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**TONBRIDGE & MALLING**  
**BOROUGH COUNCIL**

EXECUTIVE SERVICES

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**Chief Executive**

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10 March 2022

Dear Councillor

**OVERVIEW AND SCRUTINY COMMITTEE - THURSDAY, 10TH MARCH, 2022**

I am now able to enclose, for consideration at the Thursday, 10th March, 2022 meeting of the Overview and Scrutiny Committee, the following Equality Impact Assessment that was unavailable when the agenda was printed.

**Agenda No    Item**

7.     **Public Toilets (Pages 3 - 8)**  
       Equality Impact Assessment

Yours sincerely

J E BEILBY  
Chief Executive

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## Equality Impact Assessment

Details of the assessment	
<b>Name of Function/Policy/ Service being assessed:</b>	For public toilets previously closed (Hadlow and Snodland) to remain closed. For West Malling toilets to close again when the Parish Council funded (via KCC Member Grant) opening comes to an end on 30 March 2022.
<b>Is the activity...?</b>	<b>New</b> <input type="checkbox"/> (please go to step 1) <b>Existing:Yes</b> <input checked="" type="checkbox"/> (please go to step 2)
<b>Date of assessment</b>	Commenced: 28/02/22 Completed: 10/03/22 Approved by Management Team
<b>Directorate &amp; Service</b>	Street Scene, Leisure & Technical Services
<b>Policy Owner</b>	Robert Styles
<b>Lead Officer</b>	Robert Styles

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Step 1	Initial Screening for:		
	This EqIA is an assessment on the possible impact of the Council not re-opening public toilets in the Borough that have previously closed and maintaining it's position to close West Malling public toilets once the Parish Council funding comes to an end on 30/03/22.		
	<b>Key Questions</b>	<b>Answers/Notes</b>	
1	What are you looking to achieve in this activity?	For toilets to remain closed	
2	Who in the main will benefit?	Prevent budget growth for TMBC	
3	Does the activity have the potential to cause adverse impact or discriminate against different groups in the community?	Yes <input type="checkbox"/>	Please explain: Yes – see step 2
		No <input type="checkbox"/>	Please explain: Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.
4	Does the activity make a positive contribution to equalities?	Yes <input type="checkbox"/>	Please explain:
		No <input type="checkbox"/>	Please explain: No – see step 2 Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.

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## Equality Impact Assessment

	Key Questions	Answers/Notes	
<b>Step 2</b>	<b>Scoping the assessment</b>		
1.	What is the overall aim, or purpose of the function/ policy/service?	A decision to continue with the closure of public toilets would save resources and needs to be considered within the context of continued financial pressures as well as the needs and expectations of borough residents and visitors.	
2.	What outcomes do you want to achieve with this function/ policy/service and for whom?	Prevent budget growth for TMBC and achieve the most efficient and effective use of resources on behalf of borough residents.	
3.	Who is intended to benefit from the function/service/ policy?	TMBC	
4.	Who defines or defined the function/service/policy?	There is no statutory requirement for the Council to provide public conveniences. It was recommended at Cabinet on 12 October 2021 that O&S be invited to consider the position of public conveniences across the Borough.	
5.	Who implements the function/service/policy?	Street Scene, Leisure and Technical Services	
6.	How do the outcomes of the function/service/policy meet or conflict other policies, values or objectives of the public authority (if applicable)?	Please indicate which of the Council's Key Priorities these outcomes relate to:	
		Achieving efficiency	<input checked="" type="checkbox"/>
		Embracing effective partnership working and funding	<input type="checkbox"/>
		Valuing our environment and encouraging sustainable growth	<input type="checkbox"/>
		Innovation	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
	Any other comments:		
7.	Are there any factors that could contribute or detract from the outcomes identified earlier?	Re-opening toilets would mean that the assets could not either be disposed of or managed for an alternative use, which would detract from achieving targets in the savings and transformation strategy.	
<b>Step 3</b>	<b>Consideration of data and information</b>		
8.	What do you already know about who uses this function/service/ policy?	Members of the public including residents of the Borough and its visitors.	

## Equality Impact Assessment

	Key Questions	Answers/Notes
9.	Has any consultation with service users already taken place on the function/service/ policy and if so what were the key findings?	None taken place.
10.	What, if any, additional information is needed to assess the impact of the function/service/policy?	N/A
11.	How do you propose to gather the additional information?	N/A
<b>Step 4</b>	<b>Assessing the Impact</b>	
12.	Based on what information you already know, in relation to each of the following groups consider whether a) there is anything in the function/service/policy that could discriminate or put anyone at a disadvantage b) for an existing function/service/policy, how it is actually working in practice for each group	
a.	<b>Equality groups</b> Age	A higher proportion of older people may use the toilets more frequently. A higher proportion of older people have disabilities compared with other age groups – see comments below. Young children may also be disproportionately disadvantaged by the closure of public toilets.
b.	Disability	People with mild physical disabilities could be disproportionately disadvantaged by the closure of some standard public access toilets. People who require disabled toilets could also be disproportionately impacted by the closure of such facilities.
c.	Gender	Women may be disproportionately impacted by the closure of such facilities.
d.	Race	N/A
e.	Religion/Belief	N/A
f.	Sexual Orientation	N/A
g.	Marital or Civil Partnership Status	N/A
h.	Pregnancy & Maternity	Women who are pregnant and women with infants may be disproportionately disadvantaged by the closure of public toilets
i.	Gender reassignment	N/A
j.	General/other	N/A

## Equality Impact Assessment

	Key Questions	Answers/Notes
<b>Step 5</b>	<b>Reviewing and Scrutinising the Impact</b>	
13.	What conclusions can you draw about any differential impact and how people are adversely or positively affected?	The Council recognises that there could be a disproportionate impact on those with one or more protected characteristics.
14.	What actions can you take to address any impacts identified?	In order to mitigate any such adverse impacts, the Council has sought to negotiate the transfer of service provision to local ownership by the Town or Parish Councils. In addition, a community toilet scheme in partnership with local businesses could be considered.
15.	If no changes can be made, what reasons are there to justify this?	The decision to close public toilets could have a disproportionate impact on a number of groups. It should be noted that the provision of public toilets is not a statutory duty and many district councils do not provide facilities. As such, any specific funding decisions must be considered against the backdrop of substantial savings targets. In this context, the Council believes that this decision is a proportionate means of achieving a legitimate aim. The aim to balance the Council's budget, must be achieved for the Council to continue to meet its core statutory duties and equality objectives.
16.	How might any of the changes, in relation to the adverse impact, have a further adverse affect on any other group?	N/A
<b>Step 6</b>	<b>Decision making and future monitoring</b>	
17.	Which decision making process do these changes need to go through i.e. do they need to be approved by a committee/Council?	Cabinet

# Equality Impact Assessment

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