

MAIDSTONE BOROUGH COUNCIL

**RECORD OF DECISION OF THE CABINET MEMBER FOR
ENVIRONMENT**

Decision Made: 14 August 2009

Public Conveniences

Issue for Decision

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

Decision Made

1. That the responses identified in the Report of the Assistant Director of Environmental Services, be sent to the Overview and Scrutiny Committee.
2. That the closures of the public conveniences, identified in the Report of the Assistant Director of Environmental Services, be agreed and that the closure of facilities at Shepway, Park Wood and Palace Avenue be implemented as soon as possible.
3. That the arrangements for the community based schemes, both urban and rural, regarding criteria and numbers identified in the report be agreed.
4. That the responsibility for the remaining public conveniences, together with appropriate budget, be transferred to the Cabinet Member for Leisure and Culture and the responsibility for the closed facilities together with appropriate budget be transferred to the Cabinet Member for Corporate Services.

Reasons for Decision

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.

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 the Report of the Assistant Director of Environmental Services.

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 the Report of the Assistant Director of Environmental Services. The views given differ from the responses in Appendix A to the Report of the Assistant Director of Environmental Services 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 Overview and Scrutiny 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 a 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 to the Report of the Environmental Services 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.

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.

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

<ul style="list-style-type: none"> • Shepway • Park Wood • 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 discussed with Parish Councils and if not agreed the facilities will close

This will mean that I only retain 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

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 Leisure and Culture 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".

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.

Some of the Overview and Scrutiny recommendations are not agreed, details are provided in the SCRAIP response in Appendix A to the Report of the Assistant Director of Environmental Services.

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 to the Report of the Assistant Director of Environmental Services, 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.

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.

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.

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 Scrap to the Report of the Assistant Director of Environmental Services, and as detailed above (assuming community facility schemes are in place) are as follows:-

Closure of Park Wood 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
Recurring costs	
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 Park Wood, 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

The remaining budgets will therefore be appropriately divided between the two Cabinet Members as identified above.

Alternatives considered and why rejected

It would be possible to not respond to the Overview and Scrutiny Committee's recommendations. Clearly this would not be a positive action from me and, given the detailed work that has been carried out and number of recommendations made, is not recommended.

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.

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.

I 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.

Background Papers

*Environment and Leisure Overview and Scrutiny Committee Public
Conveniences Review*

Background documents can be viewed at the Council offices

Signed: 

Councillor Mark Wooding
Cabinet Member for Environment

Date: 14/08/2009

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Scrutiny Manager by: 21 August 2009.