

Report to: **South Hams Executive**

Date: **19 December 2019**

Title: **Public Toilet Project update**

Portfolio Area: **Assets**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **After Call In 2 January 2020**

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### **Recommendations:**

1. That the Executive approves the updates to the public toilet project detailed in the body of the report, but may be summarised as follows:

**Totnes** – Civic Hall, Coronation Road and Steamer Quay. That, should an offer be received for the Town Council to continue to pay lost Pay on Entry (PoE) income to the District Council for the financial year 2020/21, it should be accepted, pending the Town Council's consideration of a long-term solution.

**Salcombe and East Portlemouth** – that the facilities at Whitestrand, Batson Creek, North Sands, South Sands, Mill Bay and Ferry Steps remain open and lost PoE income is reimbursed to the Council by the Salcombe Partnership.

At Mill Bay, it is now proposed the facility remains open with a contribution from the partnership for the required renovation works.

### **Newton Ferrers**

That the facility reopen for next season, to allow the Parish Council to explore options to reduce running costs, and with a financial contribution from the Parish Council of £1,500 towards running costs for next financial year.

### **Holbeton**

That the facility re-opens with the Parish Council funding energy and water charges and arranging the cleaning of the toilets, pending taking on the public toilet building as an asset transfer

### **Thurlestone**

That the District Council will continue to clean the facilities, and pay for this for the duration of the next financial year. In return, the Parish Council will take the building as an asset transfer and immediately apply for Business Rate Relief, which will be applicable as it will be the only building the Parish will own on which business rates apply. This will help to ease the financial onus for the Parish Council.

## **1. Executive summary**

- 1.1 Following the previous report to Executive Members, on 14 March 2019, officers and Members have continued work on the public toilet project.
- 1.2 A summary of the position for each public toilet is attached at Appendix 1.

## **2. Background**

- 2.1 Members will be aware that public toilets were initially considered, as part of the budget process, on 1 February and 26 April 2018.
- 2.2 Resolutions were made in respect of almost all the public toilets over the following 12 months, leaving the following toilets subject to further action/ consultation:
  - Totnes – Civic Hall, Coronation Road and Steamer Quay
  - Salcombe and East Portlemouth – Whitestrand, Batson Creek, North Sands, South Sands, Mill Bay and Ferry Steps (Salcombe Town Council and East Portlemouth Parish Council working in partnership with Salcombe Harbour Board).
- 2.3 This report contains update information in respect of the outstanding facilities listed above.
  - i **Totnes** – the Town Council resolved to pay the lost Pay on Entry (PoE) income to the District Council for this financial year, so that toilets remained free to use. It is understood that the Town Council would like further time to consider

alternative solutions and, in the meantime, could request to continue with this arrangement for next financial year (2020/21) whilst it considers options.

It is recommended that the District Council accept the offer, should it be made, of lost PoE income from the Town Council. If an offer is not forthcoming, the installation of PoE should proceed, as originally resolved.

- ii **Salcombe and East Portlemouth** – the Town Council and Salcombe Harbour Board have continued to work in partnership and have now proposed a solution for all toilet facilities in the Salcombe estuary, which includes those located in East Portlemouth Parish.

The partnership has offered to pay the lost PoE income to the District Council, so that the toilets remain free to use, a total of £16,450 per annum.

In addition, the partnership has requested that Mill Bay toilets, which were previously due to close, remain open and, to facilitate this, the partnership has offered up to £11k towards the refurbishment of the building and £3,000 per annum towards running costs. It is anticipated that the refurbishment work may reduce running costs slightly as it has recently been discovered that rain water is being fed into the septic tank and will have had a significant impact on the number of empties that the tank has needed each year. The refurbishment work will address this and it is anticipated that a saving would be made in respect of tank empties, although this is difficult to quantify accurately.

It would cost approximately £10,500 to keep Mill Bay open, although this estimate does not account for the savings that may be made in respect of the septic tank. With the £3,000 contribution from the Salcombe partnership, this will represent a £7,500 budget pressure for the District Council.

However, it is acknowledge that Mill Bay is a well-used facility with reasonable footfall all year, but high footfall during the summer months. The reasons that closure was previously recommended was because of the cost of refurbishment and the inability to install PoE, both of which are resolved by the proposal from the Salcombe partnership.

It is recommended that the District Council proceeds with the proposal from the Salcombe partnership, giving a budget pressure of £7,500.

- 2.4 In addition, this report makes revised recommendations in respect of the facilities in Newton Ferrers and Holbeton.

- i. **Newton Ferrers** - the Parish Council (Newton and Noss) has requested that the facility be reopened in February and remain open for the usual season (February to October 2020) to allow the Parish to further examine the costs of running the public toilet. The Parish Council has made an offer of £1,500 for this. The cost of keeping the public toilet open next year will be approximately £6,000, so this proposal will represent a £4,500 budget pressure for the Council.

However, following discussions between the Portfolio Holder and the Parish Council, it is recommended that the proposal be accepted by the District Council, giving a budget pressure of £4,500 for 2020/ 21 only.

- ii **Holbeton** – the Parish Council has now resolved to take the public toilet as an asset transfer. However, pending the transfer, it has requested that the facility be re-opened for the winter period and that the District Council recharge it for water and energy costs. The Parish Council will make arrangements for the facility to be cleaned.

It is recommended that the District Council agrees to an asset transfer of the building. This will have no budget impact, with the exception of a £1,000 maximum contribution towards legal costs.

- iii **Thurlestone** – in order to ease the financial onus for the Parish Council, it has requested that the District Council continues to fund the cleaning service and, in return, the Parish Council will take the building on as an asset transfer and immediately apply for Business Rate Relief. As it will be the only building the parish owns where business rates apply, this will be granted, and will save the District Council £1,150. However, the District Council will continue to fund the cleaning, which will be in the region of £2,000, resulting in a net budget pressure of £850 for financial year 2020/21.

It is recommended that the District Council agrees to the above terms in order to facilitate the asset transfer and to ease the way for the Parish Council.

### **3. Outcomes/outputs**

- 3.1 Although some of the proposals contained within this report will be a budget pressure for the District Council, it is recognised that these are with the support of the Portfolio Holder and result in a satisfactory conclusion of the public toilet review project.
- 3.2 The facilities which have been closed, and included in Appendix 1, will be auctioned in the new year.

### **4. Options available and consideration of risk**

- 4.1 Each facility included in Appendix 1 and in this report has been the subject of an individual Comprehensive Impact Assessment.
- 4.2 Substantial consultation and negotiation has taken place with Town and Parish Councils, in addition to both officer and Member support and advice to those parishes who have opted to take toilet facilities on as an asset transfer.

## 5. Proposed Way Forward

- 5.1 The proposals included in this report, and the outcomes included in Appendix 1, represent a successful conclusion of this large-scale project.
- 5.2 This project fits with the following priorities:  
 Council  
 Communities  
 Environment

## 6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Under s87 of the Public Health Act 1936, the council has the power to provide public toilets and to charge a fee where it is reasonable to do so.
Financial implications to include reference to value for money	Y	These proposals represent a budget pressure of £12,850 in 2020/21 and an on-going annual pressure, from 2021/22 of £7,500.  However, overall, the project will achieve an annual saving of £228,015 by 2021/22.
Risk		Risks and alternative solutions are identified in the Comprehensive Impact Assessment for each individual facility.
Supporting Corporate Strategy		Council Communities Environment
Climate Change - Carbon / Biodiversity Impact	Y	There are no negative impacts.  Where asset transfers have taken place and Parish/ Town Councils have opted to arrange cleaning locally, there is a positive impact in respect of the reduction of travel.  Where closures have taken place, this will be an elimination of energy and water use in providing public toilets.

Comprehensive Impact Assessment Implications		
Equality and Diversity		A Comprehensive Impact Assessment has been completed in respect of each facility, which shows that there are a limited number of customers which are adversely affected by the overall project.
Safeguarding		No implications.
Community Safety, Crime and Disorder		No implications.
Health, Safety and Wellbeing		As per the Comprehensive Impact Assessment.
Other implications		

### **Supporting Information**

#### **Appendices:**

Appendix 1 – summary of results for each facility.

#### **Background Papers:**

### **Approval and clearance of report**

<b>Process checklist</b>	<b>Completed</b>
Portfolio Holder briefed/sign off	<b>Yes</b>
SLT Rep briefed/sign off	<b>Yes</b>
Relevant Heads of Practice sign off (draft)	<b>Yes</b>
Data protection issues considered	<b>Yes</b>
Accessibility checked	<b>Yes</b>