

Public Toilets Update

Community Services Committee Thursday, 16 June 2022

Report of: Executive Head of Communities

Purpose: For decision

Publication status: Open

Wards affected: All

Executive summary:

This report is to inform Committee of the current progress on the Public Toilets Review. This includes further research that has been undertaken and an update on the roadside toilet provision at the A25 in Oxted and A22 in Godstone.

This report supports the Council's priority of:

Building a better Council

Providing the infrastructure and environment we need

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Recommendation to Committee:

That the Committee notes the progress made to date and approve the permanent closure of the A22 toilet block with the land being returned to Surrey Highways and discussions to continue regarding the future of the building.

Reason for recommendation:

Provision of public conveniences is not a statutory service. Given the Council faces a significant financial challenge, Officers are exploring options to rationalise the public conveniences portfolio, retaining only those public conveniences that are on Council land and that are suitably located in areas of high footfall. Officers are also taking forward the closure of public conveniences where there is a high incidence of illegal activities and where sites are no longer financially viable due to poor physical condition.

The overall aim is to reduce ongoing revenue costs and to help the Council to achieve a balanced budget. Public conveniences that are well used will be retained and, where necessary, refurbished. Officers also wish to explore alternative options with other partners to improve provision.

Introduction and background

A report was approved by Committee on 18th January 2022 to introduce a review of the Council's portfolio of 12 public toilet blocks across the District.

Review of Existing Provision

1. A design proposal has been received for the refurbishment of Ellice Road public toilets in Oxted. Ward Members views are being consulted prior to a full tender exercise taking place.
2. The public consultation on improvements to Queens Park went live on 18th May and will close on 24th June. All three options include improvements to public toilets.
3. Officers are in discussion with parties including Ward Members, Parish Councillors and the existing café tenant around future facilities at Whyteleafe Recreation Ground to include the potential to improve sports changing and public toilets provision.
4. Officers are exploring the use of a footfall monitoring exercise to actively monitor usage at seven sites. This data will be reviewed alongside data gathered from a study of water usage to provide accurate data on the frequency of usage at specific sites and to inform future decisions.
5. Officers have gathered information on options and approaches taken by other authorities that have performed similar reviews. This has been most notably through a request made via the Chartered Institute of Public Finance and Accountancy.
6. Information is also being gathered on local businesses that currently provide customer toilet facilities on their premises. This data will inform whether there is further scope to work in partnership with local businesses to increase public provision as described in the January report.

Public Conveniences on the A25 at Nags Hall and A22 at Godstone

7. The report to Committee on 18th January mentioned the specific issues relating the roadside public conveniences at Surrey Highways laybys on both the A25 and A22.
8. Following the Committee resolution in January, the A25 toilets at Nags Hall near Oxted has remained closed. A contractor has now been appointed to remove this toilet block and reinstate the layby to standards agreed by Surrey Highways and the land will be returned to Surrey County Council.
9. With regard to the A22 toilets, Committee resolved in January that the '*...facilities remain open until such time as the need for any repairs make it financially unviable for the council to continue to do so...*'
10. Officers visited the site to report on condition of this toilet block on 17th May 2022. The report of the Lead Community Surveyor as attached at Appendix A expressed numerous concerns over the structural condition of the building. These included tree damage to the roof at the rear of the building, which has led to corrosion of the roof structure. The roof is now unsafe and not watertight. There is cracking and distortion evident to the brickwork, potentially due to the proximity of trees and tree roots. This has caused movement to the extent that of the external doors are not able to close correctly. This is particularly severe at the rear service door, which gives access for cleaning and maintenance and houses all of the mechanical and electrical equipment. This door cannot be fully closed and locked. There are also concerns with the safety of the electrical equipment, which is failing on a daily basis, probably due to water ingress.
11. The report concludes that '*There are a number of further investigations that could be sought but these would costly and not solve the problem. Specialist contractors would be required for crack stitching and steel fabrication of the known defects, these repairs would be extensive and expensive along with the ongoing maintenance of falling foliage and external decorations of the roof structure. Looking at the tree growing into the building and the corrosion on the roof, these issues are not recent but happening for several years...*' The final conclusion is that '*The best course of action would be to demolish the building.*'
12. Following this report, the Lead Community Surveyor was asked to give some baseline cost estimates for the surveys required and potential repair costs. These have been estimated to be in the region of £80,000. This is uneconomical and as expressed in the report, it may not be possible to sustain this building without considerable ongoing expenditure. The site was closed for safety reasons on 24th May 2022. The land on which the toilets are located is owned by Surrey Highways and the building is permitted under a licence granted by Surrey County Council on 9th November 1989. The licence remains until it is either surrendered or terminated.
13. These toilets have become increasingly a focus for public sex acts. Surrey Police have seen an increase in reported incidents and have increased patrols to attempt to deter this behaviour and have requested that the Council close this facility.

14. The cleaner has witnessed such activities on numerous occasions and has been threatened by alleged perpetrators causing great distress. All suspicious vehicles and incidents are being reported to Surrey Police. Since the beginning of March 2022, Officers have decided that all visits to the site must be accompanied. Vehicles that have been previously reported were witnessed waiting in the layby at the time of the surveyor's visit on 17th May.

Other Options Considered

15. Officers have been in discussion with Surrey Highways regarding the provision of facilities at the A22. The surface of the layby is being assessed by Surrey Highways and other options have been suggested including the provision of electric vehicle charging. The provision of continued toilet facilities has been discussed, although Surrey Highways have not expressed an interest to date in funding new provision or maintenance. Discussions will continue.

16. The research, information gathering, consultation and monitoring activities described at paragraphs 2 to 7 will continue to inform the review and further updates will be provided at future committees once detailed recommendations are available.

Key implications

Comments of the Chief Finance Officer

In the context of continuing constraints on the Council's budget, and the likelihood of further reductions in funding in 2023/24 and beyond, every effort should be made to ensure that the portfolio of public conveniences remain financially viable to operate and provide value for money, in consideration of alternative provision. This report is an update on continuing discussions and options appraisal and, as such, has no direct financial implications. Continued investment in the operation, repair and refurbishment of public conveniences must be contained in line with approved budgets.

Comments of the Head of Legal Services

The provision and maintenance of public toilets in public places is at the discretion of local authorities who have a power under section 87 of the Public Health Act 1936 to provide public conveniences, but no duty to do so. The decision as to whether or not to provide facilities and the extent of the provision provided is determined by each authority and balanced against other local service demands.

In reaching a decision, the Committee are advised to consider the options in context of the budget position and the need to make ongoing savings and achieve value for money, as well as proposed priorities and the impact on service users.

Equality

The procurement of any new or refurbished facilities would have an Equality Impact assessment undertaken to ensure that the works are compliant and do not discriminate or disadvantage any protected groups.

Climate change

The existing public conveniences are old and do not benefit from new technology and thermal insulation to reduce energy consumption. The redesign and refurbishment programme would incorporate materials, lighting and water systems that use less energy and minimise environmental impact.

Appendices

Appendix A – Condition Report on A22 Toilets (to follow)

Background papers

None

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