

Report to: **West Devon Council**

Date: **26 March 2019**

Title: **Public Toilet Closures**

Portfolio Area: **Environment Services (Cllr Robert Sampson)**

Wards Affected: **Buckland Monachorum  
Dartmoor  
Okehampton  
Tavistock**

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

Date next steps can be taken: Immediately following this meeting

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**RECOMMENDATION:**

**That Council be RECOMMENDED that:**

- 1. following consultation with all affected Town and Parish Councils to consider alternative ways of providing the service, that the Council approves the closure of the following public toilets where feasible alternatives have not been found:**
  - Buckland Monachorum – Bedford Bridge;**
  - Okehampton – Market Street; and**
  - Tavistock – Bedford car park OR Bus Station; and**
- 2. whilst the recommendation to approve closure at Princetown remains, the Council continues to provide a limited facility in Princetown whilst alternative uses of the building are explored with Dartmoor National Park Authority (DNPA) and the Duchy of Cornwall, in line with the terms of the current lease and head lease arrangements.**

## **1. Executive summary**

- 1.1 Following extensive consultation with Town and Parish Councils and consideration by Hub Committee Members in order to assess alternative ways of providing the public toilet service in specific locations, it is recommended that the listed public toilets are closed in order to achieve the financial savings required for the 2019/ 20 budget.
- 1.2 Although Dartmoor Forest Parish Council has declined to take on the facility in Princetown, nor contribute 75% of the full running costs, the lease on the building means that we must continue to operate the service in a reasonable form until the expiry (23 March 2026) or suitable renegotiation of the lease. Agreement on the level of reasonable service in terms of both opening hours and months and scale of facilities is to be further discussed with the National Park and the Duchy in the next month.
- 1.3 The current lease and head lease in respect of Princetown was written to support the place-shaping and regeneration of Princetown some years ago. The regeneration work was supported jointly by the Borough, Duchy and National Park, and was designed to boost the economy in Princetown. At this time the Borough Council was unable to support the economy improvement scheme financially so supported it through its local service infrastructure.

## **2. Update on local discussions**

- 2.1 In order to continue to provide the public toilet service, which is discretionary, the Council has required Parish and Town Council support to provide a network of public toilets in West Devon. This is an extension of the devolution of service which occurred some time ago and the Council has seen continued support from communities.
- 2.2 Members will be aware that the Hub Committee previously resolved (minute HC39) that Parishes would be requested to take on the public toilets in their areas, or contribute 75% of full running costs to the Borough Council, increasing to 100% over the following three years. Town Councils were also required to look at the town centre provision of public toilets.
- 2.3 Dialogue with Parish and Town Councils has been ongoing since August 2018 and has resulted in a number of Parish and Town Councils deciding to take on toilet facilities in their areas.
- 2.4 As a result, the following arrangements will be completed by 31 March 2019:

<b>Parish</b>	<b>Facility</b>	<b>Ownership</b>
Brentor	Brentor	Owned by DNPA. Officers to facilitate a lease between DNPA and Brentor PC.  Whilst this work is ongoing the parish will fund the service costs for the financial year 2019/20.
Buckland Monachorum	Yelverton	Owned by Maristow – officers are facilitating the implementation of a new lease between Maristow and the Parish.
Chagford	Chagford	Owned by WDBC. Asset to be transferred.
Hatherleigh	Hatherleigh	Owned by WDBC. Parish Council to contribute 75% of total costs, to be increased to 100% over following three years.
Lydford	Lydford	Owned by DNPA. Officers to facilitate a lease between DNPA and Lydford Parish Council.  Whilst this work is ongoing the parish will run the facility by an agreement between it and the Borough Council for the financial year 2019/20.
Okehampton	Fairplace	Owned by WDBC. Asset to be transferred.
Tavistock	Bedford car park Bus Station Guildhall Square	Owned by WDBC. Guildhall Square and one other facility to be transferred to the Town Council (NOTE – this will not be completed by 31 March 2019).

2.5 On the 6 March 2019 officers met with the DNPA officers to consider the future of the facilities owned by the DNPA, which are Princetown, Lydford and Brentor.

2.6 The lease for the Princetown facility, which ends on 23 March 2026, states that WDBC must use the premises as public conveniences only and that it must be kept open at all reasonable times. Subject to DNPA's and the Duchy's (the Superior Landlord) agreement, it is, therefore, recommended that the provision be reduced to possibly one unisex and disabled facility, open seasonally (March to October)

in order to reduce cleaning and other costs, whilst officers work together with DNPA and the Duchy with a view to finding potential alternative uses for the building, which would look to include an on-going provision of a public toilet facility.

- 2.7 In respect of the facilities at Brentor and Lydford, there are long-standing contractual agreements in place for each facility, dating back to 1970 and 1967 respectively, which may be easily terminated by the Borough Council. Of course, that is not the wish and officers will continue to work with DNPA to reach a satisfactory conclusion for all parties. However, as it will not be possible to for this work to be concluded by 31 March 2019, Members should note that alternative cost-neutral arrangements have been agreed with the two Parish Councils.
- 2.8 Brentor Parish Council have agreed to contribute a sum to the Borough Council for the next financial year.
- 2.9 Lydford Parish Council wish to run the public toilet themselves for 12 months so that they have the opportunity to assess for themselves the footfall and logistical challenges that providing the service may present. This pilot would be arranged under a service level agreement for the 12 month period.
- 2.10 For some facilities it is not feasible to maintain service for the reasons stated below. It is, therefore, recommended that the following facilities are closed:

<b>Parish</b>	<b>Facility</b>	<b>Reason for closure</b>
Buckland Monachorum	Bedford Bridge	<p>Although the Parish Council explored the possibility of taking on this facility, it concluded that it could not afford to take on both this one and Yelverton.</p> <p>This toilet was already seasonal and has lesser usage than the Yelverton toilet block.</p> <p>The building is owned by Maristow so the lease will be surrendered at the appropriate time.</p>
Okehampton	Market Street	<p>Following consideration, the Town Council has concluded it wishes to take on Fairplace facility only, given the proximity of other toilets.</p> <p>The Market Street building and land is owned by WDBC.</p>

Tavistock	Bedford car park OR Bus Station	<p>The Town Council is yet to put a proposal forward, but it is anticipated that the Town Council may wish to take on two facilities (discussions are on-going).</p> <p>Depending on the proposal, one of the three facilities in the town should be closed, and consideration will be given to alternative use.</p>
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### 3. Next steps

- 3.1 Officers will conclude discussions with Tavistock Town Council in order to reach a satisfactory financial position, and will update Hub Committee in this respect in the next financial year.

### 4. Outcomes/ outputs

- 4.1 Further updates will be provided to Members in due course.

### 5. Options available and consideration of risk

- 5.1 Not for consideration at this stage.

### 6. Implications

Implications	Relevant to proposals Y/N	None at this stage.
Legal/Governance	Y	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) but it is under no obligation to do so
Financial	N	Financial information attached at Appendix A.
Risk	N	N/A at this stage.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	N/ A at this stage.
Safeguarding		No implications.
Community Safety, Crime and Disorder		None.
Health, Safety and Wellbeing		As per Comprehensive Impact Assessment attached at Appendix B.
Other implications		None.

### Appendices

Appendix A – financial information

Appendix B – Comprehensive Impact Assessment