

Agenda Item No 9

Select Committee on the Environment - 26th January 2009

Report of the Director of the Urban Environment

Provision and Condition of Public Conveniences

Purpose of Report

1. To inform the Committee of the provision and condition of the Councils public conveniences.
2. To outline the Councils resource capacity in maintaining the provision in good order.
3. To advise members of the Governments Strategic guide on public toilet provision and its strong encouragement for local authorities to recognise the needs of all those who use public space.

Background

4. The Council operates and maintains public conveniences in the borough, primarily situated on the highway and also in a number of public parks.
5. The provision of public conveniences by local authorities is a long standing municipal service. However, The Council is not under a duty to provide public conveniences. The principal power to provide conveniences is contained within Section 87 of the Public Health Act 1936. The 1936 Act replaced an earlier Act of 1875.
6. In recognition of their age, style, and maintenance requirement in addition to increased levels of vandalism and antisocial behaviour, this committee received a report in September 2003 'Review of Public Conveniences' which detailed a number of key challenges and recommendations.
7. Although the report recognised that there had been some developments and improvements to public conveniences over the last 10 years, this

was restricted as the conventional method of providing facilities historically lacked investment and was failing.

8. The report equally recognised that alternative means of provision should be investigated if the quality of public conveniences was to improve.
9. Since the last report the review has resulted in some progress being made in relation to public convenience provision but their overall condition remains a challenge for the authority.

Automated Public Conveniences

10. Following closure of the old toilet block in Sedgley, as a result of its poor condition, an automated block was introduced adjacent to the High Street. The unit was the first introduced in the borough and followed extensive negotiations with three different service providers.
11. The successful provider, Healthmatic, entered into an agreement with the authority to both clean and maintain the block for an initial 5 year period with proposed extension to 15 years.
12. Installation and purchase of the unit totalled approximately £80k and was purchased via one off capital funding.
13. A number of different options were considered prior to agreement which included various leasing options as an alternative to outright purchase. However these were more expensive in the long term with the eventual outright purchase and clean and maintain option providing the best value for money for the Council.
14. The annual cost to clean and maintain the unit by Healthmatic is currently budgeted at £11,000 which is met by the Public Convenience revenue budget.
15. As an alternative, an option regarding provision of such facilities with no cost to the authority was explored. This was based in exchange for advertising rights on a number of key sites across the borough. Unfortunately, the sites identified were not acceptable to the authority with the proposals having implications on traffic safety, town heritage issues and a detrimental impact on the local environment.

Major Refurbishment

16. The last major refurbishment of a toilet block was undertaken at the public conveniences in Meriden Road, Wollaston, in 2006/7. The total cost of the refurbishment was £60k and included the introduction of strengthened units and infrastructure to reduce previous high levels of vandalism. The cost of the work all but used the total annual public convenience budget for building improvements of £65k, demonstrating

the inadequacy of the provision to achieve significant improvements across all of the blocks.

Minor Refurbishments

17. In order to ensure that public conveniences in the borough are maintained in working order, a number of minor improvements are made on a yearly basis. These mostly include repainting and general repair work, impacting on overall cleanliness and serviceability of the provision. Unfortunately, unnecessary costs are regularly incurred in respect of vandalism. Where these are excessive and where regular acts of antisocial behaviour are reported consideration of closure is made.

Benchmarking

18. As active members of the Association of Performance Excellence, (APSE) Dudley benchmarks a range of its services including street cleansing and public convenience provision. Whilst benchmarking data suggests that Dudley is relatively well served by the number of public conveniences it has in the borough, its overall maintenance budget is low compared to others with large borough populations.
19. By comparison, Coventry with a population of 306,000 has 5 Public Conveniences administered by the Local Authority whilst Wolverhampton has a similar number, albeit this has recently increased through automated provision from JC Decaux.
20. Benchmarking data differs significantly across our national benchmarking family group. Derby City Council has a population of 260,000 with 17 conveniences and an operating budget of £250K, Bristol with a population of 500,000, has 22 conveniences and an operating budget of £500k, the Wirral with a population of 335,000, has 10 conveniences and an operating budget of £443k, Calderdale with a population of 199,000, has 13 conveniences and an operating budget of £320k, and North East Lincolnshire Council with a population of 160,000 has 9 conveniences and a budget of 300k.

Pro-rata cost per Public Convenience.

Derby	£14,705	
Dudley	£21,494	(based on 17 conveniences)
Bristol	£22,727	
Calderdale	£24,615	
Lincolnshire	£33,333	
Wirral	£44,300	

21. Without the closures detailed in this report the pro-rata cost for each Dudley convenience would have been £16,609 which reflects the limited investment in the asset over recent years.

22. It is equally important to recognise that whilst toilet provision in town centres has generally reduced over recent years, authorities now have a range of different service options, from Council blocks to automated arrangements provided both directly and in partnership with manufacturers of automated units.
23. To recognise the importance of public convenience provision, Dudley became a member of the British Toilet Association in 2006 and in 2007 following external assessment, the toilet blocks in Market Place, Dudley and in Meriden Avenue, Stourbridge, were both awarded a prestigious 4 star grade, with Dudley also receiving an award for Attendant of the Year.
24. Whilst it is important to recognise achievements in delivery of the service, membership of the association also enables the Council to be aware of changing industry standards and practices in addition to new types of products and material etc.

Current Toilet Provision in Dudley

25. The current facilities listed in Appendix 1 (apart from the automated block in Sedgley) are serviced through 'in house' provision from staff within the Directorate of the Urban Environment.
26. Public conveniences are generally opened from Monday to Saturday inclusive. Conveniences are usually closed on Sundays and Bank Holidays, although some are opened during such periods by special arrangements. The current budget caters only for Monday to Saturday opening.
27. Public conveniences are opened from 6.00am and closed from 6.00pm by mobile operatives working in rotation, opening and closing facilities in turn, as appropriate.
28. Two mobile operatives undertake the cleaning of conveniences on a daily basis. The cleaners visit each premise in turn in their particular area (North and South). Each convenience is cleaned once daily. Exceptions are at the Ryemarket and Court Passage in Stourbridge, and the Market Place and Bus Station in Dudley where there are additional separate dedicated cleaners.
29. There are no public conveniences in the borough with full time dedicated attendants or cleaning staff. There is a view that the existence of attendants can eliminate many of the problems associated with public conveniences. It follows therefore that if budget constraint is an issue then the provision of a lesser number of conveniences, but with some permanent attendants, might be an alternative service provision option.
30. The repair and maintenance budget is limited, and has been reduced over the years as an economy measure. The budget available is

therefore only sufficient for routine repairs and maintenance with any major refurbishment works having a direct negative impact on the available budget.

31. Currently all repairs and maintenance are carried out through the Dudley Property Consultancy within the Directorate of Law and Property.
32. The Council currently provides the following conveniences:

Dudley Central Area

- Market Place, Dudley
- Flood Street, Dudley
- Bus Station, Fisher Street, Dudley
- Halesowen Road, Netherton

North Dudley Area

- Castle Street, Coseley
- Bank Road, Lower Gornal
- High Street, Sedgley (Automated Provision)

Brierley Hill & Kingswinford Area

- Cottage Street, Brierley Hill
- Bank Street, Brierley Hill
- Lawnswood Road, Wordsley
- The Cross, Kingswinford
- Enville Road, Wall Heath

Stourbridge Area

- Chapel Street, Lye (Temporarily closed due to vandalism)
- Meriden Avenue, Wollaston

- Court Passage, Stourbridge
- Ryemarket, Stourbridge

Halesowen Area

- High Street, Quarry Bank (Due to close 9th January 2009 as part of Library Closure)

(Note three new privately operated facilities have been introduced in Halesowen as part of the Town Centre Development. These include a facility by the cafeteria in the ASDA supermarket, a facility at the entrance to the new car park and one in the indoor market area).

Public Convenience Closures

33. Following the Review of Public Conveniences in 2003, the following facilities have since been closed.

Gospel End Street, Sedgley – Closed due to poor condition of building requiring significant rebuild. Non DDA compliant

Alternative Local Facilities - Automated block, High Street Sedgley

Stafford Street, Dudley - Closed due to request from Police, Fire Service and Town Centre Manager due to regular anti social behaviour.

Alternative Local Facilities - Flood Street, Market Place, Fisher Street, Dudley

Jews Lane, Upper Gornal - Closed due to severe vandalism and regular Acts of Anti social behaviour. The facility is old and in poor condition with no disabled or baby changing facilities

Alternative Local Facilities - Limited alternative provision apart from Local Public Houses and/or local businesses.

Heath Lane, Oldswinford - The block was closed following requests from the local police, local businesses, the PACT group and the Councils Anti Social Behaviour Officer. The block was subject to regular vandalism and acts of anti social behaviour.

Alternative Local Facilities - Public House and Local Petrol Station

Bus Station, Halesowen - The block was closed as part of the town's development.

Alternative Local Facilities - Alternative provision was provided in Halesowen Centre by the developer.

34. There are a number of public conveniences situated in Parks in the Borough. These conveniences are maintained in consultation with Green Care and Dudley Property Consultancy. Whilst a number have been refurbished, their ongoing condition and maintenance is the subject of discussion through current and future Liveability and grant funding bids in consultation with Local Friends Groups.
35. Although the closure of a public convenience is generally resisted, the needs of local communities must also be considered, albeit they can be conflicting. Whilst recent years have seen a reduction in the number of conveniences in the borough, the House of Commons Communities and Local Government Committee recently considered a report 'The Provision of Public Toilets', which emphasised the importance of good quality public convenience for local communities.

The Provision of Public Toilets

36. The report recognises that the overall number of public conveniences has declined in recent years and puts a greater emphasis on local authorities to enhance and improve public convenience provision.
37. The report highlights existing local authority powers under section 106 of the Town and Country planning Act and believes that these must be encouraged. This is particularly important in Dudley. In particular in the production of Town Centre Development Plans and improvements across the boroughs Green Space.

Conclusions

38. There are a number of conclusions that can be drawn in relation to the provision of existing conveniences and future service.
 - i. The Council has a large number of public conveniences compared to some of its neighbours. Many of these conveniences are in a poor, run down condition, with out of date facilities. The Council appears to have less revenue to spend per facility.
 - ii. Many of the Council's public conveniences suffer from regular vandalism and misuse.
 - iii. All but one of our conveniences is provided through traditional means that has changed little over many years.

- iv. Suitable access, and facilities for the disabled, and baby changing facilities are restricted to a small number of conveniences.
- v. Alternate supply and provision arrangements are being introduced as part of new development. This is demonstrated by the privately owned facilities recently introduced in Halesowen Town Centre.

The Way Forward

- 39. The current position regarding available Public Convenience provision in the borough has devolved over recent years and represents both investment in individual units in addition to necessary closures as a result of stakeholder pressure, antisocial behaviour and vandalism.
- 40. Alternative delivery vehicles have and will continue to be explored, similar to the automated convenience in Sedgley, but require initial and ongoing investment.
- 41. The repair and improvement budget, whilst inadequate to improve all conveniences in the short term, will continue to be used to both repair and incrementally improve individual units with a desire to provide at least one high quality public convenience in each major town.
- 42. In order to determine which conveniences qualify for major refurbishment works, consideration will be given to strategic location, pedestrian usage, existing condition and instances of antisocial behaviour and vandalism.
- 43. In any event, an aspiration to have at least one high quality public convenience in each of the major town centres, whether Council operated or privately introduced will be progressed.
- 44. The Council will continue to consider closing blocks of toilets that are not being used by the public on a regular basis or are subject to continual abuse.
- 45. The closure of problematic conveniences has resulted in better use of the available budget which will not only be used to maintain, but also improve the remaining provision.
- 46. Work will continue to ensure that Future Town Centre Development proposals consider the introduction of new public convenience provision. This has been particularly successful in Halesowen, where private investment has resulted in the introduction of three new facilities.
- 47. The importance of public convenience provision is being recognised both locally and nationally. However this greater emphasis will place further burden and pressure on the existing budget without further investment if aspirations are to be fully met.

Budget

48. The 2008/9 budget for public conveniences is detailed as follows.

	£
Employee Costs (incl travel and subsistence)	153,900
Repairs and Maintenance	5,100
Electricity, Rates and Water	89,500
Vehicle costs	10,000
Healthmatic Automated Unit	11,000
Other Operational Costs	26,500
Capital Charges	10,000
Internal Recharges (incl DPC, Building Services and CEC)	59,400
TOTAL BUDGET FOR 2008/09	365,400

Proposals

49. That the committee note the contents of this report and the work undertaken by Environmental Management in managing the Councils Public Convenience provision.
50. That the Committee note the internal and external factors that are adding greater pressure on the capacity of the existing budget to provide and maintain the provision.

Finance

51. The 2008/9 budget for public conveniences is £365,400 which provides for the maintenance, cleaning and associated running costs of public conveniences. Item 49 of this report details a breakdown of the budget per activity.

Law

52. The Councils powers for the provision of public conveniences are set out in Section 87 of the Public Health Act 1936.
53. Section III of the Local Government Act 1972 enables the Council to do anything that is calculated to facilitate or is conducive or incidental to the discharge of its functions, the provision and maintenance of public conveniences being such an activity.

Equality Impact

54. This report takes into account and acknowledges the Council's Policy in respect of Equality and Diversity in the provision of public conveniences.

55. The provision of public conveniences has a direct impact on the personal comfort and health of the public, whether in residence, employment or visiting the borough. Individuals may also have personal conditions that necessitate access to such facilities in convenient locations.

Recommendation

56. That the Committee note the contents of the report.



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Background documents used in the preparation of this report:-

Public Conveniences Review 2003

Street and Green Care Budget Profile 2008/9

The Provision of Public Toilets 2007/8 House of Commons Communities and Local Government Committee.

APPENDIX 1

THE CURRENT STATUS OF EXISTING PUBLIC CONVENIENCES

DUDLEY CENTRAL AREA

Market Place Dudley

This is a built modern brick construction that was enlarged in June 2000 to include 5 ladies cubicles, 2 with space for pushchairs with one having a baby-changing unit. The gent's section has 3 cubicles, a urinal and a baby changing facility. There is a separate disabled section with a baby changing facility. This is a modern development with cleaners that alternate between this convenience and the bus station for cleansing purposes. This block also has a separate room with a compactor to process the waste that is generated by the market traders.

Flood Street, Dudley

This is situated adjacent to the Cousins Superstore and at the head of the car park. This is a traditional brick built construction that was modernised in 1986 when it was fitted with a stainless steel anti-vandal interior. The building contains a ladies section with 3 cubicles and a gent's section with 2 cubicles and a urinal. There is also a separate disabled section. These toilets are of a moderate condition, but do need improvement. They are prone to abuse and vandalism. There are no baby changing facilities.

Bus Station, Fisher Street, Dudley

The public conveniences are part of a building within the bus station that is shared by Centro as the supervisor's office and a canteen. The ladies section has 5 cubicles, the gents has 2 cubicles and a urinal. There is a separate disabled section. Centro presently closes these toilets on behalf of the authority, this allows for extended hours to cater for the bus and coach drivers who would otherwise not have any toilet facilities. They are of a reasonable standard, and have a low level of vandalism. There are no baby changing facilities at this location.

Halesowen Road, Netherton

Located in a central position, and bounded by Church Road and Castleton Street, this toilet was installed in 1992 as a modern, anti vandal unit. It is internally lined with stainless steel, as are all the fittings. The gent's section has 1 cubicle and a urinal; the ladies section has 2 cubicles and a baby changing area. The separate disabled section also has a baby-changing shelf. There is low vandalism rate due to its construction, and its prominent location. The unit is dull and claustrophobic due to the design and stainless steel lining.

NORTH DUDLEY AREA

Castle Street, Coseley

This is located at the junction of Castle Street and Canal Street on the public car park at the northern end of the Coseley shopping area. It is a brick built conventional convenience comprising a ladies section with 3 cubicles; gent's section has 2 cubicles and a urinal. There is a separate disabled section. There is

no baby changing facility. These conveniences are in a poor condition and require refurbishment.

Bank Road, Lower Gornal

This is located next to the Red Lion Public House and opposite the bus terminal. This building is an integral part of the public house, and is an old facility. The ladies section has 2 cubicles; the gent's section has 1 cubicle and a urinal. There are no facilities for the disabled or a baby changing facility. This facility received substantial structural repairs about 14 years ago and some internal refurbishment. It is outdated and does not lend itself to any form of structural improvement. Vandalism is fairly low due to the prominent position.

High Street, Sedgley

This is a fully automated toilet block introduced in High Street in 2006. The system is combined male, female and disabled facility and is coin operated at a charge of 20p per visit. The facility is both maintained and cleansed by Healthmatic via a yearly payment by the Council.

BRIERLEY HILL AND KINGSWINFORD AREA

Cottage Street, Brierley Hill

This building is brick built and also has a large separate storage area that is used as a mess room by the Cleansing Services personnel. It was converted prior to 1986 to a vandal proof unit with stainless steel lining and fittings. It is drab and claustrophobic, but not prone to major acts of vandalism. The gent's section has 2 cubicles and a urinal, the ladies section has 3 cubicles and there is also a separate disabled section. There are no baby changing facilities at this location.

Bank Street, Brierley Hill

This is situated underground below the Civic Centre building and next to the police station. The ladies section has 3 cubicles; the gent's section has 2 cubicles and a urinal. It was prone to vandalism until steel gates were erected and the toilets closed each evening. It is not suitable for the elderly or the infirm due to the steps. It is not possible to incorporate facilities for the disabled due to the underground location and there are no baby changing facilities.

Lawnswood Road, Wordsley

Situated on the Old Cat Public House car park, this is a brick built modular building comprising of 2 cubicles in the ladies section, 1 cubicle and 1 urinal in the gent's section. There are no disabled or baby changing facilities at this location. The external construction is similar to those in Kingswinford and Enville Road, Wall Heath. This facility is in a poor condition. The Cat public house has previously operated a wheel clamping system for people that do not use their establishment and there are no other places for off road or street parking local to the toilets and as such they are infrequently used.

The Cross, Kingswinford

This is situated on the car park of The Cross Hotel; this modular brick building had a major refurbishment in 1991/1992. The toilets are stainless steel lined and comprise of a ladies section with 2 cubicles and a baby-changing shelf. The gent's section has 1 cubicle, urinal and a baby-changing unit. The disabled section has a baby-changing shelf. Due to the construction and prominent position this unit has a low vandalism problem.

Enville Road, Wall Heath

This is located next to the large precinct car park and old people's maisonettes. This is a brick built unit comprising of a ladies section with 2 cubicles; the gent's section has 1 cubicle and a urinal. There are problems with vandalism and misuse, although this is not a regular occurrence. This unit is in poor condition and in need of refurbishment. There are no disabled or baby changing facilities at this location. The facility has received recent closure requests and is currently under review.

STOURBRIDGE AREA

Chapel Street, Lye

This is located within 50 metres of the High Street, and adjacent to the doctor's surgery. It is a brick built module with the ladies section having 2 cubicles; the gent's section has 1 cubicle and a urinal. There is regular vandalism irrespective of the prominent position. This facility requires improvement. There is a separate disabled section but no baby changing facilities. The unit is currently temporarily closed due to vandalism.

Meriden Avenue, Wollaston

This is situated on the public car park between Meriden Avenue and Bridgnorth Road in Wollaston. The block received a major refurbishment in 2006 at a cost of £60k and has male, female, disabled and baby changing facilities. Whilst still subject to minor incidences of vandalism, the block has received a 4 star rating in a recent British Toilet Association independent review.

Court Passage, Stourbridge Town Centre

This is located on the ring road between the High Street and the Police Station. It is a new modular externally brick clad building being lined with stainless steel, including all fittings. The ladies section has 2 cubicles and a baby changing area, the gent's section has 1 cubicle a urinal and a baby-changing shelf. The separate disabled section also has baby changing facilities. There is very little vandalism due to its open location and anti-vandal design. There are dedicated cleaners that alternate between this toilet block and the Ryemarket.

Ryemarket, Stourbridge Town Centre

This is located at the rear of the Ryemarket and facing Victoria Passage. The building is an integral part of the Ryemarket Shopping and Car Park building complex. It has had a major refurbishment which was completed at the end of May 2000. There is very little vandalism due to the prominent position and it is well

used. There are dedicated attendants who alternate between this toilet block and the one at Court passage several times each day for cleaning purposes. The ladies section has 5 cubicles and a baby changing room, the gents has 3 cubicles a urinal and a baby changing area. The separate disabled section also has a baby changing shelf.

HALESOWEN AREA

High Street, Quarry Bank

This is located on the ground floor as an integral part of the library but having separate entrances. The ladies section comprises of 2 cubicles and the gents of 1 cubicle and a urinal. There are no facilities for the disabled or baby changing and these toilets are in a very poor condition and are unsuitable for any modernisation. Members of the public regularly complain of youths loitering here and of anti social problems relating to the site of this block. The block is due to close as part of the Library closure in January 2009.