

Report to	Communities Scrutiny Committee
Date of meeting	27th March 2025
Lead Member / Officer	Cllr. Barry Mellor, Lead Member for Environment & Transport
Head of Service	Paul Jackson, Head of Highways & Environmental Services
Report author	Kimberley Mason, Corporate Project Manager
Title	Draft Local Toilets Strategy Feedback & Savings Proposal

1. What is the report about?

- 1.1. This report is about the Draft Local Toilet Strategy and the next steps in terms of reviewing the provision of public conveniences (PCs) in Denbighshire.

2. What is the reason for making this report?

- 2.1. The purpose of this report is to present the feedback regarding two public consultations on the provision of PCs in Denbighshire and to enable Members to scrutinise the Draft Local Toilet Strategy and the options for future PC provision.

3. What are the Recommendations?

- 3.1. That Scrutiny Committee considers, and provides feedback on, the local Needs Assessment, which can be viewed at Appendix 1 and the results of the associated public consultation, which can be viewed at Appendix 2.
- 3.2. That Scrutiny Committee considers, and provides feedback on, the Draft Local Toilet Strategy, which can be viewed at Appendix 3 and the results of the associated public consultation, which can be viewed at Appendix 4.

- 3.3. That Scrutiny Committee considers the overview of current PC provision and the options **being considered** for each facility, which can be viewed at Appendix 5.
- 3.4. That Scrutiny Committee confirms that it has read, understood, and taken account of the Well-being Impact Assessment, which can be viewed at Appendix 8.

4. Report details

- 4.1. The Welsh Government agreed the adoption of the Public Health (Wales) Act (the “Act”) in 2017. This Act brings together a range of practical actions for improving and protecting health.
- 4.2. Part 8 of the Act introduces the provision of toilets, specifically local toilet strategies. The Act places a duty on local authorities to prepare and publish a Local Toilet Strategy which must include an assessment of the need for toilets, including changing facilities for babies and changing places facilities for disabled people. It is important to note that there is no statutory requirement for local authorities to provide PCs. The provision of PCs is a discretionary service.
- 4.3. To support the development of the Local Toilet Strategy, local authorities are required to produce an assessment of need for toilets within local communities. The Council ran a consultation to inform the final version of the Local Toilet Interim Needs Assessment, which ran from 22 July to 15 September 2024, and we received 1,419 responses. The Needs Assessment highlights an identified need for PCs in Rhyl, Prestatyn, Denbigh, Ruthin, Llangollen and Corwen but there is no identified need in St. Asaph, Rhuddlan or Dyserth. The Needs Assessment can be viewed at Appendix 1 and the consultation findings can be viewed at Appendix 2.
- 4.4. Based on the Needs Assessment, a new Local Toilet Strategy was drafted, which we then conducted a public consultation on. The draft Strategy can be viewed at Appendix 3. The 8-week consultation ended on 12 February 2025 and was promoted on DCC’s website and a link to the survey was shared on the Council’s Facebook page over the course of the 8 weeks. We received 457 responses to the consultation online and 6 e-mails from members of the public sharing their comments. The survey was also shared with City, Town and Community Councils (CT&CCs) and we received 5 responses, though Llangynhafal Community Council

responded twice. Further details of the responses and comments received can be found in the Consultation Feedback Summary Report at Appendix 4.

4.5. In setting the 2024/25 budget a review of public conveniences was included as a Major Savings Proposal with £200,000 removed from the PC budget in Highways and Environmental Services for 2024/25, reducing the budget to £70,000. That decision was largely based on an assumption that at least some PCs would need to close unless a way could be found to make the service fit the new budget. Options to be explored included whether it would be possible to transfer PCs to partners, including City, Town & Community Councils (CT&CCs).

4.6. A report detailing the current provision in each town, and initial thinking about the future of each facility, is attached at Appendix 5. In summary, the following is being recommended:

- Given that this is a discretionary service, the Council should cease to operate PCs in towns where it has been established that there is no identified need for PCs, i.e., St. Asaph, Rhuddlan and Dyserth.
- Pod facilities, that are at end of life and the software and parts are no longer available, should be closed and decommissioned.
- PCs in towns with an identified need should be upgraded to enable them to accept cashless payment so they can be unstaffed (i.e. serviced by a mobile cleaning team). An application to the Welsh Government (WG) Brilliant Basics fund has already been submitted to hopefully enable five of the existing facilities to be upgraded, and a funding decision is expected in early April 2025. Further external funding opportunities should be sought to enable such works to take place at all remaining PCs, including working in partnership with CT&CCs and asking them for contributions alongside investing from our own capital funds.
- The price of entry for PCs then needs to be set at a level that would enable the service to operate within the existing budget and move closer towards cost recovery. Again, consideration need to be given to working in partnership with CT&CCs. Following investment and upgrades, there is an option for CT&CCs to raise more funding to pay the Council to operate PCs and/or to reduce the price of entry.

- DCC continues to promote the Community Toilet Scheme, with a view to expanding take up.

4.7. Appendix 6 shows what the projected budget position would be if we implemented the proposals in Appendix 5 to close a number of PCs. The current estimated cost of managing all the PCs earmarked for potential retention in Appendix 5 is c.£272,000. The current income from those sites is c.£57,000, therefore creating a net budget cost of c.£215,000. Given that the budget is £70,000, a budget pressure of around £150,000 would remain. However, that budget pressure is based on current costs and income. It does not include any increased income from charging for all PCs in future and from increasing the price of entry. It also does not include a decrease in operating costs from all PCs being unstaffed and accepting cashless payment. The future running costs (after investment has enabled them all to become unstaffed and to accept cashless payment) will inevitably be less than the current running costs. The detailed work to estimate those future running costs is being finalised currently and will be completed prior to any further discussions with Town Councils.

4.8. In conclusion, it may be possible to bridge that budget gap via a combination of closing some PCs, reduced operating costs, increasing prices, charging for all PCs and a budget contribution from Town Councils.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

5.1. The closure of all PCs would have a negative impact on the Corporate Plan themes identified below. However, our aspiration remains to keep PCs open in all towns with an identified need.

- A Prosperous Denbighshire: negative impact on Tourism and Regeneration
- A Healthier & Happier, caring Denbighshire: negative impact on our ability to enable people to live independently

6. What will it cost and how will it affect other services?

6.1. Any facilities that are recommended for closure, or are changed to be unstaffed, will involve a redundancy process, which will require support from HR and Finance. Redundancy costs would be zero if all staff are successfully redeployed, and the

estimated range of potential redundancy costs runs from zero to c.£180,000.

Whatever changes to provision are made, every effort will be made to minimise the need for redundancies, and it is therefore unlikely that redundancy costs would be at the top end of the estimated range.

- 6.2. The cost of upgrading the toilet doors to accept contactless payment for all the PCs that are being recommended for potential retention has been costed at approximately £311,000 (see Appendix 5 for details). £32,000 has already been secured (from LUF2) and an application has been made to WG Brilliant Basics for £120,000 to fund the cost of upgrading 5 of our PC sites, with a decision anticipated in early April 2025. If that funding bid is successful, it would leave a funding gap of c.£159,000 to upgrade the remaining sites with the new barrier and payment system. A discussion would therefore be required at Capital Scrutiny Group (CSG). This will be progressed once we are notified of the outcome of our Brilliant Basics application, and we therefore know the scale of the additional work required.
- 6.3. For any facilities transferred or closed, support would be required from Property Services and there will be costs associated with void buildings, decommissioning and maintenance of vacant properties. Discussions are ongoing with Property Services to calculate these costs and the current estimates can be viewed at Appendix 7.
- 6.4. There will be a cost associated with payments for the Community Toilet Scheme. All applications will be considered and assessed based on need. Payment is currently up to a maximum of £500 per annum per business/establishment. The aim would be to contain these costs within the existing budget. The scheme has been promoted in the Council's Business Bulletin on two occasions, but we did not receive much interest, however some expressions of interest have since been received.
- 6.5. A Communications Plan has been developed and support from the Corporate Communications Team will be needed to support the implementation of any decision.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. A Well-being Impact Assessment (WBIA) has been carried out as part of the savings proposal. The assessment was undertaken as a group, with support from the Strategic Planning and Performance team.

7.2. The WBIA concludes that the overall impact is neutral, however we will monitor and review the WBIA as the proposal progresses. The proposal seeks to provide a sustainable approach to public convenience provision in Denbighshire. Taking the approach in this proposal, the Council aims to maintain appropriate levels of provision instead of a significant reduction in facilities in the County. Where there is an identified need, PCs will remain open. Where PCs are proposed for closure, work is underway to promote the CTS and other facilities available for use. The WBIA can be viewed at [Appendix 8](#).

8. What consultations have been carried out with Scrutiny and others?

8.1. Corporate Executive Team and Lead Member for Environment and Transport.

8.2. A public consultation was carried out on the Local Toilet Interim Needs Assessment, which ran from 22nd July 2024 to 15th September 2024.

8.3. A public consultation was carried out on the Draft Local Toilets Strategy, which ran from 18th December 2024 to 12th February 2025.

9. Chief Finance Officer Statement

9.1 Given the severe financial constraints the Council has been facing in recent years, that it will continue to face in the medium term, all services are reviewing current levels of provision and are needing to reduce to make savings. At the request of Members, and as is to be expected under the financial circumstances, particular attention is being made to services that are discretionary. Public conveniences are a discretionary service.

9.2 Much work has been done to date to review and consult with the public on the need for public conveniences and the Council's Local Toilet Strategy. This information as set out within the report is shaping future decisions affecting different facilities alongside costs. There is more work to be done in partnership with local communities through City, Town and Community Councils to make those public conveniences identified as needed financial sustainable for the future.

10. What risks are there and is there anything we can do to reduce them?

10.1. A number of risks to the project have been identified and can be viewed at Appendix 9.

11. Power to make the decision

- Local Government Act 1972, sections 123 & 151
- Local Government (Miscellaneous Provisions) Act 1976, section 20
- Highways Act 1980, section 114
- Town and Country Planning Act 1990, section 106
- Local Government Act 2000, section 2
- Equality Act 2010