

	<b>REPORT TO CABINET TO BE HELD ON 16 FEBRUARY 2016</b>	
	<b>Key Decision</b>	<b>YES</b>
	<b>Forward Plan Ref No</b>	
<b>Corporate Priority</b>  <b>All</b>	<b>Cabinet Portfolio Holder</b>	<b>Cllr Andrew Backhouse</b>

**REPORT OF: DIRECTOR (NE) – 16/48**

**WARDS AFFECTED: ALL**

**SUBJECT: DRAFT PLAN FOR THE PROVISION OF PUBLIC CONVENIENCES**

**RECOMMENDATION (S):**

Cabinet is recommended to approve the draft Plan for the Provision of Public Conveniences for consultation.

**REASON FOR RECOMMENDATION (S):**

The plan and associated actions set out how the Borough Council’s approach to the provision of public conveniences will be delivered over the next 5 years.

**HIGHLIGHTED RISKS**

All risks are identified in the attached risk matrix.

**1.0 INTRODUCTION**

1.1 The Council’s Cabinet considered a report on 21 May 2013 on the market testing of the public convenience service. The report, in essence, explained that the costs involved in outsourcing the service were unaffordable due to the financial climate. It was resolved that the market testing of the public convenience service should be discontinued and the service be retained in-

house. Furthermore, Cabinet agreed to establish an Officer/Member Working Group and requested Officers to prepare a draft Business Plan detailing the service improvements and potential efficiencies.

- 1.2 The Officer/Member Working Group reported to Cabinet in December 2013 (report ref 13/391). Included in the report were proposals to close a number of toilets so the report recommended referral of the proposals to Overview and Scrutiny Committee for review and the outcome of this Scrutiny review was reported to Cabinet in October 2015 (report ref 15/286). The Portfolio Holder commended the work of the Task Group and the principles for managing the Council's facilities which were now accepted. However, it was agreed that the proposals for the service were not sustainable in light of the fiscal challenges facing the Council and a more comprehensive plan encompassing every facility in the Borough was required. This report therefore builds on those principals and offers an enhanced plan which reflects the Council's financial position.

## **2.0 CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN**

- 2.1 This report supports all four of the Council's key aims.

## **3.0 BACKGROUND AND ISSUES**

- 3.1 The provision of public conveniences is a non-statutory function for local authorities; however, Scarborough Borough Council recognises the importance of good public space management and the benefits that such facilities can bring to an area. This recognition needs to be placed in the context of decreasing budgets and consideration given to alternative methods of service provision.
- 3.2 The Officer/Member Working Group which reported to Cabinet in December 2013 (report ref 13/391) identified the following general principles for delivering the public convenience service:
- To charge for entry where practicable and cost effective
  - To improve the standard of finish in facilities; primarily retile those facilities with dark and poor quality tiling.
  - To provide the means for steam cleaning of all facilities
  - To rationalise staffing at existing pay-on-entry facilities through the use of automatic pay-on-entry systems
  - To transfer or close all facilities where the cost/unit usage rate was excessively high.
  - To close or replace facilities which are structurally poor and not capable of improvement.
- 3.3 The Council currently owns and operates 38 public toilets throughout the Borough, the majority of which are in the three main towns of Whitby, Scarborough and Filey. These facilities generally consist of a traditional,

stand-alone building providing separate areas for ladies and gentlemen and which may be complemented by an accessible unit for disabled people.

3.4 The condition of these facilities is mixed with a broad range from new, high quality facilities to toilets which have suffered from a lack of investment for a number of years and will require significant capital investment to bring them up to the required standard.

3.5 Over recent years the Council has reached agreement to transfer the ownership of a number of toilets which might otherwise have faced closure. The most recent of which have included Robin Hoods Bay Bank Top and Egton Bridge. In addition the ongoing improvements at Whitby Harbour are expected to deliver a new, pay-on-entry facility, as part of the wider project to redevelop the existing Khyber Pass toilets. Officers are also working on the viability of a new facility at Hunmanby Gap, owned and operated outside of the Council network of facilities.

## **4.0 CONSULTATION**

4.1 Following approval by Cabinet, the draft Plan for the Provision of Public Conveniences will be subject to a consultation exercise with Town and Parish Councils, Partners and the wider general public. It is proposed that the final version of this plan, taking account of comments received from the consultation process, be presented to Cabinet for approval in May 2016.

## **5.0 ASSESSMENT**

5.1 The provision of public toilets in separate buildings has been the typical model for many decades; however, this may not be an appropriate model to be employed for the future. The Borough Council is facing significant budget pressures and an approach which encourages partnership working, direct charging and private sector funding must now be utilised to secure a sustainable future for the provision of publicly accessible toilets.

5.2 This plan sets out a clear vision for public toilets in the Borough of Scarborough:

*“To adopt a sustainable approach to public convenience provision in the Borough of Scarborough that positively contributes to public health, well-being and the prosperity of the community.”*

5.3 Supporting this vision is a number of clear aims:

- To facilitate the provision of public conveniences directly, through partnership and through devolution of responsibility to the wider public and private sectors.
- To ensure that all facilities are maintained to a high standard, accessible to all and effectively signposted and promoted.
- To ensure that public conveniences are delivered in a sustainable manner with due regard to affordability and the environment.

- 5.4 The plan identifies four actions to deliver these aims. These actions are hierarchal in nature and would be applied to each individual public toilet in turn. The plan seeks to maximise the value of each asset to promote change in delivery models and lever investment from other potential service providers from within both the public and private sectors. Adoption of this approach would enable the continued provision of the majority of public conveniences throughout the Borough, although not through direct provision by the Council.
- 5.5 Subject to approval by Cabinet in May 2016, the actions identified in the plan will be delivered to the following timescales:

Action	Timescale
Implement pay-on-entry systems	April 2017
Negotiations with Town and Parish Councils	May – August 2016
Complete asset transfers	August 2016 – March 2017
Seek expressions of interest from private sector	August – October 2016
Complete full project including any closures	April 2017

## 6.0 IMPLICATIONS

### (a) Policy

- 6.1 There are no new policy implications that arise from this report.

### (b) Financial

- 6.2 The implementation of the proposed plan has the potential to realise significant budget savings for the Council

### (c) Legal

- 6.3 Where a public or private organisation wishes to take over the operation of a public convenience there will be a need to agree appropriate terms and conditions prior to any transfer of assets.

### (d) Equalities and Diversity

- 6.4 The provision of public conveniences which are accessible for all is a key aim of this plan and this supports the Council Equalities and Diversity agenda.A

full Equalities Impact Assessment will be undertaken as part of the consultation.

**(e) Staffing Issues**

- 6.5 Adoption of this plan will have direct implications for staff currently employed in the Public Convenience Service. Full consultation will be undertaken with the Trade Unions and directly with the employees concerned. Every effort will be made to redeploy staff into the wider Environmental Services to prevent compulsory redundancies.

**(f) Planning, Environmental, Health and Safety, Sustainability, Crime and Disorder**

- 6.6 The provision of accessible public conveniences contributes to protecting the environment, promoting sustainability and reducing crime and disorder. The plan seeks to continue the provision of the majority of public conveniences, albeit in a different way.

*Nicholas Edwards*

**Nick Edwards**  
**Director**

**Author: Paul Thompson – Operations, Transport and Countryside Manager**

Telephone No: 01723 232323

E-mail address: [paul.thompson@scarborough.gov.uk](mailto:paul.thompson@scarborough.gov.uk)

**Background Papers: None**

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT PAUL THOMPSON ON 01723 232323 OR E-MAIL [paul.thompson@scarborough.gov.uk](mailto:paul.thompson@scarborough.gov.uk)

## Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1		'Do nothing'	The Council's portfolio of public toilets continue to fall into a state of disrepair and become unfit for purpose	Development and delivery of a plan for the future provision of public conveniences	C3	B2	Operations, Transport & Countryside Manager	As identified in the report
2		'Do nothing'	The Council is unable to deliver budget savings as identified in the Medium Term Financial Plan	Development and delivery of a plan for the future provision of public conveniences	C3	B2	Operations, Transport & Countryside Manager	As identified in the report
3		The Council fails to identify partners for future service delivery	A number of public conveniences would close	Ensure that negotiations regarding asset transfer/development are not overly constrained but are undertaken with due regard to the protection of public assets	C3	B2	Asset and Risk Manager	
4		Delivery of this plan and associated asset transfers are not undertaken in line with Council procedures	The Council fails to follow existing procedures	Reputational damage and legal challenge	C3	A1	Director (NE)	Project board convened to oversee delivery of this plan

## Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

## Risk Scoring

Impact	5	[Hatched]				
	4	[Hatched]	[Hatched]	[Hatched]	[Hatched]	[Hatched]
	3	[Hatched]	[Hatched]	[Hatched]	[Hatched]	[Hatched]
	2	[Hatched]	[Hatched]	[Hatched]	[Hatched]	[Hatched]
	1	[Hatched]	[Hatched]	[Hatched]	[Hatched]	[Hatched]
		A	B	C	D	E
	Likelihood					

### Likelihood:

A = Very Low  
 B = Not Likely  
 C = Likely  
 D = Very Likely  
 E = Almost Certain

### Impact

1 = Low  
 2 = Minor  
 3 = Medium  
 4 = Major  
 5 = Disaster