

A provision plan for public conveniences in the Borough of Scarborough

July 2016

Introduction

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.

This plan sets out the Borough Council's approach to the provision of public conveniences throughout the Borough for the period 2016 – 2021.

Toilet provision in the Borough of Scarborough

Historically, Local Councils were the main provider of toilet facilities often in separate, dedicated buildings. Moving forwards, this is unlikely to be the case and public toilets are now provided by a range of organisations from both the public and private sector.

Council owned facilities.

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.

A charge is levied in six of our public toilets at West Pier, St Nicholas and North Bay Attended toilets in Scarborough, St Helens Square in Scarborough, the Evron Centre in Filey and New Quay Road Attended toilets in Whitby. The charge is levied for all users; however there are a number of concessions for schools parties, children and family groups.

The condition of these facilities is mixed with a broad range from new, high quality units 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 an appropriate standard, as per best practice guidelines from the British Toilet Association.

Town and Parish Council provided facilities

There are a number of publicly accessible toilets provided directly by Town and Parish Councils throughout the Borough. These toilets are typically small, offer separate ladies and gentleman areas, and are mainly found in the rural areas of the Borough. Parish Councils have chosen to fund these toilets through the application of additional Parish precept, grant funding and voluntary donations.

North York Moors National Park provided facilities

A large percentage by area of the Borough falls within the National Park and the Park Authority currently operate a small number of toilets within the Park boundaries.

Private sector provided facilities

The Borough of Scarborough supports a large and varied visitor economy with significant numbers of food and retail outlets throughout the area. Many of these businesses offer toilet facilities but these are often solely for the use of customers. In addition, most bus and railway stations in the Borough provide publicly accessible toilets.

Development of this plan

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.

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 facilities so the report recommended referral of the proposals to Overview and Scrutiny Committee for review. 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.

A vision for the future

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. Publicly funded authorities are 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.

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.

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.

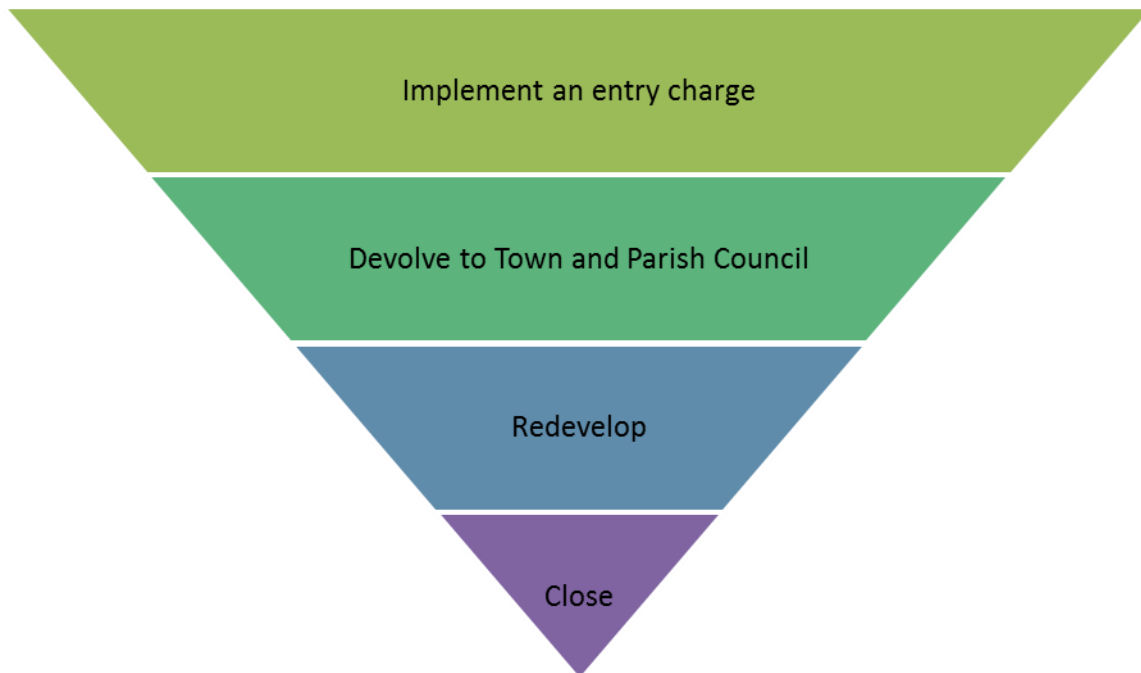
Agreed Principles

Through the Overview and Scrutiny process, the Council has identified and agreed a number of principles for future delivery of the Council's 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 facilities where the cost/unit usage rate was excessively high.
- To close or replace facilities which are structurally poor and are not viable to improve.

Delivery of this plan

In order to deliver this plan, a number of key phases with associated actions have been identified as summarised in the graphic below. These are hierarchal in nature and will be applied to every Borough Council owned facility in turn.



Phase 1 Undertake a review of all public conveniences to determine if individual facilities can be operated on a reduced cost basis through the introduction/retention of an entry charge.

In order to deliver this plan it is proposed to consider the introduction/retention of an entry charge on all toilets to ensure the facility is operated on a financially sustainable basis.

Officers to produce a comprehensive cost analysis and business case for every facility which gives consideration to:

- Investment required to install/retain pay on entry points
- Improvement works required to bring facility up to the required standard
- A review of cleansing operations and standards to ensure they are commensurate with a pay on entry facility
- A review of existing concessions for the use of pay on entry toilets
- A reasonable return on investment period which takes account of the Council's financial position.

Prior to implementation, the outcome of this work will be reported to the Council's Cabinet for consideration.

Phase 2 Consider the future provision of individual facilities through devolution of responsibility to Town or Parish Councils or other interested groups.

There is scope for certain facilities to be transferred to Parish and Town Councils or other interested groups, such as a charitable trust, to ensure their continued operation. To facilitate this, a number of actions have been identified as below:

- a) To assess each facility and to consider the potential for a freehold/leasehold transfer of each property;
- b) Officers to undertake negotiations through 2016 with relevant organisations in order to develop a programme of asset transfer. If the Council is devolving the facility to the local community, through the Town or Parish Council, it would be reasonable for the local community to decide on the best use of that facility to suit community aspirations and this should form part of the discussions. Consideration should also be given to the use of covenants to allow a minimum term of usage as a toilet and a restriction over the future sale of the asset, however, these should be used carefully so as not to overly restrict negotiations whilst continuing to protect public assets;
- c) Identify a small grant fund per facility to assist with any asset transfer;
- d) There are a small number of on-going subsidies to Parish Councils for toilets which have previously transferred or which are operated by the Parish Council on behalf of the Borough Council. Consideration should be given whether to continue these subsidies in the future;
- e) Introduce a deadline date of 31st October 2016 for the receipt of detailed service devolution requests from Town and Parish Councils and other groups;
- f) Asset transfers identified through this process to be facilitated through the existing Community Asset Transfer framework in order to ensure transparency and accountability;

- g) Officers to provide a further report to the Council's Cabinet after 31 October 2016 to provide an update on this phase.

Phase 3 Consider the future provision of individual toilets through the development of commercial opportunities for each facility.

This approach would look to retain toilet facilities for public use as well as developing a commercial opportunity for individual sites. The development work could be undertaken by the Borough Council or through a private sector partner. The approach is similar to the 'Your Convenience' Service Concession exercise recently undertaken by Cornwall Council. Such an approach would seek expressions of interest from the private sector for individual facilities which might result in up to 75% of the asset being used to raise the funds required to retain the other 25% as publicly accessible toilets. Tenderers may wish to simply implement an entry charge on a facility or may wish to re-develop part of the site, subject to appropriate planning constraints, on a commercial basis. A number of supporting actions have been identified as below:

- a) Officers to scope the potential for individual sites to be redeveloped by the Borough Council to enable a commercial opportunity and allow for the continued operation of a reduced size public convenience at a reduced cost;
- b) Officers to engage with the private sector and commence a tendering exercise for specifically identified public toilets. This exercise would seek expressions of interest from the private sector to include:
 - i. A brief summary of the business proposal
 - ii. Proposed lease length
 - iii. Physical changes proposed – for example: a redevelopment proposal; 75% of the toilet area to be turned into a commercial area; changes to the external appearance of the facility; introduction of pay on entry charges;
- c) Officers to develop an appropriate Quality Assessment process to evaluate all returned tenders;
- d) Officers to draw up appropriate lease agreements as part of this process;
- e) Officers to identify a number of minimum requirements to form part of any solution. These may include, but are not restricted to:
 - i. The provision of at least one unisex disabled facility;
 - ii. The ability to use up to 75% of the building for an income generating use;
 - iii. A minimum lease period of 5 years and maximum of 99 years;
 - iv. Toilet opening hours to be commensurate with, or above, the current opening patterns as maintained by the Council;
 - v. The ability to charge for the use of the toilets, subject to a cap on the maximum charge per visit;
 - vi. Delivery of minimum cleaning and health and safety standards.
- f) In order to progress these matters, a Project Board should be formed consisting of an appropriate Director and relevant Portfolio Holder to oversee any developments.

Phase 4 Closure

The Council's Medium Term Financial Plan identifies a requirement for significant budget savings over coming years. The public convenience service is a discretionary service and whilst the importance of this service is outlined in this plan, a sustainable budget needs to be set which delivers a reduction in cost of this service.

The decision to close a particular facility should be fully informed and therefore it is recommended that a scoring matrix is utilised to assist with this process. An example model is illustrated in Appendix 1 of this plan.

It is accepted that a sustainable budget for the provision of public conveniences will not be able to support all of the current facilities. A number of actions have been identified as below:

- a) To further develop the scoring matrix through an additional period of consultation with stakeholders over a three month period.
- b) To apply the scoring matrix to facilities which have not met any of the criteria identified in 1, 2, and 3 as outlined earlier in this document.
- c) To allocate to individual toilet blocks any remaining budget on a priority basis, as determined through the scoring matrix, for the on-going provision of public conveniences, giving full consideration to the strategic aims and principles outlined in this report. The scoring matrix to be used to assist with this process.
- d) Officers to provide a further report to the Council's Cabinet in due course which would identify any toilets recommended for closure.

Exclusions

There are a number of toilets within the control of the Council which are currently subject to development arrangements and have therefore been excluded from this plan. These facilities are Khyber Pass, Whitby; Northstead Lower Car Park, Scarborough; Royal Albert Drive, Scarborough; Vincent Pier, Scarborough.

Promotion and signposting

It is vital that public toilets throughout the Borough are well signposted, both physically through street signage and also on-line and in tourism publications. It is therefore proposed that Officers review all signage as part of the delivery of this plan and also fully re-vamp the information that is currently provided on the Borough Council's website.

Future provision

This plan will run for a five year period until 2021. There may be opportunities for the development of public conveniences through the private sector during this period, such as new shopping centres, leisure facilities etc. Any opportunity for the provision of publicly accessible toilets, built and run by the private sector as part of such a development should be encouraged.

Appendix 1 – Decision Model

Public Convenience	Location	DDA compliant	Seasonality	Condition assessment	Proximity to other PC's	Historical ASB issues	Cost of operation									
	Major town = 7 Large village/small town = 5 Small village or equivalent = 3 Remote = 1	No = 0 Yes = 3	All year = 5 May - Sept = 3 Peak season only = 1	Poor = 0 Acceptable = 3 Good = 5	<100m = 1 100-500m = 3 500m-1km = 5 >1km = 7	High = 1 Medium = 3 Low = 5 None = 7	High = 1 Medium = 3 Low = 5									
	Weighting index (1-4) 1	1	1	1	1	1	1									
	Score	Weighted score	Score	Weighted score	Score	Weighted score	Score	Weighted score	Score	Weighted score	Score	Weighted score	Score	Weighted score		
Public Convenience 1	7	7	3 3	5 5	3 3	3 3	5 5	0								26
Public Convenience 2	7	7	0 0	1 1	0 0	5 5	1 1	0								14