

CABINET

Date of Meeting	Tuesday, 12 th March 2024
Report Subject	Local Toilet Strategy Review 2024
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy
Report Author	Chief Officer (Streetscene & Transportation)
Type of Report	Strategic

EXECUTIVE SUMMARY

In July 2017, the Public Health (Wales) Act 2017 received Royal Assent, bringing together a range of practical actions for improving and protecting health. Part 8 of the Act includes Provision of Toilets and introduces new responsibilities for Local Authorities to provide Local Toilet Strategies.

To deliver a strategic approach to the provision of toilets across Wales, the Public Health (Wales) Act 2017 requires Local Authorities to assess local needs and facilities, and to publish a Local Toilet Strategy for its area.

Flintshire's current Local Toilet Strategy was approved and published in May 2019. National guidelines state that the policy should be reviewed every two years from when the Local Authority last published or last reviewed its Strategy, and within one year of every ordinary Local Government election.

At the Environment & Economy Overview & Scrutiny Committee (E&EOSC) on 7th March 2023 members supported the proposed review to the Local Toilet Strategy and approved the intended approach set out in the report. The purpose of this report is to provide Cabinet members with an update following the formal 12-week consultation on the revised Local Toilet Strategy.

The new strategy aims to reflect the ambition of the Council's Leadership to provide improved facilities for the residents and visitors of Flintshire within the period of the new strategy.

RECOMMENDATIONS

1	That Cabinet acknowledges the work done to date on the results from the Local Toilet Strategy questionnaire and 12-week consultation.
2	That Cabinet approves the new revised Flintshire County Council Local Toilet Strategy 2024 and renewed action plan included within.

REPORT DETAILS

1.00	EXPLAINING THE BACKGROUND TO THE LOCAL TOILET STRATEGY REVIEW
1.01	<p>The Public Health (Wales) Act 2017 ('the Act') received Royal Assent on the 3 July 2017. The Act brings together a range of practical actions for improving and protecting health. Part 8 of the Act introduces provision of toilets and specifically Local Toilet Strategies. The aim of Part 8 is to ensure each Local Authority (LA) in Wales assesses the needs of its community in relation to toilets, and then takes a strategic and transparent approach to best meet that need.</p>
1.02	<p>To achieve this, the Act places a duty on each LA in Wales to prepare and publish a Local Toilets Strategy for its area. The Act provides that a Strategy must include an assessment of the community's need for toilets, including changing facilities for babies and changing places facilities for people with disabilities. The Strategy must also provide details of how the LA proposes to meet the identified need. There is no requirement for the Strategies to be presented to the Welsh Government for approval, as the Strategies should be subject to LAs' existing scrutiny structures and public scrutiny.</p>
1.03	<p>The duty to prepare a Local Toilet Strategy does not require LAs to provide and maintain public toilets directly nor are they required to provide additional dedicated facilities. Local Authorities must, however, take a strategic view on how facilities can be provided and accessed by the local population, taking account of such things as location, accessibility, facilities, frequency of use and quality of existing sites, as well as determining whether additional or fewer sites are required by their local population.</p> <p>The legislation published by Welsh Government has no funding for additional provisions attached to it. The aim of Part 8 of the Public Health (Wales) Act 2017 is to encourage a broader consideration of options available for providing toilets for public use including traditional stand-alone toilets as well as those in private ownership. It is intended to help address the current challenges faced by Local Authorities in continuing to sustain provision during times of substantial financial pressures.</p>
1.04	<p>It was agreed in the Streetscene & Transportation Programme Board in October 2022 that this review should show more ambition towards the standard of facilities that we provide, and it was agreed that the Environment & Economy Overview & Scrutiny Committee should be part of the consultation process which took place in March 2023.</p> <p>It was also agreed that public consultation should be undertaken through public questionnaire and Equalities and Environmental Impact Assessments. The information gathered and analysis has informed a full review of the Strategy which includes a renewed 4-year action plan (Appendix 1). This has been prepared prior to adoption of the new Local Toilet Strategy and once approved this will be corporately branded and published to our webpages.</p>
1.05	<p>The Public Conveniences questionnaire was launched in June 2023 based around the current facilities in Holywell, Mold and Talacre which closed with 687 responses from individuals and a number of public interest groups.</p>

1.06	Analysis of the original survey results from the summer of 2023 have provided the Council with a good insight of the issues experienced by members of the public. These results highlight the improvements required and have given direction for the revised Local Toilet Strategy, which aligns with the Council's commitment to being more ambitious in this area.
1.07	<p>The analysis of the results highlighted the following concerns and feedback–</p> <ul style="list-style-type: none"> • Over 60% of responses are not aware of the facilities in Holywell and Talacre • 90% said the locations are poorly advertised / signed on site • 50% of responses do not feel safe when using the facilities • 90% say they are inadequate for people with disabilities • Over 90% say they are inadequate changing facilities for babies and young children • Only 30% of people said the cleanliness is good • 85% of the responses agreed to the introduction of environmentally friendly features
1.08	To capture the available facilities and the demand in an objective way, a needs assessment was completed in 2019. This needs assessment has been revisited and updated within the Strategy and is an integral part of the considerations and direction of the new Local Toilet Strategy through its revised Action Plan.
1.09	<p>The previous 2019 Strategy had a 12-point action plan, many of the intentions were adversely affected through the pandemic period. It should also be noted that the structural condition of the facilities provided in both Talacre and Holywell have deteriorated considerably recently and are in dire need of capital investment to repair and upgrade them.</p> <p>The current annual budget for Public Conveniences is £77k and this financial year we are forecasting a period 12 outturn of £100k. This increase is due to repairs to deterioration of the facilities and ongoing maintenance to ensure they are kept usable and safe. Throughout the year Mold, Holywell and Talacre have suffered from vandalism which contributes to the additional pressure on the budget. Recently upgraded facilities provided in Mold resulted in significant local criticism following their introduction and are seen as insufficient on the grounds of DDA and “Changing Places” specification.</p>
1.10	The new Strategy will therefore look to raise the condition and standard of the facilities across the county over the next 4-5 years. Through this Strategy, we aim to provide accessible, clean toilets in the most appropriate locations. We also aim to secure the future of current provision as well as looking at ways to increase the number of public toilets available and improving access to all groups of people. The new more ambitious Local Toilet Strategy and action plan will require capital investment for implementation over a 4-year period from adoption.
1.11	The 12-week public consultation was published between 29th September 2023 - 22nd December 2023 on the front page of the Flintshire website, links were tweeted out via the FCC X page (formerly Twitter), issued out with Gov Delivery bulletins, and reminder emails were sent out to both Town and Community Councils and public interest groups on the 06/12/23 which included a link to the consultation. Details are included within Appendix 2 (attached). This resulted in only one response that related to toilets not owned by the Council. No

	amendment has been made to the draft Strategy that was consulted on being put forward for approval.
1.12	<p>The provision of local toilets for public use is not a statutory requirement of LAs in Wales. Standalone toilet facilities in isolated locations have a history of attracting anti-social behaviour and a high level of vandalism. Due to unprecedented financial cutbacks within Local Government, this strategy aims to mitigate potential impacts by exploring the possibilities of making toilets in other Council owned buildings available for public use and to work with the private sector to help promote their facilities.</p> <p>It is recognised that the implementation of the previous Strategy was affected by the global pandemic and a number of the public interest groups have contacted the Council's Leadership on several occasions to challenge the current provisions and support improved facilities.</p>
1.13	<p>The Flintshire County Council Local Toilet Strategy 2024 including the revised action plan set out the following ambitions:</p> <ol style="list-style-type: none"> 1. Capital investment to improve facilities offered over the next 4-5 years; 2. Improved availability of changing places across the county; 3. Consideration of water usage/rainwater harvesting, in line with the climate change action plan and strategy for the Council; 4. Review of the existing contractual arrangements / procurement; 5. Consideration of community asset transfer, where appropriate and feasible
1.14	Flintshire County Council may review its Strategy at any time, following which it must publish a statement of the steps that it has taken in accordance with the strategy. If, following a review, the Council decided to revise the Strategy, it is required to publish the revised Strategy and then prepare an interim progress report covering the two-year period commencing from the date of publication.

2.00	RESOURCE IMPLICATIONS
2.01	<p>Flintshire County Council is committed to sustainability in its own operations as well as across the county more widely through climate change and carbon reduction.</p> <p>Revenue: The portfolio currently has £89k revenue budget available for maintaining the existing public conveniences and any additional provision will need to take into account the impact on future revenue budgets for the ongoing cleaning, maintenance and repairs. The current national and local financial position is under increasing pressure and there is little prospect of the portfolio being able to allocate any substantial increase in revenue funding to this non-statutory service provision; consequently, the ongoing impacts of budget reductions will continue to impose a downward pressure on revenue budgets. When planning the future provision of local toilets, we have to consider the current financial constraints on the service area as well as ongoing future budget reductions. Cleaning and maintenance operations and standards will need to be reviewed on a periodic basis to ensure the most efficient and effective provision within allocated resources.</p>

Capital: There may be implications for the approved capital programme for 2025-2026 and future financial years. The existing toilet facilities are in old structures or standalone facilities, which can make them difficult to maintain and they are in need of significant capital investment, which is limited. Additionally, the Public Health (Wales) Act 2017, as published by Welsh Government, has no funding opportunities for LAs to utilise or additional provisions attached to it.

Unfortunately, public toilets can also become a magnet for anti-social behaviour such as drug taking and vandalism, which can impact the provision and cause considerable damage. Any capital or revenue commitment will need to be supported through a business case approach, taking account of full costs and possible income sources.

Human Resources: considerations will need be required with regards to the current cleansing contractor and the possibilities of the TUPE regulations and the potential opportunities for the cleansing operations to be incorporated with NEWYDD

3.00 IMPACT ASSESSMENT AND RISK MANAGEMENT

3.01 A full integrated impact assessment will be required as part of the review of the Local Toilet Strategy. This Strategy, and the outcome of the review, is expected to have a positive differential impact on all protected characteristics.

Toilets for public use matter to everybody outside the home environment, whatever the reason, and they remain a sensitive and high-profile concern. Toilets are, however, even more important to certain groups within society, including older people, people with disabilities, people with particular needs (including certain medical problems), women, children and young people and their families.

These groups can be disproportionately affected by poor provision of toilets; for example, poor provision is understood to have particular negative impacts on older people, as some may be less likely to leave their homes without having confidence that adequate facilities will be available to them. This can contribute to increased social isolation and inactivity, as well as affecting people’s ability to maintain independence and dignity in later life. When considering toilet provision in Flintshire, we also need to consider local people and visitors alike.

The strategy is aimed to increase the identifiable / publicly available toilet facilities across the city; meaning, a reduction in individuals needing to travel extensive distances to public conveniences and identify accessible and age permissible / suitable facilities.

Ways of Working (Sustainable Development) Principles Impact

Long-term	Positive - The strategy aims to mitigate potential impacts by making toilets in more facilities identifiable and available for public use, and to work with the private sector to help promote their facilities.
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Prevention	Positive – The provision of and access to toilets is an issue that affects public health. Accessible, clean toilets that are well located in places such as town centres, parks and near public transport hubs or active travel routes (for cycling and walking) can help encourage people to socialise take exercise and stay more physically active. This has clear health and economic benefits. Conversely, a lack of adequate toilet facilities can impact on a person’s physical and mental health, as well as affecting the wider environmental health of the population.
Integration	Positive - The review of the Strategy will need to integrate with other existing strategies, policies and plans of the Council, such as the Place Making Plans, the Integrated Transport Strategy, Climate Change Strategy and the Council’s Well-Being Objectives.
Collaboration	Positive – The review of the Strategy will explore options for partnership working with establishments that have high quality toilet provision and collaborate to find share sustainable solutions.
Involvement	Positive – The provision of toilets can make a significant impact upon the comfort of individuals and families who visit public spaces and their perception of the area as a desirable place to visit. The consultation aims to involve a diversity of population in the decisions affecting them.

Well-being Goals Impact

The review of the Local Toilet Strategy will need to have due regard for the Well Being of Future Generations (Wales) Act 2015. The provision of toilet facilities and the strategic way forward helps to achieve all seven of the well-being goals as set out below.

Prosperous Wales	The review will need to consider the impact of the Strategy on the economy and in particular the importance of tourism. The availability of clean, accessible public toilets can make a positive difference and improve the quality of the visitor experience, thereby growing the local economy and tourism.
Resilient Wales	The provision of public toilet facilities will need to minimise the impact on the environment. Opportunities for more eco-friendly toilets will be explored as part of the review e.g. rainwater harvesting.
Healthier Wales	The provision of and access to toilets is an issue that affects public health. Accessible, clean toilets that are well located in places such as town centres, parks and near public transport hubs or active travel routes (for cycling and walking) can help encourage people to socialise, take exercise and stay more physically active, which helps to maximise physical and mental well-being. Conversely, a lack of

		adequate toilet facilities can impact on physical and mental health, as well as affecting the wider environmental health of the population.
	More equal Wales	In reviewing the Strategy, consideration will be given to our duties under the Equality Act, such as the provision of “Changing Places” and gender-neutral toilets, as well as standard accessible toilets.
	Cohesive Wales	We will continue to work with the police, Town/Community Councils, residents, local businesses, voluntary sector partners and community groups to ensure that public toilet facilities are as safe as possible and ensure that as many facilities are available where and when they are needed.
	Vibrant Wales	Signposting and mapping publicly available toilets will be important so that those who need to visit a facility, can easily access information about the location, opening/closing times, accessibility and suitability of the toilets. In doing so, the Strategy will ensure that we meet our obligations under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards, and provide information in both Welsh and English.
	Globally responsible Wales	N/A
<p>Flintshire County Council, together with its partners, will support the health and well-being of both the current and future generations through the following strategic objectives:</p> <ul style="list-style-type: none"> • Protecting people from poverty by supporting them to meet their basic needs; • Limiting the impact of the Council’s services on the natural environment and supporting the wider communities of Flintshire to reduce their own carbon footprint; • Enabling a sustainable economic recovery and growth through the provision of accessible toilets in key locations; • Supporting people in need to live as well as they can by providing fully inclusive facilities; • Enabling and Supporting Learning Communities by the introduction of facilities that meet the needs for those with additional needs; 		

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy.
4.02	Streetscene & Transportation Programme Board (October 2022).
4.03	Environment & Economy Overview & Scrutiny Committee (March 2023).

4.04	Local Toilet Strategy Questionnaire (June 2023).
4.05	A 12-week public consultation on the proposed new Local Toilet Strategy between 29th September 2023 - 22nd December 2023.

5.00	APPENDICES
5.01	Flintshire County Council Local Toilet Strategy 2023-27
5.02	Summary of Public Consultation Engagement

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Welsh Government has published statutory guidance to help Local Authorities produce a Local Toilet Strategy for their area: https://www.gov.wales/toilets-public-use-guidance-local-authorities

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Barry Wilkinson, Highway Network Manager Telephone: 01352 704656 E-mail: barry.wilkinson@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	Changing Place(s): these are fully accessible toilets with a height adjustable changing bench, a hoisting system, a peninsular toilet, and enough space for a person with a disability, his/her wheelchair and two carers