

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR THE ENVIRONMENT

REPORT OF THE ASSISTANT DIRECTOR OF ENVIRONMENTAL SERVICES

Report prepared by Steve Goulette
Date Issued: 6 August 2009

1. PUBLIC CONVENIENCES

1.1 Issue for Decision

- 1.1.1 To consider the recommendations made by the Environment and Leisure Overview and Scrutiny Committee regarding its review of the Council's public conveniences.

1.2 Recommendations of the Assistant Director of Environmental Services

- 1.2.1 That the Cabinet Member agrees that the responses identified in the report be sent to the Overview and Scrutiny Committee.
- 1.2.2 That the closures of the public conveniences identified in the report are agreed and that the closure of facilities at Shepway, Park Wood and Palace Avenue be implemented as soon as possible.
- 1.2.3 That the arrangements for the community based schemes, both urban and rural, regarding criteria and numbers identified in the report be agreed.
- 1.2.4 That the responsibility for the remaining public conveniences together with appropriate budget be transferred to the Cabinet Member for Culture and Leisure and the responsibility for the closed facilities together with appropriate budget be transferred to the Cabinet Member for Corporate Services.

1.3 Reasons for Recommendation

- 1.3.1 The Environment and Leisure Overview and Scrutiny Committee has recently completed a review of the Council's public conveniences. The comprehensive report proposes a number of significant changes to the way public conveniences are provided in the borough, recognising the current quality and number of facilities available to the public and also the financial constraints affecting the Council.

1.3.2 The Committee has made a series of recommendations which reflect the lack of investment in the facilities in recent years and these are identified together with the suggested response in Appendix A to this report.

1.3.3 The Town Centre Management Street Scene Sub Group has supported the overall principles in the Overview and Scrutiny report; however, some key issues raised by them are provided in Appendix B to this report. The views given differ from the responses in Appendix A for the following reasons:

Church St

The sub group supported the principle of closure and considered that the Gateway should be made available as identified in the O&S report.

Fairmeadow

The sub group considers these facilities provide a vital need and are essential to encourage the use of the river, further that the only alternative would require crossing a busy road and should therefore be retained.

These facilities are in generally poor condition, they are often used for the wrong purposes and have suffered from anti-social behaviour and drug-related problems. Whilst alternative facilities would require crossing the road there is a subway for most of the year and a permanent signalised crossing at road level. Whilst this is not ideal it is still preferable to retaining the current inadequate facilities and the response in Appendix A does not support this view.

For special events e.g. River Festival, facilities could be hired in as they are for other activities. Nearby facilities will be approached as part of a community-based scheme.

Palace Avenue

The sub-group supported the closure but, in view of the poor condition and history of misuse, felt they should be closed as soon as possible.

1.3.4 The Overview and Scrutiny report proposes to close a number of public conveniences that are either used infrequently or in poor condition.

There is a need for facilities to remain in the town centre and village centres and the report proposes that community-based facilities are used (e.g. local restaurants, shops, etc).

This principle is supported in that it would provide further choice, provide a greater number of facilities available and will significantly improve the standards.

The scrutiny report does not consider how such schemes would operate and potential arrangements are identified later in this report.

- 1.3.5 The proposals will mean that the following public conveniences will be closed:-

<ul style="list-style-type: none">• Shepway• Parkwood• Palace Avenue	To be closed as soon as practical
<ul style="list-style-type: none">• Church Street• Fairmeadow	Subject to community scheme being in place
<ul style="list-style-type: none">• Staplehurst (library)• Staplehurst (Bell Lane)• Marden• Lenham• Headcorn• Yalding• Sutton Valence	Arrangements to be be discussed with Parish Councils and if not agreed the facilities will close

- 1.3.6 This will mean that the Cabinet Member only retains responsibility for the remaining toilet facilities:

- Lockmeadow
- Allington
- Butterfly unit/temporary urinals in the town centre
- Clare Park
- Penenden Heath
- Mote Park (Lake and Pavilion)
- South Park
- Whatman Park
- Cobtree
- Brenchley Gardens

- 1.3.7 With the exception of Allington and the Butterfly/temporary urinals, all the remaining facilities are directly linked to Parks and it is therefore suggested that the responsibility for all the remaining facilities transfers to the Cabinet Member for Culture and Leisure together with the appropriate budgets.

Those facilities that have been closed will continue to need minor maintenance and pay NNDR and therefore these premises should transfer to the Cabinet Member for Corporate Services and be

managed by the Corporate Property team as the buildings are no longer "operational".

- 1.3.8 These changes will mean that staffing resources will be reduced and this will need careful negotiation with staff and unions. In accordance with Council policies, staff affected by the proposals will be re-deployed wherever possible.
- 1.3.9 Some of the O&S recommendations are not agreed, details are provided in the SCRAIP response in Appendix A.
- 1.3.10 Whilst the report refers to the provision of developing a community-led scheme, it does not give any indication of how such a scheme would operate. In order to seek agreement with retailers in the town and rural areas, it is suggested that the following criteria apply:-
- a) The facilities meet the standards set out in Appendix C, both in terms of infrastructure and cleanliness;
 - b) There is agreement for the premises to be signed and clearly defined as part of the branding for the scheme;
 - c) Premises agree to a 12 month "contract";
 - d) Premises are paid an annual retainer to make their facilities available at the times agreed in the contract within an overall budget managed by MTCMI and potentially parish councils.
 - e) The facilities are regularly checked by Council officers to ensure standards are maintained.
- 1.3.11 In order to ensure the number of facilities available is increased as part of a community-based scheme, it is proposed that at least twelve facilities are identified and operated in the town centre in order to provide a wide range of choice and opening times, and where possible, two premises in each of the rural locations.
- 1.3.12 In order to have effective management of the scheme and to ensure other premises are available if some drop out or fail to maintain standards, the Town Centre Management Initiative can be asked to manage the list of premises for an annual fee of £2,000 and in rural areas, individual parishes can either take over the premises themselves and receive the community scheme retainer or agree to manage the community scheme in their area for a fee of £300 per annum.
- 1.3.13 The overall budget for public conveniences is £538,000 including overheads, insurances and depreciation.

The savings figures identified in the Overview and Scrutiny report do not reflect the costs of decommissioning or the true costs of closing

specific conveniences. The savings identified in the report are therefore incorrect.

Details of the savings that will accrue in a full year, based on the recommendations in the Scraip, and as detailed in paragraph 1.3.5 above (assuming community facility schemes are in place) are as follows:-

	£
Closure of Parkwood and Shepway facilities	20,400
Closure of town centre facilities	121,800
Closure of rural facilities	46,300
TOTAL	£188,500

Costs to implement the proposals:-

<u>One off costs</u>	£
Decommissioning	10,000
Redundancy (potential cost)	28,000
Demolition, etc. – Palace Avenue	25,000
Signing – community scheme	20,000
Website improvements	5,000
TOTAL	£88,000
<u>Recurring costs</u>	
Urban community scheme, MTCMI -management	2,000
Rural community scheme – management	1,800
Community scheme retainer costs	14,400
Maintenance of closed facilities	10,000
TOTAL	£28,200

It should be noted that Parkwood, Shepway and Palace Avenue will be closed as soon as possible in order to generate the £20,000 savings in the current financial year.

Therefore the savings achieved, if all the closures agreed are implemented, will be as follows:-

2009/10	£20,000	
2010/11	£72,300	Reflects one-off costs
2011/12	£160,300	Full savings less recurring costs

- 1.3.14 The remaining budgets will therefore be appropriately divided between the two Cabinet Members as identified in paragraph 1.3.7 above.

1.4 **Alternative Action and Why Not Recommended**

- 1.4.1 It would be possible to not respond to the Overview and Scrutiny Committee's recommendations. Clearly this would not be a positive action from the Cabinet Member and, given the detailed work that has been carried out and number of recommendations made, is not recommended.
- 1.4.2 Certain toilet facilities could remain open but these are not regularly used or in poor condition and on occasions misused. Those with high usage will only be closed where alternative community based facilities are in place.
- 1.4.3 Deep cleansing will only be long lasting with high quality sustainable materials. Not replacing those materials which are unsuitable would devalue the deep cleansing undertaken.
- 1.4.4 The Cabinet Member could decide to close some facilities and not provide a community based scheme. This would result in very limited public conveniences in the Borough and would not support those shopping and visiting the Borough's towns and villages.

1.5 **Impact on Corporate Objectives**

- 1.5.1 The provision of public conveniences is a discretionary function, however poor quality facilities could adversely affect a number of the Council's priorities.

1.6 **Risk Management**

- 1.6.1 The provision of public conveniences can be a very emotive subject and the Overview and Scrutiny Committee's report is comprehensive and involved considerable consultation. However the proposed closures will need to be implemented carefully with considerable involvement with local groups, ward members and parish councils. There is therefore a risk to the council's reputation.
- 1.6.2 The closures need to be implemented in time to achieve budget savings and if delayed could result in a shortfall in the budget.
- 1.6.3 Unions will need to be consulted regarding the changes to staffing resources who will be re-deployed wherever possible, but this could delay implementation.

1.6.4 The community based scheme will need to be effective to ensure the Council does not receive adverse comments regarding the lack of facilities or poor quality provision. Again there is a risk to the council's reputation.

1.6.5 The Council will be working with partners to ensure the success of the new proposals. there is a need to ensure all parties are clear of their roles and responsibilities to ensure success.

1.7 Other Implications

1.7.1

1. Financial

X

2. Staffing

X

3. Legal

X

4. Equality Impact Needs Assessment

5. Environmental/Sustainable Development

6. Community Safety

7. Human Rights Act

8. Procurement

9. Asset Management

Financial

1.7.2 The financial implications are detailed in the report.

Staffing

1.7.3 The proposed closures will lead to the need to re-deploy and redundancies may have to be considered.

Legal

1.7.4 Contracts will be agreed with each community facility provider.

Background documents

Environment and Leisure Overview and Scrutiny Committee Public Conveniences Review

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☒ No ☐

If yes, when did it appear in the Forward Plan? *July 2009*

Is this an Urgent Key Decision? Yes ☐ No ☒

Reason for Urgency

[State why the decision is urgent and cannot wait until the next issue of the forward plan.]

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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