

SUBJECT:	MONMOUTHSHIRE LOCAL TOILETS STRATEGY – review of 2019 strategy and progress report
MEETING:	Place Scrutiny Committee
DATE:	12th January 2023
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

- 1.1 To scrutinise progress on implementing the actions identified in Monmouthshire County Council's Local Toilets Strategy, prior to updating the Cabinet Member and Welsh Government.

2. RECOMMENDATIONS:

- 2.1 To comment on progress against actions identified in this Authority's Local Toilets Strategy, agreed in June 2019, and provided in Appendix Two, (amendments to the original are provided in red text).
- 2.2 Any Member comments or amendments are incorporated into the final update report prior to Individual Cabinet Member Decision. After receipt of Cabinet Member approval, the report author advises Welsh Government of amendments to the original strategy and publishes the updated Local Toilet Strategy.
- 2.3 Members consider the permanent closure of White Horse Lane toilets in Abergavenny, noting previous recommendations, and advise the Cabinet Member accordingly.
- 2.4 The £17,200 Welsh Government one-off grant is vired to Landlord Services to spend in 2023/24, in consultation with other departments including MonLife.

3. KEY ISSUES:

- 3.1 Part 8 of the Public Health (Wales) Act 2017 'Provision of Toilets' came into force on 31st May 2018. It placed a duty on each local authority in Wales to prepare and publish a local toilet strategy for its area by 31st May 2019. Welsh Government (WG) also required a 'progress update' report to be submitted to them two years later to ensure actions were progressed. Progress was reported to Strong Communities Select Committee on 29th April 2021, but now a formal review needs to be submitted to WG. This Authority needs to advise WG of actions taken, any outstanding matters and report any future planning on local toilet provision.

- 3.2 Local authorities in Wales have the responsibility to –
- Assess the need for toilet provision for their communities
 - Plan to meet those needs
 - Produce a local toilets strategy, and
 - Review, update and publicise revisions to the strategy.
- 3.3 Local authorities were required to prepare and publish their strategies by 31st May 2019. The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly. Indeed, further to the work of the ‘Public Convenience Working Group’ in 2009, many public toilet blocks were successfully transferred to Town and Community Councils to manage. It is for the County Council to take a strategic view on how publicly accessible toilets can be provided and accessed across the county.
- 3.4 The draft strategy came to the Strong Communities Select Committee on 21st May 2019 for pre-decision scrutiny. The final draft incorporated opinions expressed via (1) a public survey, that ran between 19th December 2018 and 11th January 2019, and (2) a public consultation open from 22nd February to 3rd May 2019. Also referenced were comments from Gwent Police and Abergavenny Town Council’s own survey from the summer of 2018.
- 3.5 The statutory guidance (August 2018) from Welsh Government was followed in preparing the local strategy. One key undertaking was to ‘map out’ all existing publicly accessible toilets in the county. This comprehensive map – showing locations, opening times, etc. – has been shared with Welsh Government to be provided on an all-Wales basis. The map was also provided via our own website for open access. Towards the end of 2022, Welsh Government advised they would be transferring public toilet data, (locations, opening times, facilities provided, etc.), onto Data Map Wales. This will provide up-to-date information bi-lingually that this Authority will be able to update ourselves.
- 3.6 Monmouthshire’s Local Toilet Strategy was approved by Individual Cabinet Member Decision on 12th June 2019, and subsequently published. This has been updated to reflect any changes over the last 3 ½ years and lists all the current public toilet blocks, (18), half of which are owned by Town and Community Councils, with the other half still owned by this Authority. This provision is supplemented by publicly accessible toilets in other buildings, including leisure centres, libraries and museums.
- 3.7 The key actions identified in the strategy are provided in Appendix One below. The coronavirus pandemic curtailed progressing certain issues, but progress has been made.
- 3.8 Appendix One covers progress against each action. It is recognised that Landlord Services have undertaken some notable improvements to Monmouthshire CC’s public toilets, and our Cleaning staff have continued to provide clean facilities. This should assist maintaining footfall in our towns, parks and villages by providing safe, clean, publicly accessible facilities.
- 3.9 Landlord Services, since the last Toilet Strategy, have undertaken repair works in six toilet blocks, improving those facilities structurally to ensure customer safety and health.

3.10 At the April 2021 Scrutiny Committee, Members asked for clarification on the following matters – replies from Officers provided alongside each query.

Members request that the possibility of a toilet at Severn Tunnel Junction be explored in partnership with the provider 'Transport for Wales' TfW contacted to understand their plans at this train station. TfW advise toilet provision being considered as part of their upgrade plans, and will keep MCC informed of progress in 2023.

- *The Committee highlighted the need for signage in toilets to advise who is responsible for cleaning and how often the toilets are cleaned. MCC Facilities advise all our blocks checked and cleaned at least twice a day, any complaints (to our local Hubs) are acted upon. As facilities are unmanned, any noticeboard is likely to be vandalised. Facilities prefer a reactive response to any issues of uncleanliness or disrepair, with latter being actioned by Landlord Services.*
- *Members drew attention to the need for safety chains, suggesting there had been some issues with toilets in Caldicot. There remains some confusion as to how the safety chains are connected to any emergency response. This was delayed due to the pandemic, so will be actioned in 2023.*
- *They sought clarification that telephony issues have also been resolved, that Legionella Testing had also been undertaken following the closure during the pandemic. As above, telephony to be reviewed. Legionella Testing was done prior to the reopening of all toilet blocks, (when WG Covid restrictions lifted).*
- *Members asked that the Cabinet explore whether it was feasible to charge for the use toilets. A chargeable facility in Bulwark proved highly cost ineffective and was subsequently removed. The 2019 public survey found that 88% (Table One in attached report) of the public said that all public toilets should be free to use. Often the public do not carry loose change and 'free for all' is equitable for all users, elderly people, young parents, etc.*
- *The committee asked that officers explore again with private facilities the possibility of opening to the public. Section 9 in attached strategy covers this point. Larger private businesses, eg. supermarkets, are willing for the public to use their toilets even if not paying customers. However, they do not wish to publicise this – it's accepted locally and not an issue for them. Smaller facilities either don't have toilets provided and, when they do, again are normally comfortable with general usage.*
- *Members questioned why White Horse Lane toilets are still open despite the Select Committee's recommendation they should be closed given that the facilities offered are poor. Members suggest considering better facilities offered in other countries such as New Zealand and then charging for them. MCC Officers support closure, with evidence provided in Appendix Two. This includes prohibitive costs to repair, they have been shut anyway since April 2020, anti-social behaviour was a regular occurrence when open, and there are 4 other public toilets in Abergavenny.*
- *There was concern that Usk Toilet feels unsafe due to its poor layout and consideration also needed to be given to the size of toilets, traditionally being very narrow in terms of ensuring*

accessibility. *Maryport toilets were refurbished in 2021/22. Landlord Services to consider dimensions and overall compliance.*

- *There were also concerns around disabled access and that signage is needed to advise where the keys are held. All disabled persons will have a 'radar' key to access the disabled toilet at any time day or night. It is important disabled toilets are only accessible by disabled persons, so keys must be restricted accordingly.*

4. INTEGRATED IMPACT ASSESSMENT, (includes equality, future generations, social justice, safeguarding and corporate parenting):

- 4.1 The completed 'Integrated Impact Assessment' form is provided as Appendix Three, attached.
- 4.2 The process of compiling this Authority's Local Toilet Strategy provided an assessment of the current toilet provision, and had regard to the input from the public survey, Gwent Police and other partners. Key actions have been undertaken, and the strategy will continue to be monitored and reviewed with partners. Overall, with actions implemented, the strategy will have a very positive impact on our residents and visitors to the county. Public provision will be maintained or improved, access information enhanced, encouraging people to take exercise and stay more physically active.

5. OPTIONS APPRAISAL:

- 5.1 Producing a Local Toilet Strategy is a statutory duty, as required under Part 8 of the Public Health (Wales) Act 2017. This Authority must advise WG of progress against actions highlighted in its' local toilet strategy, and publish any significant changes to the content. After pre-decision comments and approval by the Cabinet Member, the strategy will be refreshed and published as an updated version.

6. EVALUATION CRITERIA:

- 6.1 A progress report setting out the steps taken as a consequence of the strategy will be produced every two years, as per Welsh Government statutory guidance. An evaluation of cleanliness, overall provision, mapping of locations, etc. will be regularly carried out with facility providers, including Town and Community Councils.
- 6.2 The key actions are provided in Section 12 of the strategy, and are listed in Appendix One below. Progress will be monitored against the actions specified to ensure the strategy is effective.

7. REASONS:

- 7.1 The preparation and publication of an up-to-date Local Toilet Strategy is a legal requirement, as outlined in Section 3 of the strategy.

- 7.2 It is important to incorporate any further comments by Members prior to approval of the updated strategy.
- 7.3 The reasons for the closure of this block, in a state of significant disrepair, are provided in the strategy and summarised in 3.10, 7th bullet point.

8. RESOURCE IMPLICATIONS:

- 8.1 The resource implications of providing the strategy involved significant Officer time. As per 6.1 of the strategy – Appendix Two – Officers from Public Protection, Facilities, Landlord Services, Finance, MonLife, Policy & Development, Communications and Shared Resources Service all contributed. In 2019, three Members of the former scrutiny committee undertook their own inspection of current public toilet blocks, both those provided by Monmouthshire CC and Town & Community Councils. This has been followed up by two further reinspections by Environmental Health in February 2020 and August 2022.
- 8.2 Welsh Government recognised the additional work required in developing public toilet strategies and Monmouthshire was been successful in securing a one-off £17,200 grant payment. Utilising that funding, noting costs in 8.1 were met internally, (Officer and Member time), needs to occur within the 23/24 financial year

9. CONSULTEES:

Landlord Services
Facilities Supervisor

10. BACKGROUND PAPERS:

Monmouthshire County Council's initial Local Toilet Strategy, June 2019

9. AUTHOR:

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10. CONTACT DETAILS:

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Appendices

Appendix One – 10 actions with associated progress listed (below)

Appendix Two – Monmouthshire CC's Local Toilets Strategy, (original June 2019), updated December 2022

APPENDIX ONE

ACTION	PROGRESS
<p>1. Continue to work closely with Town & Community Councils on options for maintaining and improving public toilet provision in the county</p>	<p>A continuing action. Many T&CC's undertook their own improvements in last 3 ½ years – Environmental Health to revisit and review standards in both MCC and T&CC provided facilities – done in February 2020 & August 2022, see Table Two in strategy.</p>
<p>2. Work with partners on how to best utilise the £17,200 Welsh Government grant.</p>	<p>Grant money rolled forward into 23/24 year. Noting this funding has been rolled over for 3 years, essential to spend next year. Recommended the one-off grant is vired to Landlord Services to spend on MCC facility improvement(s), in consultation with MonLife – for example, funding improvements in a Leisure Centre to upgrade to full 'Changing Places' standard.</p>
<p>3. Work with the private sector to seek to provide more publicly available toilets were most needed.</p>	<p>3.10, 6th bullet point, covers this point. Environmental Health to encourage participation in private sector businesses during their routine inspections.</p>
<p>4. Display the national 'toilet/toiled' national logo (see 10.1 in strategy) in all participating toilet facilities, including Leisure Centres, libraries, etc.</p>	<p>National logo signs received from WG. Action delayed during pandemic when many of these facilities were closed, eg. leisure centres and libraries. To be distributed 2023.</p>
<p>5. Improve awareness and information available on publicly accessible toilets by updating information on the Monmouthshire CC website and 'Lle' open access data held by Welsh Government, together with mobile App development.</p>	<p>Completed, awaiting further WG guidance on Data Map Wales, which will incorporate mobile app functionality</p>
<p>6. Regularly review cleaning and maintenance standards, together with T&CC's who manage many of the public toilets in our towns and villages.</p>	<p>Agreed to grade each facility to gauge improvements (or otherwise) over time. Environmental Health will inspect MCC and T&CC provided facilities annually - done so far in 2020 and 2022.</p>
<p>7. Environmental Health Officers to inspect privately provided toilets as part of their inspection regime, and respond to any complaints.</p>	<p>Environmental Health Officers will inspect all privately provided toilets, eg. in restaurants, supermarkets and public houses. Conducted as part of their routine hygiene inspections.</p>

<p>8. Work closely with Gwent Police to find solutions to reduce anti-social behaviour associated with public toilets.</p>	<p>Whitehorse Lane block in Abergavenny recommended for closure, in part due to anti-social behaviour (when facility open) reported by Gwent Police. Other options, eg. lighting detracting drug use, to be further explored with Police.</p>
<p>9. Provide proactive advice to all event organisers in the county on the suitability of their toilet provision.</p>	<p>Completed - actioned by Monmouthshire Event Safety Advisory Group</p>
<p>10. Respond to any Welsh Government recommendations on public toilet provision, and seek out notable practice adopted in other counties.</p>	<p>Noted WG will be in receipt of all Welsh LA's Toilet Strategy progress reports. Head of Public Protection to liaise with WG to determine any notable practice and share within MCC if/when received.</p>