

SCOTTISH BORDERS COUNCIL AUDIT AND SCRUTINY COMMITTEE

MINUTES of Meeting of the AUDIT AND
SCRUTINY COMMITTEE held in Via
Microsoft Teams on Tuesday, 5 October
2021 at 2.00 pm

Present:- Councillors S. Bell (Chairman), H. Anderson, J. A. Fullarton, J. Greenwell,
N. Richards, E. Robson, H. Scott, S. Scott and E. Thornton-Nicol.
Also Present:- Councillor R. Tatler.
In Attendance:- Chief Roads Officer, Parks & Environment Operations Manager, Democratic
Services Team Leader.

1. PETITION

1.1 Petitions Procedure

There had been circulated copies of the Audit and Scrutiny Committee Petitions procedure. The Chairman outlined the process and advised Members that the petition only related to the public toilets in West Linton and they should restrict their consideration to those. The Chairman welcomed Mr Ian Reid, Lead Petitioner and Ms Marion Storrie from West Linton Community Council.

1.2 West Linton Toilets Petition

There had been circulated copies of a petition entitled "SBC should reopen and take full responsibility for managing the public toilets in West Linton", which had received around 1300 signatures. There had also been circulated copies of a briefing note by the Director Infrastructure and Environment in response to the petition. In the statement within the petition, it was explained that the public toilets in the middle of West Linton, run by Scottish Borders Council, had been closed for over 16 months since the start of the Covid-19 pandemic while others across the region had re-opened. It was noted that the toilets in West Linton had now re-opened and initially the petition had been withdrawn. However, the Council had now indicated that the toilets would close again at the end of the month so the petition had been re-submitted which urged the Council to re-open the toilets on a permanent basis.

1.3 The Chairman invited Ian Reid, Lead Petitioner, to present his petition. Mr Reid explained that he was not representing any particular group but he had listened to people and discussed his concerns with West Linton Community Council and they supported the petition. Mr Reid explained that he had begun the petition after a visit to Aberdeenshire where he found that all of the public toilets were open. He had been surprised at the level of support with the petition receiving around 1300 signatures, 800 online and 500 on paper copies. He explained the impact that the closure of the toilets had on the people of West Linton, those from surrounding communities and tourists. The toilets were centrally located close to the shops and the park and their closure had an impact on all ages from young people visiting the park to the elderly visiting the shops. He also highlighted the impact on tourists with people from 67 different places signing the petition. He had also ascertained that when the toilets were closed they could still be accessed by Council employees such as those on refuse lorries who had a key. He considered that if the toilets were having to be cleaned for Council employees then they should be able to stay open for everyone. Mr Reid thanked Mr Hedley and Mr Pringle for their engagement with him on this matter. Ms Storrie confirmed the support of the Community Council for keeping the toilets open.

- 1.4 In response to questions from Members, Mr Reid advised that West Linton had a population of just over 2000 people and was located on the A702 which was the main trunk road between Edinburgh and the M74. It was also connected to the A701 which was promoted as a tourist route and West Linton was signposted from that road as a historical conservation village. The sign also advertised that the village had toilets. He confirmed that the toilets were 2 spacious single compartments which could accommodate mobility scooters. With regard to the impact on tourists he advised there was a toilet in the local café but it had been overwhelmed by the demand and was not accessible for a mobility scooter. The owner had also required to repair them due to overuse. He also commented that the public toilets were also used by the tennis club. With regard to community provision he advised that 3 local organisations had indicated an interest but 2 had subsequently withdrawn. In response to a question on visitor numbers during the winter, Mr Reid advised that it depended on the number of events in Edinburgh. However, a number of people on biking holidays based themselves in West Linton. He considered that the biggest impact was on the vulnerable members of the community. Pre-Covid the toilets had been open on a permanent basis. The local cleaner had retired in December 2020 but a person had been appointed that had duties including the cleaning of the toilets. He had also suggested that the caretaker of the Graham Institute, which was located across from the toilets, could also assist with the cleaning. Mr Hedley advised that h had no questions for Mr Reid.
- 1.4 The Chief Roads Officer was invited to respond to the Petition on behalf of the Council. The paper which had been circulated set out the background to the closure of the Council's 41 public toilets when lockdown was imposed. Scottish Government had published guidance for local authorities on the operation of public toilets and it had been agreed to reopen 15 of these public toilets on 17 July 2020 with a 3 times daily cleaning regime. Following the further relaxing of Covid restrictions there had been growing pressure on the Council to open more public toilets and this led to the opening of further units with cleaning once a day and reduced opening hours until the end of October. The paper also commented on the use of comfort schemes where local businesses made their facilities available. The paper provided a detailed response to each of the points raised in the petition and advised that the future model for public toilets across the Scottish Borders would be the subject of a report to a future Council meeting. Mr Hedley confirmed that on further investigation there were no comfort schemes operating in West Linton.
- 1.5 Mr Hedley answered Members' questions and advised that Live Borders operated the Graham Institute so there would be a cost to use their staff. It was suggested that the subject should at least be discussed to see if some agreement could be reached. With regard to disabled access, Mr Hedley advised that the public toilets were refurbished in 2010 and were fully accessible but he could not comment on other facilities in the village and undertook to check. He was unable to provide an individual breakdown of the cost of operating the West Linton toilets. Opening hours were currently 9am-5pm seven days per week. In response to the criteria used for deciding which toilets would reopen, Mr Hedley advised that it was based on usage and ease of operation. With regard to the likely recommendations in the future report to Council it was noted that a previous report had approved the carrying out of a procurement exercise for the service and due to Covid there had been no further report to Council. In response to Council workers having keys, Mr Hedley advised that this had been introduced before lockdown when charging had been implemented. He was unable to advise how many keys had been issued but he considered that usage by employees would be infrequent. He was happy to have discussions with any community group who might be prepared to take over operation of the toilets.
- 1.6 Mr Hedley answered Mr Reid's questions and advised that he did not know what cleaning regime was in place for employee usage. With regard to the Community consultation promised by Councillor Haslam, Mr Hedley advised that this had not been a formal part of his original report but there was regular informal consultation with communities. With

regard to other statements made by Councillors, the Chairman advised that Mr Hedley was not in a position to comment on these.

- 1.7 Having heard from both Mr Reid and Mr Hedley, the Chairman outlined the decisions that they could make. Members discussed their recommendations and it was unanimously agreed that they favoured the option of referring the matter to the relevant Director with the recommendation that the West Linton toilets should remain open until a formal decision was taken by Council. They also requested that the Director of Infrastructure and Environment be asked to explore all options for cleaning including discussions with Live Borders given that these toilets were also used by Council employees.
- 1.8 The Chairman thanked Mr Reid and Ms Storrie for their presentation of the Petition and Mr Hedley for his input.

DECISION

AGREED that the Petition should be referred to the relevant Director with the recommendation from the Committee that the West Linton toilets should remain open and that the Director of Infrastructure & Environment be asked to explore all options to allow this, including discussions with Live Borders to support the cleaning regime and in light of the use of these toilets by Council staff. On a wider basis the Director should also consider keeping the other 9 toilets across the Borders open until a decision was taken by the Council on future provision.

The meeting concluded at 3.45 pm