

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>No</b>
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## CABINET

15 FEBRUARY 2019

### REPORT OF THE PORTFOLIO HOLDER FOR LEISURE & TOURISM

#### **A.1 PETITION: CLOSURE OF IPSWICH ROAD PUBLIC CONVENIENCE, HOLLAND-ON-SEA**

(Report prepared by Ian Taylor)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

The report addresses the issues arising from a Petition reported at a meeting of the Council held on 22 January 2019.

##### **EXECUTIVE SUMMARY**

This report places before Cabinet a petition, which was reported at the meeting of Council held on 22 January 2019 relating to the closure of the Ipswich Road public convenience, Holland-on-Sea.

Issues arising from the petition have been investigated in accordance with the provisions of the Council's approved scheme for dealing with petitions.

Investigation highlights that closure of the Ipswich Road toilet was supported by the local Holland Residents Association and that it was almost two years before the first objection to closure was received by the Council from a member of the public, which was followed by a petition received on 3<sup>rd</sup> January 2019.

The Council's strategy for public convenience provision adopted in June 2017 supports a programme of refurbishment and service improvement for public toilets and ensured that all areas of the District previously operating public toilets would continue to do so.

The strategy agreed the Council would close facilities identified where toilets were uneconomic to continue to operate, or were under used arising from poor location or anti-social behaviour. A strategy supported by the Residents' association at that time.

The Council has achieved a year on year revenue saving of £100,000 arising from the public convenience strategy, but has also invested £200,000 in new and improved facilities to date.

Cabinet can determine what action it wishes to take having regard to the petition, which will be presented by the lead petitioner at the meeting.

##### **RECOMMENDATION**

**That Cabinet, having regard to the vote of the Council taken at its meeting on 22<sup>nd</sup> January at which it considered a petition placed before it to replace those toilets which had been closed for being not fit for purpose, determines that no further**

**action should be taken in respect of this petition, thereby reaffirming the will of the Council in respect of its support for the Public Conveniences Strategy, adopted in June 2017.**

## **PART 2 – SUPPORTING INFORMATION**

### **BACKGROUND**

At the meeting of Council held on 22 January 2019, the Chief Executive reported the receipt of a petition submitted by Councillors Broderick, Winfield and King. The petition is signed by 247 residents of the District and requests that the Council reopens or replaces the Ipswich Road public convenience.

The front page of the Petition states:-

*“This petition is demanding that TDC maintains your human right to “spend a penny” by re-opening (or better still replacing) the Ipswich Road toilet.*

In accordance with the Council’s scheme and following reporting of the petition at Council in January, Cllrs Broderick, Winfield and King have been requested to nominate a lead petitioner to present the petition to Cabinet on the 15<sup>th</sup> February 2019.

Subsequently, Cabinet will discuss the petition and decide what action, if any, should be taken.

### **CURRENT POSITION AND RESULTS OF INVESTIGATION**

The aim of the Council’s public convenience strategy for Tendring, which was adopted in June 2017, was to provide accessible, safe, high quality public conveniences for residents and visitors.

The strategy proposed to achieve this aim by rationalising existing facilities considered to be operating from buildings that could no longer be maintained cost effectively, were located in areas which resulted in under use, or unacceptable levels of misuse and investing savings from closing such facilities into the refurbishment and improvement of remaining public toilets, bringing them up to appropriate standards.

A budget reduction impact assessment was carried out at the time which noted a potential impact on closing some public toilets on the elderly, disabled or anyone requiring urgent toilet facilities. An Equality Impact Assessment on the effect of rationalising public convenience provision noted the same possible outcomes.

However, the impact assessments also acknowledged that closing some public conveniences would be mitigated by a programme of significant refurbishments and service improvements, which would in turn be disproportionately beneficial to the same groups, noting that the aim of the public convenience strategy was to provide enhanced and improved facilities in the locations they were most needed.

The assessment also noted that provision of public toilets is a discretionary and not a statutory service provided by the local authority.

The Council’s public convenience strategy has ensured that all areas of the district that previously had public toilets would continue to be served by them and by streamlining the service it would be possible to improve the overall quality of the assets and the service thereby enhancing the Council’s reputation.

Holland-on-Sea is no exception and remains with three public toilets in the areas where they have been traditionally most used.

To date the Council has closed ten out of its thirty nine public toilets and achieved a year on year revenue saving of £100,000.

At the same time the Council has refurbished facilities at:

- The Quay, Harwich,
- Rosemary Road Clacton-on-Sea
- Promenade Way, Brightlingsea
- The Naze, Walton with a new modern public facility in the Naze visitor centre.

The Council has also been able to introduce a further specialist Changing Place facility making a total of four such facilities throughout the District.

The Council has investigated and reviewed the toilets that were closed including Ipswich Road toilet in Holland on Sea.

The Council remains with thirty public toilets and four specialist Changing Place facilities across the District, which compares extremely favourably with most other local authorities.

All assets agreed for closure have been market tested by the Council's property service for continued and / or alternative use where viable and there is currently an option to lease the former Ipswich Road toilet for use as a café and while it would be prudent not to make assumptions it is possible this facility if progressed will include a toilet available for customers.

It has been over a year since the public convenience strategy was adopted and over two years since the closure of Ipswich Road toilet, which had been closed prior to adoption of the public convenience strategy due to problems associated with anti-social behaviour and under use.

The Council has received one letter, via the local MP in respect of the closure of the toilet in Ipswich Road almost two years after it had been closed and nothing further in respect of Ipswich Road until the current petition.

In deciding to close the Ipswich Road toilets the Council was also cognisant of the support of the Holland Residents' Association for the closure of these toilets and their subsequent demolition.

The public convenience strategy has so far enabled the Council to invest over £200,000 into improving public toilets throughout the District.

The Head of Public Realm has met with the petitioners and outlined the strategy in some detail. This meeting also highlighted that the closure of Ipswich Road toilet had been supported by the Holland Residents Association which had included all three ward Councillors at the time.

It is not possible, or a prudent use of public money to continue to provide assets in areas that are no longer well used, or in buildings that are old and no longer capable of sustaining facilities to meet modern standards, or where issues of anti-social behaviour render them under used and in need of disproportionate expenditure.

## **AVAILABLE COURSE OF ACTION**

There are several course of action available to Council, including:

- No action (with reasons as to why no action is proposed)
- Taking the action requested in the petition
- Undertaking research into the matters raised (this could include referring the matter to the relevant Portfolio Holder, or officer of the Council) and holding a meeting with the petitioners
- Referring the petition to the relevant Overview and Scrutiny Committee
- Holding a public meeting
- Holding an inquiry
- Providing a written response to the lead petitioner setting out the Council's views on the request in the petition
- Calling for a referendum (subject to costs)

## **BACKGROUND PAPERS FOR THE DECISION**

- Petition submitted by Cllrs Broderick, Winfield and King on 03 / 01 /2019.