

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Tuesday, 12 th October 2021
Report Subject	Review of Local Toilets Strategy
Cabinet Member	Cabinet Member for Streetscene
Report Author	Chief Officer – Streetscene & Transportation
Type of Report	Operational

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 included Provision of Toilets and introduced new responsibilities for local authorities to provide local toilets strategies.

The Act provides specific timescales that must be followed in relation to the preparation and review of local toilets strategies. The statutory timetable must be followed, even if a local authority decides, for operational reasons, to voluntarily publish a review or update the strategy document between key reporting points in the statutory timetable.

Flintshire's 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.

The purpose of this report is to update Cabinet on progress against the local toilets strategy action plan in line with the statutory requirements and to set out the approach for further review in 2022-2023.

RECOMMENDATIONS

1	That the Environment and Economy Overview and Scrutiny Committee supports the review and notes the progress to date against the local toilets strategy action plan.
---	---

REPORT DETAILS

1.00	BACKGROUND OF LOCAL TOILETS STRATEGY REVIEW
1.01	<p>In July 2017, the Public Health (Wales) Act 2017 ('the Act') received Royal Assent, and brought together a range of practical actions for improving and protecting public health in Wales. Part 8 of the Act introduced the provision of toilets and specifically the Act placed a duty on each local authority in Wales to prepare, publish and maintain a local toilets strategy for its area. The Act provided that this strategy must include an assessment of the community's need for toilets, including changing facilities for babies and changing places facilities for disabled persons. The duty to prepare a local toilets strategy does not in itself require local authorities directly to provide and maintain public toilets, but it does require them to take a strategic view across their area on how these facilities can be provided and accessed by their local population.</p>
1.02	<p>Flintshire's local toilets strategy was approved and published in May 2019 following public consultation, which is attached in Appendix 1.</p> <p>Consultation for the proposed Local Toilets Strategy was held between 4th February 2019 and 26th April 2019. The consultation received nearly 200 responses, which informed the proposed strategy's 12-point action plan for the following two-year period (Appendix 1 – Page 10)</p>
1.03	<p>The Act provides specific timescales that must be followed in relation to the review of local toilets strategies. The statutory timetable must be followed, even if a local authority decides, for operational reasons, to voluntarily publish a review or update the strategy document between key reporting points in the statutory timetable.</p>
1.04	<p>This interim progress report identifies the achievements and challenges against our action plan, which is required to be published within six months of the 2-year anniversary of the publication date.</p>
1.05	<p>We are also required to review the local toilet strategy within one year of every ordinary local government election. The next local government election date in Wales is Thursday, 5 May 2022, which means that the latest date for review is 4 May 2023, with a further full review of the strategy due to be undertaken at that time.</p>
1.06	<p>The extracted action plan is attached (Appendix 1- Page 10) has been reviewed; however progress on this action plan has been limited over the last 18 months due to the impact of the global pandemic and the subsequent lockdown periods from March 2020 and December 2020.</p> <p>During this time, officers and resources throughout the portfolio were reallocated to frontline service response and recovery during the pandemic, whilst access to many public facilities were restricted or temporarily closed. Partnership working with social and health care settings ceased due to COVID-safe building adaptations and mitigation measures in place to reduce the spread of COVID-19.</p>

1.07	Subsequently, Town Centres began to reopen in June 2020 and this was supported with the reopening of our toilet facilities in Mold, Holywell and Talacre, with revised operating procedures and additional mitigation measures in place.
1.08	Although momentum has been lost against our action plan, the principles of the strategy have been maintained and we continue to adopt an enabling approach by promoting the use of existing toilets in Council buildings such as libraries and Flintshire Connects Centres, which people feel more confident and comfortable using, rather than isolated facilities, which regularly attract anti-social behaviour that ultimately puts people off using them. Additionally, work will be undertaken to raise awareness of the strategy with key stakeholders and review and improve access to toilet facilities.
1.09	We will continue to monitor the impact of the pandemic throughout the coming winter months with a full review of what is achievable and a reassessment of needs and provisions to follow the 2022 elections in line with the statutory requirements set out in this report.
1.10	Following a review of the toilet facilities in Mold, the costs identified for reconditioning and improving the standard of the facilities in New Street Car Park were not economically viable. Consequently, improved facilities have been developed within the Bus Station complex, which are within the same distance from the centre of town as the New Street facilities. The improved facilities at Mold Bus Station provide an alternative upgraded site within the transport hub for the town.
1.11	As mentioned previously, the duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly nor are they required to provide additional dedicated facilities. They must, however, take a strategic view on how facilities can be provided and accessed, taking account of such things as location, accessibility, type of facilities, frequency of use and the quality of existing sites, as well as determining whether additional or fewer sites are required by the local population. The legislation published by Welsh Government has no funding for additional provisions attached to it.
1.12	Community Asset Transfers (CAT) still being explored for the facilities at Holywell and Talacre, and contact has been made about additional provision by community councils.
1.13	Officers have received contact and are engaging with community groups that are looking at toilet provision across North East Wales and in Shotton in particular.
1.14	Welsh Government has also been out to consultation on Changing Place facilities, to gather views on increasing provision of Changing Places Toilets (CPTs) and Baby Nappy Changing Facilities (BNCFs) in certain types of buildings. This includes views on the increased provision of CPTs and BNCFs, the revision of guidance on compliance with the Building Regulations, and whether to allow local planning authorities to enhance the provision of CPTs over and above the minimum required. This consultation ended on 26 th May 2021, and the responses to the

	consultation are currently being reviewed and details of the outcome will be published in due course.
1.15	We are also engaging with suppliers to review developments in the provision of facilities, particularly Changing Place facilities, for future opportunities.

2.00	RESOURCE IMPLICATIONS
2.01	The revenue account for the provision, maintenance and repair of public toilets is managed with Streetscene & Transportation budgets.

3.00	IMPACT ASSESSMENT RISK MANAGEMENT
3.01	Equalities Impact Assessment to be reviewed.

4.00	CONSULTATIONS REQUIRED / CARRIED OUT
4.01	With Cabinet Member.
4.02	Original work to develop the strategy involved broad consultation across the county to ensure the inclusion of any disadvantaged or vulnerable groups of individuals, with an invitation sent to town and community councils to participate and statutory public consultation through www.flintshire.gov.uk

5.00	APPENDICES
5.01	Appendix 1 - Local Toilet Strategy

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Welsh Government Consultation Document: Draft Policy Changes - Changing Places Toilet and Baby Nappy Changing Provision – https://gov.wales/sites/default/files/consultations/2021-03/changing-places-toilets-and-baby-nappy-changing-provision-consultation-document.pdf

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	<p>(1) Toilet(s): we use this to mean a toilet facility that the general public can use that may be in public or private ownership, within a variety of premises and which does not require the user to be a customer or make a purchase.</p> <p>(2) Traditional public toilet(s): by this we mean a purpose-built toilet facility in local authority ownership or control provided for use by the public. Some quotes in the text from legislation etc. use the term 'public toilet', and in these cases we have not included the word 'traditional'.</p> <p>(3) Gender neutral toilet(s): we use this expression in this document to mean a toilet that is not designated for exclusively male or female use, but can be used by anyone. This type of toilet may previously have been termed 'unisex'.</p> <p>(4) 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.</p> <p>(5) Standard accessible toilet(s): these are specially designed cubicles in separate-sex toilets or a self-contained gender neutral toilet. These may also be known as 'disabled toilets'.</p>