

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Tuesday 27 November 2018
Report Subject	Local Toilets Strategy
Cabinet Member	Cabinet Member for Streetscene and Countryside
Report Author	Chief Officer (Streetscene & Transportation)
Type of Report	Strategic

EXECUTIVE SUMMARY

In July 2017, the Public Health (Wales) Act 2017 received Royal Assent. The Act brings together a range of practical actions for improving and protecting public health in Wales. Part 8 of the Act covers the provision of toilets and specifically the requirement for each Authority in Wales to produce its own Local Toilets Strategy.

The production of the Strategy will require a consultation process to be undertaken with all relevant stakeholders to help understand local demand and the local need for the service, which will subsequently inform the Council's Strategy going forward.

RECOMMENDATIONS

1	To seek Scrutiny's comments on the formal public consultation exercise required to deliver the Council's Local Toilets Strategy
2.	That Scrutiny requests a further report at the end of the consultation process providing feedback on the comments received and containing a draft Local Toilets Strategy for further scrutiny by the Committee.

REPORT DETAILS

1.00	BACKGROUND TO THE PUBLIC CONVENIENCE STRATEGY
1.01	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 in Wales.
1.02	The introduction of Part 8 of the Public Health (Wales) Act 2017 places a

	duty on Local Authorities (as defined in section 124 of the Public Health (Wales) Act 2017) to prepare and publish a Local Toilets Strategy for its area. The Authority is required to conform to the requirement of the Act by having adopted a Local Toilets Strategy by the end of May 2018.
1.03	The Equality Act 2010 requires every Authority to consult with appropriate groups and individuals on any proposed changes to service provision and in addition, a full EIA will be required on any proposals contained within the Local Toilets Strategy, which will emerge as a result of the consultation. In order to achieve this outcome, the Authority will also be required to develop a 'Needs Assessment Questionnaire' and consult publically across the area.
1.04	It is intended that consultation is predominantly undertaken through an electronic online survey, but alternate methods will be available for those with special requirements or without access to internet services. The Council needs to ensure that it has reached all those sections of the community who may wish to respond to this consultation and it is proposed that we provide a full 12 week period for the consultation, as set out in guidance by Welsh Government, any less would leave the Council open to criticism.
1.05	In addition to the on-line survey, the following efforts will be made to assess the needs of the local community. <ul style="list-style-type: none"> • It is proposed that all Town & Community Councils will be invited to make comment on the demand for public toilets within their own individual community area and their expectations on the responsibility to provide such facilities. • Direct contact with organisations, representing specific groups or interested parties e.g. elderly support groups.
1.06	Whilst the consultation needs to ascertain the location, access, facilities provided, frequency of use and quality of existing sites it must also determine whether additional or fewer sites balance the demand and need against the deteriorating budget position and the wider challenges being faced by the Council. The final Strategy and proposals will need to be sustainable, without significantly increasing the financial pressure on the Council.
1.07	The outcome of the consultation, together with the recommended Public Toilet Strategy will be presented to Cabinet for approval in April 2019 and will be presented to Overview and Scrutiny for their comments before this date. This will allow the Council to have the Strategy in place for May 2019.

2.00	RESOURCE IMPLICATIONS
2.01	No implication on resources due to this report however the final Strategy may place internal and external challenges on budgets.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
-------------	---

3.01	With Cabinet Member.
3.02	Invitation to submit comments will be provided to T&CC.
3.03	Broad consultation across the County to ensure that includes any disadvantaged or vulnerable groups of individuals.

4.00	RISK MANAGEMENT
4.01	Ensure the anonymity is maintained where appropriate, and consent is obtain where necessary.
4.02	GDPR risk assessment for data gathered from participants in the consultation.
4.03	Equalities Impact Assessment to be carried out before the strategy is presented to Cabinet.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Contact Officer: Stephen O Jones – Chief Officer (Streetscene & Transportation)</p> <p>Telephone: 01352 704700</p> <p>E-mail: stephen.o.jones@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<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</p>

can be used by anyone. This type of toilet may previously have been termed 'unisex'.

(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.

(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'.