

Key Decision Required:	Yes	In the Forward Plan:	Yes
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CABINET

16 JUNE 2017

REPORT OF THE COMMERCIALISATION, SEAFRONTS AND PARKING PORTFOLIO HOLDER

A.3 ADOPTION OF PUBLIC CONVENIENCE STRATEGY FOR TENDRING - REVIEW OF PUBLIC CONVENIENCES

(Report prepared by Ian Taylor)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

- a) To seek adoption of the Public Convenience Strategy for Tendring;
- b) Adopt proposals for the rationalisation and improvement of existing provision;
- c) Delegate further details to officers to facilitate the delivery of the foregoing

EXECUTIVE SUMMARY

The Council's Corporate Plan puts community leadership through the delivery of high quality, affordable services at the heart of everything we do.

Adoption of the Public Convenience Strategy for Tendring and proposals for the rationalisation of public convenience provision and service improvements will support Corporate objectives by:

- delivery of high quality affordable services,
- helping to balance the budget
- promoting local regeneration
- making the most of Council assets.

The overall vision of the Public Convenience Strategy for Tendring is to provide

- **Accessible, safe, high quality public conveniences for residents and visitors alike.**

The strategy sets out to deliver options for future service provision that supports:

- a thriving local tourism sector
- town centres and businesses
- healthy and active lifestyles of residents and particularly the most vulnerable
- crime reduction initiatives.

A comprehensive review of existing public conveniences was carried out by the Commercialisation Portfolio Holder working party in October 2016. The recommendations of this working party support the Council's vision for community leadership and the

proposed rationalisation of existing service provision will help secure future service improvements as outlined in the Public Convenience Strategy.

The working party investigations and recommendations include suggestions previously put forward by other Council Committees including the Service Development and Delivery Committee and the Corporate Management Committee.

The recommendations in this report seek to:

- adopt a strategy for public conveniences in Tendring – Appendix A of this report.
- introduce the principle of charging for public conveniences as a basis for reinvesting in public conveniences.
- reduce annual revenue budgets by the agreed closure of facilities as listed in Appendix B of this report.
- seek further capital investment for the improvement of remaining facilities.

The proposals and recommendations in this report, if agreed, will deliver

- £60,000 budget saving in 2017/ 2018 and £100,000 from 2019/2020 onwards;
- additional future income to the Council and additional savings over the longer term;
- a strategic approach to service provision that will support corporate priorities;
- establish principles which can be used in considering the provision of facilities across the district as may be required given future budget pressures.

RECOMMENDATION(S)

That Cabinet notes the contents of this report and

- (a) Adopts the Public Convenience Strategy for Tendring attached as Appendix A to this report;**
- (b) Agrees the rationalisation of existing public convenience provision as outlined in Appendix B to this report including the demolition of identified buildings as well as selective refurbishment work of identified assets amounting to £0.070m as included in the 2017/2018 Capital Programme;**
- (c) That subject to (a) and (b) above, delegation be given to the Corporate Director (Operational Services) to undertake the necessary activities to facilitate and implement the proposals for rationalisation as outlined in Appendix B.**
- (d) Initiates the Property Dealing Procedure for all other facilities identified for closure in line with existing policies;**
- (e) That subject to (d) above, Cabinet notes that further reports may be brought forward to consider further refurbishment of remaining facilities in accordance with the strategy;**
- (f) Agrees to introduce charging at the Rosemary Road, Clacton facility with the associated refurbishment work of up to £0.070m to be included in the Capital programme for 2017/18 funded from the Public Convenience Earmarked Reserve;**
- (g) That subject to (f), delegation be given to the Corporate Director (Operational**

Services) to undertake the necessary activities to facilitate the refurbishment and introduction of charging at the Rosemary Road facility including the level of charge to be on levied on reopening of the site to reflect demand and the need to maximise income opportunities;

(h) Delegates authority to the Portfolio Holder in consultation with the Leader of the Council and Corporate Director (Operational Services) to:

- close further public conveniences that do not meet the agreed strategic objectives such as may be highlighted through low usage, disrepair due to ageing infrastructure or anti-social behaviour;
- review opening hours of facilities as a means of reducing the impact of crime and to support service budgets;
- in addition to Rosemary Road Public Convenience, agree which further sites may charge including the fee charged and period of charging (such fees and charges will become incorporated within the Council's budgetary and reporting cycle);
- select which sites are prioritised for major refurbishment;
- enter into agreements with Town / Parish Councils, other groups or commercial organisations where appropriate in relation to the ongoing operation and / or maintenance of public conveniences;
- seek out and implement where necessary works to support other income streams from sponsorship, advertising and other sources

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The recommendations if adopted will contribute to the following corporate priorities:

Our Council / Our Community

- Deliver High Quality Affordable Services
- Make the most of our Assets
- Support the vulnerable
- Transform the way we work

Our Opportunities

Supports

- Vision for economic growth and prosperity
- Our Coast
- Tourism

Our Challenges

- Improving poor infrastructure
- Reducing budgets while delivering key services

Our Values

- Innovative, flexible professional staff committed to delivering excellence

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Budget reductions identified by the Portfolio Holder working parties were presented to

Cabinet on 25 November 2016 which included savings of **£0.060m** in 2017/2018 rising to **£0.100m** from 2019/ 2020 via the reduction in the number of Public Conveniences. The rationalisation of facilities is proposed to be undertaken in accordance with the Public Convenience Strategy for Tendring (Appendix A) with a detailed plan outlined in Appendix B that has been designed to deliver the required savings.

The initial reduction in the number of Public Conveniences is proposed to be undertaken within a wider refurbishment programme, which would see improvements to a number of remaining toilets. A total of **£0.070m** has been included within the 2017/18 Capital Programme to help deliver some of these improvements along with the cost of decommissioning, where required.

Further additional revenue savings from the maintenance and cleaning budgets for public conveniences is also anticipated following the refurbishment of facilities which support the additional savings identified in 2018/19 and 2019/20 as set out in Appendix B.

A programme of review will be put in place to consider further service changes to coincide with service requirements and budgetary provisions over future years.

As set out elsewhere in the report, it is proposed to introduce charging at the Rosemary Road, Clacton facility following their proposed refurbishment.

In terms of potential income from this site, it is proposed to charge a minimum of 20p per visit and on this basis the potential income is as follows:

Number of Potential Visitors	Income Generated per year
10,000 per year (190 per week)	£2,000
25,000 per year (480 per week)	£5,000
50,000 per year (960 per week)	£10,000
75,000 per year (1440 per week)	£15,000
100,000 per year (1920 per week)	£20,000

Being in a key Town Centre location, it is reasonable to assume that income of £0.020m is achievable via the introduction of the proposed charge. Should other sites be selected or agreed for charging, additional income is anticipated. It is not proposed to introduce on site attendants at this charging facility. Its central location makes it possible to respond to any urgent enquiries and for much higher than average numbers of daily patrols and cleaning by TDC staff and therefore limiting on-going revenue costs.

The proposed closure of the High Street car park toilets in Clacton will also support the delivery of the anticipated income for the Rosemary Road site.

The cost of refurbishing and introducing charging at the Rosemary Road site is anticipated to use the full **£0.070m** currently set aside in the Capital Programme leaving no funding to deliver the required level of refurbishment work elsewhere. However there remains **£0.070m** within the Public Convenience Earmarked Reserve that could be drawn down to fund this cost. If agreed, this investment would deliver a return on investment of 28% based on income of **£0.020m** being achieved each year. If income only reached **£0.005m** per year (which would equate to only 69 visits per day) this would still provide for a return on investment of 7%.

Further income opportunities will arise from advertising, sponsorship and charging at other

sites where there is a potential to introduce this.

The Council will also explore partnership arrangements with organisations both public and commercial to provide public conveniences in order to reduce Council liabilities in the future.

Risk

There is a risk of income from charging not meeting estimates.

However, the assessment for income likely to be derived is prudent and is based on known usage of existing facilities, including an estimate for any reduction in use arising from the introduction of charges.

There is also no return on investment associated with the charging which will be used to support future revenue budgets and / or further refurbishments to other remaining facilities.

The figures are based on actual surveys of users of the Rosemary Road public convenience indicating a willingness to pay as well as wider industry / sector reports on the effects of charging generally in public conveniences.

There is some risk associated with the charging by not providing a resident on site attendant. However the high numbers of patrols and daily cleaning proposed and the proximity to Council offices will ensure the toilet remains of a standard to justify charging for the facility and in turn limits costs associated with this proposal.

LEGAL

The Public Health Act 1936 gives local authorities a power to provide public conveniences but it imposes no duty to do so.

The Council is permitted to introduce charges for providing discretionary services on a costs recovery basis pursuant to Section 93 of the Local Government Act 2003.

Initiation of the Property Dealing Procedure is a function of the Resources and Corporate Services Portfolio Holder. The Portfolio Holder has agreed in the context of this report that the Cabinet should consider the matter as part of the overall strategy and associated decisions.

OTHER IMPLICATIONS

Consideration has been given to the implications of the recommendations proposed and any significant issues are set out below.

The proposals, if agreed, will support the Council's vision to put community leadership at the heart of everything it does, supporting the improvement of town centres, seafronts and village assets in line with tourism and inward investment strategies and policies, reducing budgets while delivering key services and a balanced budget.

Consultation/Public Engagement – The Public Convenience Strategy has been scrutinised by other Council committees including Service Delivery and Development Committee and the Corporate Management Committee.

The proposals for rationalisation of facilities are recommendations arising from the Commercialisation Portfolio Holder working party meetings and discussions with local ward Members in areas affected by any proposals.

The principle of charging at selected sites and the requirement to refurbish remaining facilities in support of Corporate objectives has been widely supported.

Crime and Disorder – Improving assets is part of a wider strategy to combat anti-social behaviour by improving the appearance of public realm, generating increased pride, awareness and responsibility for our District. There is a clear correlation between neat well managed assets and lower crime as opposed to poorly maintained assets.

Equality and Diversity / Health Inequalities

Higher standards of maintenance, cleanliness and a public convenience strategy designed to meet higher service standards including accessibility and inequality issues will increase opportunities for more people to visit the seaside and other areas of the District and to stay longer.

The Public Convenience Strategy promotes improved accessibility and healthier lifestyles raising the profile and reputation of the Council.

Area or Ward affected – All

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Public Health Act 1936 gives local authorities a power to provide public conveniences but it imposes no duty on them to do so.

Public conveniences meet a universal human need and play an important role supporting town centres and the wider visitor economy. Good quality provision of public conveniences is more important to some sections of the community than others, such as the elderly, the disabled and the vulnerable.

Tendring District Council currently provides 40 public conveniences and three high quality Changing Place facilities which is considerably higher than the average for a local authority.

CURRENT POSITION

A recent review of the Council's public conveniences highlighted that whilst a few facilities are busy, well designed assets positioned to serve the community and visitors to good effect, many are beyond economic repair, lightly used and in locations which make them targets for vandalism, drug taking and other criminal activity.

The age and condition of many of the buildings is a contributory factor to higher maintenance and cleaning costs and often inhibits plans and proposals to refurbish and improve facilities including the aspiration of accessibility for all.

The challenge for the Council is how to provide high quality public conveniences in support of local town centres, the visitor economy and the needs of residents of the District in an era of increasing budgetary restraint against this backdrop of ageing buildings in locations that often attract crime and anti-social behaviour.

The draft or proposed Public Convenience Strategy for Tendring recognises the

challenges facing the delivery of the public convenience service and contains proposals and an action plan designed to meet the Council's vision for high quality, affordable services.

THE PROPOSAL AND WAY AHEAD

The proposal is based on two phases:

Phase 1

- Adopt the Public Convenience Strategy for Tendring.
- Seek agreement for the immediate closure of a number of public conveniences identified in Appendix B, which have been considered against the Public Convenience Strategy.
- Ensure the removal of future costs associated with closed buildings such as NNDR and utilities by the demolition and / or the disposal of buildings.
- Undertake refurbishment of a number of toilets identified in Appendix B, which have been considered against the Public Convenience Strategy up to an aggregate cost of **£0.070m**.
- To facilitate the closure of the High Street, Clacton toilets, it has been identified that the alternative toilets in Rosemary Road Clacton should be refurbished. As part of these works, it would be a practical opportunity to introduce charging for the Rosemary Road toilets with associated work estimated to cost **£0.070m** which can be funded from the Public Convenience Earmarked Reserve.

Phase 2

- Explore the opportunity to introduce further charging at other sites.
- Identify sites for refurbishment over the medium term as identified in Appendix B.
- Identify further changes to the Public Convenience provision in line with the Public Convenience Strategy such as potential further closures where budgetary pressures necessitate such closures, reduced opening hours, sponsorship activities etc.
- To secure additional funding to support the on-going provision of conveniences and the programme of refurbishments of facilities based on principals within the strategy, including the charging for use of facilities and other commercial opportunities.

The Council has in partnership with outside organisations recently increased the number of public conveniences in the District with the introduction of three new state of the art Changing Place facilities making seaside areas accessible to some people for the first time, raising the profile of the District and enhancing the reputation of the Council.

The proposed Public Convenience Strategy for Tendring continues this striving for high quality services including increased accessibility for all. The strategy recognises priorities for both local residents and in support of a vibrant visitor economy in the District.

The closure of old, under used facilities in poor state of repair, the introduction of the principle of charging at selected sites and reinvestment in remaining facilities is an opportunity for the Council to improve the overall quality of its assets and to realign service delivery to where it is most needed and will have the most effect.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

Appendix A - The Public Convenience Strategy for Tendering
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Appendix B - Public Conveniences Costs and Proposed Closure of Facilities
