

WELWYN HATFIELD BOROUGH COUNCIL
ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE – 29 JANUARY 2019
REPORT OF THE CORPORATE DIRECTOR (PLANNING, PUBLIC PROTECTION
AND GOVERNANCE)

COMMUNITY TOILET SCHEME

1 Executive Summary

- 1.1 A report to consider the implementation of a community toilet scheme with Welwyn Hatfield.

2 Recommendation(s)

- 2.1 For members to consider whether a community toilet scheme should be developed and implemented, and for officers to work up the potential options for consideration.

3 Explanation

- 3.1 A member has raised concerns about the lack of toilet provision for customers in a retail food business that has eat in facilities in two local shopping parades. The member has highlighted a need for toilet provision particularly in these local parades of shops for vulnerable groups such an older people, pregnant women and the disabled.
- 3.2 There is no legal requirement for either the Council or the food business to provide customer toilets.
- 3.3 To address the concern raised preliminary investigation has been undertaken into the provision of a community toilet scheme as an alternative means of meeting the needs of the community.
- 3.4 Public toilets are often a topical issue in the national media as many local facilities have been closed due to the significant costs associated in maintaining and operating stand-alone facilities. The need for access to clean facilities is however championed by charities such as Help the Aged, Crohn's & Colitis UK and Disability Rights UK and the member organisation, British Toilet Association. The needs are identified with regard to health and wellbeing, equality, social inclusion and privacy and public decency.
- 3.5 It has been found that investment in good toilet provision can increase retail turnover, tourist numbers and economic growth. A community toilet scheme may therefore be beneficial to both business and residential customers.
- 3.6 The Local Government Act 2000 recommends that community strategies should be used to enhance the quality of life for local communities. A community toilet scheme could be considered relevant.

- 3.7 There has been no customer complaints regarding a lack of provision of public toilets to Public Health and Protection outside of this request, and community engagement may therefore need to be considered.
- 3.8 A lack of publically accessible toilets can lead to dirty streets and public health issues but there is no evidence to support this locally.
- 3.9 Community toilet schemes are operational in the neighbouring boroughs of Hertsmere and East Herts as well as in Welwyn which is operated by the Parish Council in partnership with The White Hart PH.

Implications

- 3.10 Local businesses are paid a small annual fee to open their toilets for public use. This fee is dependent on the facilities offered under the scheme per organisation. For example a single unisex toilet would attract the smallest fee; separate male and female toilets, a disabled toilet and baby changing would attract the greatest fee. Council facilities may be paid a smaller flat fee.
- 3.11 A community toilet scheme enables local businesses like pubs, restaurants and shops, to work with the Council to make more clean, safe and accessible toilets available to the public.
- 3.12 Members of the public can use toilet facilities during the premises opening hours and without any obligation to make a purchase.
- 3.13 Participating businesses would display a CTS sticker in their window. This may be complimented by street signage to clearly display the operation of the scheme in a particular area.
- 3.14 The fee payable to participating businesses would need to be determined and periodically reviewed. The fee will reimburse any extra cleaning costs incurred by increased footfall. In Hertsmere an annual budget of approximately £15,000 is currently allocated towards the ongoing delivery of an existing scheme. Both Hertsmere and East Herts pay fees on a sliding scale up to £1000 per business.
- 3.15 A contractual agreement must be drawn up and agreed between the business and the Council to participate in a community toilet scheme.
- 3.16 Facilities must be inspected before becoming part of a scheme and subject to regular, unannounced inspection to ensure they meet the contractual standards, and customer expectations.
- 3.17 A communication and marketing plan would need to be prepared to support a launch and for ongoing promotion of a scheme.
- 3.18 Even with a financial incentive there is no obligation or compulsion for business to participate in a scheme and therefore the amount of uptake is currently unknown. Engagement with the business community may be required to determine the level of interest in each ward or across the borough.
- 3.19 Developing and implementing a community toilet scheme will have resource implications for the Council in officer time in addition to any budget that would need to be created to pay participating businesses.

4 Legal Implication(s)

- 4.1 There is no legal duty for the Council to provide public conveniences or support a community toilet scheme.

5 Financial Implication(s)

- 5.1 Should a community toilet scheme be introduced funding would potentially need to be found to support participating businesses, and fund advertising and local media coverage, maps, leaflets, and signage. Additional officer time would need to be funded or changes made to service priorities for both the management of the scheme and the payment of fees to businesses. Cost remain to be qualified.

6 Risk Management Implications

- 6.1 The risks related to this proposal are:
- 6.2 Facilities within a community toilet scheme may not comply with the Disability Discrimination Act. The businesses willing to take part in a community scheme is unknown, as is their current DDA compliance as this is not enforced by the Council.
- 6.3 Customer complaints due to lack of toilet provision. The impact of this is reputation risk but the likelihood of complaints is low based on current demand.

7 Security and Terrorism Implication(s)

- 7.1 A community toilet scheme may raise anti-social behaviour issues or criminal damage in participating businesses but this is not considered to be a significant risk.

8 Procurement Implication(s)

- 8.1 None identified.

9 Climate Change Implication(s)

- 9.1 None identified.

10 Human Resources Implication(s)

- 10.1 Should members determine that work should commence in researching and preparing the proposal of a community toilet scheme CMT will need to determine which team is best placed to take this forward.

11 Health and Wellbeing Implication(s)

- 11.1 A community toilet scheme may have health benefits to vulnerable groups within the community and encourage social inclusion.

12 Communication and Engagement Implication(s)

- 12.1 Community engagement may be required to determine local need for a community toilet scheme prior to financial investment.

12.2 In order to achieve maximum uptake of a community toilet scheme by both business and residential customers it will be necessary to promote the scheme locally. Communication of the scheme itself and availability of facilities.

13 Link to Corporate Priorities

13.1 The subject of this report is linked to the Council's Corporate Priority 'Our Community', and specifically to the achievement of 'Promoting Inclusive and Safe Communities' and 'Improving Public Health and Wellbeing'.

14 Equality and Diversity

14.1 An EqIA has not been completed because this report does not propose changes to existing service-related policies and does not in itself propose change but for the consideration of a community toilet scheme.

14.2 Should a community toilet scheme be agreed to be implemented an EqIA would need to be completed. It is anticipated that there would be positive impacts for older people and the disabled, but it is not known whether all facilities would be accessible to the disabled.

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Background Papers

Example of Hertsmere's Community Toilet Scheme contract

Example of East Herts Community Toilet Scheme Terms and Conditions