

CABINET

Date of Meeting	Tuesday, 14 th May 2019
Report Subject	Local Toilets Strategy
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Streetscene & Countryside
Report Author	Chief Officer (Streetscene & Transportation)
Type of Report	Strategic

EXECUTIVE SUMMARY

In July 2017, the Public Health (Wales) Act 2017 ('the Act') received Royal Assent. The Act brings together a range of practical actions for improving and protecting public health in Wales and Part 8 of the Act defines the provision of public toilets and specifically Local Toilets Strategies.

The Act requires local authorities to publish a Local Toilets Strategy for its area and in November 2018 a report was presented to the Environment Overview and Scrutiny Committee to describe how the Council intended to deliver a strategic approach to the provision of publicly accessible toilets across the County, along with an outline of the intended engagement process with relevant stakeholders required to develop a needs assessment, to inform the strategy going forward. As part of the statutory consultation process, work to date was presented to the Environment Overview and Scrutiny Committee in April 2019, and their advice was sought on the main sections within the strategy.

The purpose of this report is to update Informal Cabinet on the completed public consultation process and to gain approval of the Council's Local Toilets Strategy.

RECOMMENDATIONS

1	That Cabinet note the details contained within this report and the outcome of the public statutory consultation on the Local Toilets Strategy.
2	That Cabinet approves for the Local Toilet Strategy for Flintshire County Council.

REPORT DETAILS

1.00	BACKGROUND OF LOCAL TOILET 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.
1.02	The introduction of Part 8 of the Act 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.
1.03	The Council is therefore required to conform to the requirement of the Act by having a Local Toilets Strategy approved by the end of May 2018.
1.04	In order to achieve this outcome, the Council must develop a 'Needs Assessment' and consult publicly across the area.
1.05	In this respect, the Council undertook a preliminary survey of interested parties prior to the statutory consultation to gain an understanding of the needs of the County and this information was considered in the draft strategy.
1.06	To assist the Council in developing its strategy, a number of individuals, stakeholder networks and organisations have also been engaged, to gather information which has helped to develop a needs assessment and inform the draft strategy.
1.07	The duty to prepare a Local Toilets Strategy does not require the Council 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.
1.08	Since 2012, Flintshire County Council has undertaken two separate reviews of toilet provision across the County. These reviews highlighted that isolated facilities regularly attracted anti-social behaviour, which puts people off using them. As a result, the Council adopted a more enabling approach by promoting the use of existing toilets in Council buildings, such as libraries and Connects Centres which people feel more confident and comfortable using.
1.09	The statutory consultation for the proposed Local Toilets Strategy opened on 4 February 2019 and was accessible until Friday 26 April 2019. The consultation process received 201 responses.
1.10	A copy of the proposed Local Toilet Strategy is included in Appendix 1 of this report.

1.11	The proposed strategy includes a 12 point Action Plan for the two year period covered by the strategy.
1.12	In April 2018, Environment Overview and Scrutiny Committee were asked to focus on five specific areas that form the basis of the strategy. The five questions that were asked are set out in the following paragraphs.
1.13	<p>Q1. The previous strategy identified that the Council should adopt a more enabling approach, by promoting the use of existing toilets in Council buildings such as libraries and Connects Centres which people are more confident and comfortable using. The Local Toilets Strategy sets out to build upon the work previously undertaken in rationalising the provision and quality of the local toilets being offered by the Council.</p> <ul style="list-style-type: none"> • Does the Committee agree to continue with this approach? <p>The Committee agree with the continued approach of Flintshire CC to be an enabling authority in the provision of local toilets.</p>
1.14	<p>Q2. Through the assessment already conducted, the strategy identifies the need for the provision of toilets across the authority in an objective way.</p> <ul style="list-style-type: none"> • Can the Committee provide comment on the current needs assessment, suggesting any additional considerations that are not captured in the draft strategy? <p>The needs assessment was challenged and accepted by the Committee.</p>
1.15	<p>Q3. The Committee previously expressed their wish that engagement with local business is sought as a way of increasing the provision of additional facilities in the community. This is addressed in the draft strategy within the Action Plan, however there is broadly a hierarchy of enablement which is as follows:</p> <ol style="list-style-type: none"> 1. Alternative in-house provision (Connects Centres, etc.) 2. Engagement with the Town & Community Councils to provide the facilities 3. Approach businesses to provide the facilities 4. Dedicated stand-alone Council facilities <ul style="list-style-type: none"> • Does the Committee agree with the approach and hierarchy described above? <p>The hierarchy of enablement was accepted and supported by the Committee.</p>
1.16	<p>Q4. The Action Plan identifies the requirement for officers to challenge the need for changes to Planning Policy and current legislation in relation to toilet provision and identify future opportunities to apply Community Infrastructure Levy and Major Development proposals within planning conditions.</p> <ul style="list-style-type: none"> • Does the Committee support the exploration of these opportunities?

	The future development of facilities considered through the opportunities presented in planning legislation was supported by the Committee.
1.17	The Committee supported the draft Local Toilets Strategy and the approach officers had taken in its development.
1.18	The returns from the consultation period have now been analysed and where necessary and appropriate they have been included within the final Local Toilets Strategy which is now presented to Cabinet for approval.

2.00	RESOURCE IMPLICATIONS
2.01	No implication on resources due to this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	With Cabinet Member.
3.02	Invitation to participate in consultation process sent to Town & Community Councils.
3.03	Broad consultation across the County to ensure that includes any disadvantaged or vulnerable groups of individuals.
3.04	Statutory public consultation – ended 26 April 2019.
3.05	Environment Overview and Scrutiny Committee were consulted on Tuesday, 9 April 2019, and their advice was sought on the main sections within the strategy – outcome detailed in this report.

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	An Equalities Impact Assessment will be carried out on the new strategy.

5.00	APPENDICES
5.01	Appendix 1 – Draft Local Toilet Strategy.

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	None