighted in the Comprehensive Impact Assessment.
Comprehensive Impact Assessment Implications		
Equality and Diversity		A comprehensive impact assessment has been completed in respect of this each facility which shows that there are limited numbers of customers which are adversely by these recommendations.

Safeguarding		No implications.
Community Safety, Crime and Disorder		The implementation of PoE at the facilities above is likely to have a positive impact in respect of anti-social behaviour and vandalism.
Health, Safety and Wellbeing		As per the Comprehensive Impact Assessment.
Other implications		None.

Supporting Information

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	Yes/No

Appendices

Appendix A – summary of resolutions and actions taken to date

Appendix B – Salcombe proposal