

---

## **Public Toilets**

**Report by Director Infrastructure & Environment**

---

### **SCOTTISH BORDERS COUNCIL**

**30 March 2023**

---

#### **1 PURPOSE AND SUMMARY**

- 1.1 **This report proposes a strategy for the future provision of Public Toilets in the Scottish Borders.** Scottish Borders Council currently has 27 public toilets open for use, 14 remain closed and will not reopen.
- 1.2 Five key principles have been developed to inform how the Council propose to support the future delivery of the remaining 27 public toilet facilities.

#### **2 RECOMMENDATIONS**

- 2.1 **I recommend that the Committee:-**
  - (a) **Approves the future provision of Public Toilets across the Scottish Borders as detailed in Appendix A.**
  - (b) **Agrees to assign delegated powers to the Director Infrastructure & Environment, Acting Chief Financial Officer and the Chief Legal Officer to negotiating the sale/disposal of facilities as part of the strategy.**

### **3 BACKGROUND**

- 3.1 Public toilets are important to society for a range of different reasons: supporting vulnerable people to have confidence to leave their home, supporting our communities to be economically active and welcoming of visitors and supporting our and other mobile workforce welfare needs whilst at work.
- 3.2 However, the provision of public toilets is a discretionary service for Local Authorities and Scottish Borders Council is not legally obligated to provide public toilets.
- 3.3 Scottish Borders Council has 27 operating public toilets distributed across settlements and communities supplementing a range of additional provision in shops, filling stations, pubs, cafes and non-council operated visitor attractions across the Region.
- 3.4 In 2010, around £1m was invested into the public toilet estate but it only benefited a limited number of facilities. The quality of facilities remains generally poor and a proposal over how to improve the quality of the reduced smaller operational toilet estate is required.
- 3.5 In 2017, charged access was introduced with the proceeds being used to support operational services. Payments are made via a coin operated locking mechanism, which has proved problematic in some locations for example Earlston.
- 3.6 In 2018, the Council explored private sector interest in the design, operation and management of its public toilet estate and officers undertook a procurement exercise. Only one bid submission was received, which was £34k more expensive than the Council's in house delivery model and this was not pursued.
- 3.7 In the 2019, a further £50k of financial planned savings were agreed for a new delivery model for public toilet provision from 2020/21.
- 3.8 In 2019/20, the final year pre the current operating model for public toilets being introduced, the net cost of operating public toilets was £332k per annum.
- 3.9 At the start of the COVID pandemic all public toilets were closed. In August 2020, the Council reopened 16 facilities in key locations with an enhanced cleaning regime. A further 11 facilities were reopened from August 2021. In Eyemouth, Jedburgh, Kelso, Galashiels, Melrose, Selkirk, Hawick and Peebles, the Council owns more than one facility and continues to provide one operating facility in each of these towns. All disabled toilets are open.
- 3.10 The current model which includes 2 cleans per day in busy facilities and one clean per day in other facilities, given their rural nature and reduced usage costs £394k per annum.

### **4 Key Principles for the Council's Continued Support of Public Toilets**

- 4.1 The following principles have been developed to inform how the Council continues to support public toilet facilities recognising some of the factors highlighted above:

**Key Principle 1** - The condition of public toilets influences visitor and local perception of a community and there is a need to enhance the condition of the 27 facility operational toilet estate. To achieve this a programme of surveys and capital investment is needed.

**Key Principle 2** – The Council will maintain the current operational estate including the provision of one Council provided facility per each major existing settlement.

**Key Principle 3** - A phased approach to upgrading payment operated locking facilities will be implemented along with a move to accepting contactless payment facilities.

**Key Principle 4** - Provisions will continue to be maintained for those who need access for medical reasons and/ or emergency access via the RADAR mechanism.

**Key Principle 5** - An appropriate cleaning and inspection regime has to be maintained on a daily basis with cleaning of public toilets undertaken once per day.

## 5 Proposals

- 5.1 The principles outlined in Section 4 above have informed the proposals outlined at appendix A.
- 5.2 A condition survey will be undertaken for the remaining toilet facilities to inform future refurbishment and upgrade requirements with appropriate provision included in the capital plan 2024/25.
- 5.3 A phased approach to upgrading payment operated locking facilities through the introduction of contactless payment will be implemented as part of future refurbishment plans.
- 5.4 Mapping will be undertaken and made publicly available as part of a coordinated communications strategy to identify and locate all Council operated public toilet facilities and those available through public sector partners officers to raise and agree as part of finalising the report specifically with NHSB, Live Borders, RSLs) and other public access toilet provision (Supermarkets/ chain Cafes etc) across the Scottish Borders to improve awareness and online signposting for residents, tourists and visitors.
- 5.5 The Council will, where this is desired by communities, help to facilitate community-led initiatives to operate new or additional facilities. For the avoidance of doubt this will not extend to grant funding communities to take on redundant facilities.

- 5.6 Where there are 'gaps' in provision, the Council will however consider support it can provide to operate community or business led 'Comfort Schemes' within the constraints of resource and available budget.
- 5.7 To help to sustain the refurbishment of a smaller estate, facilities will to be sold on the open market, transferred to communities as community asset transfers or demolished. This will require a lead in time and the savings and costs associated with this will need to be profiled accordingly. The most appropriate way of repurposing each facility by way of sale (either on the open market or to adjoining owners), community asset transfer or demolition will need to be considered at an individual property level.

## **6 IMPLICATIONS**

### **6.1 Financial**

- (a) It is anticipated the future provision of public toilets as detailed at Appendix A will deliver a net saving in 2023/24 allowing for the permanent delivery of the financial plan saving of £50k.
- (b) Ongoing financial implications will be reviewed as part of the 2024/25 financial planning process including the refurbishment requirements identified from the condition surveys to improve the quality of open facilities.

### **6.2 Risk and Mitigations**

- (a) The savings of £50k required by the financial plan will not be delivered if no decision is made to change the service. Mitigations are the recommendations within this report. More importantly by adopting a smaller more sustainable model the council will ensure it can maintain and service the toilet estate to a higher standard than was previously possible.
- (b) Any changes required to staffing arising from the proposal members opt to adopt, will be managed according to HR policy and procedures relating to redeployment.
- (c) To realise all of the property related savings the facilities will need to be sold on the open market, transferred to communities as community asset transfers or demolished. This will require a lead in time and the savings and costs associated with this will need to be profiled accordingly. The most appropriate way of repurposing each facility by way of sale (either on the open market or to adjoining owners), community asset transfer or demolition will need to be considered at an individual property level. However, the Council has already received two expressions of interest for two facilities and it is anticipated that this will increase if either options are pursued.

### **6.3 Integrated Impact Assessment**

- (a) An Integrated Impact Assessment has been undertaken and is included as an appendix to this paper.

### **6.4 Sustainable Development Goals**

The proposals and recommendations within this report are expecting to have limited impact upon the UN Sustainable Development Goals. However, it is expected that the continued provision of public toilets will contribute to *Goal 3 – Ensure healthy lives and promote wellbeing for all at all ages*, by seeking to provide accessible and inclusive facilities at key locations across the Scottish Borders. As part of the capital investment plan, water usage and consumption will be a consideration, which contributes to *Goal 6 – Ensure availability and sustainable management of water and sanitation for all*. The provision of public toilets supports and enhances the tourism and visitor economy and will contribute to *Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all*.

#### **6.5 Climate Change**

Overall the proposal is expected to positively contribute towards Climate Change by developing a phased investment plan that consider solutions to reduce energy and water usage and demand and the use of renewables that may contribute to reducing CO2 emissions. In addition, the proposals may see reinvestment in existing proposals, reusing and preserving the assets where possible and rationalising surplus assets for community use, for sale or for redevelopment.

#### **6.6 Rural Proofing**

There are no rural proofing implications related with the recommendations in this report

#### **6.7 Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

#### **6.8 Changes to Scheme of Administration or Scheme of Delegation**

The proposal seeks to assign delegated powers to the Director Infrastructure & Environment, Acting Chief Financial Officer and the Chief Legal Officer to negotiating the sale/disposal of facilities as part of the strategy.

### **7CONSULTATION**

- 7.1 The Director (Finance & Corporate Governance), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications are being consulted and any comments received will be incorporated into the final report.

#### **Approved by**

**Name**

**Title**

**John Curry**

**Director – Infrastructure & Environment**

**Author(s)**

Name	Designation and Contact Number
John Curry	Director Infrastructure & Environment

**Background Papers:**

**Previous Minute Reference:**

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. John Curry can also give information on other language translations as well as providing additional copies.

Contact us at John Curry – [john.curry@scotborders.gov.uk](mailto:john.curry@scotborders.gov.uk)