

<b>Summary of decision to be made:</b>	To implement the recommendations of the Overview & Scrutiny Committee & Cabinet regarding the future provision of public conveniences currently provided by the Borough Council.		
<b>Lead Officer (job title):</b>	Director of Street Scene, Leisure and Technical Services		
<b>Date the final decision is due to be made:</b>	19/03/2019	<b>Date this assessment commenced:</b>	26/11/2018
<b>Sign off by Tonbridge &amp; Malling B.C.</b>	Name / electronic signature	<b>Date:</b>	<a href="#">Click here to enter a date.</a>
<b>Is the decision relevant to the aims of the Public Sector Equality Duty to:</b>			
Eliminate discrimination, harassment and victimisation			No
Advance equality of opportunity			Yes
Foster good relations			No
<b>Background:</b>			
<p>The Borough Council currently operates 15 public conveniences across the Borough at an annual operating cost of £155,300. Eight of the existing public conveniences are in Parish centres, three in Tonbridge town centre and four in Open Spaces owned by the Borough Council. Members of the Council have considered the future provision of this service (Overview &amp; Scrutiny Committee 18<sup>th</sup> October 2018) in light of the Council's financial position and to ensure the public conveniences are being provided in the most appropriate way. The provision of public conveniences by local authorities is a discretionary service. The Council's Cabinet has approved the transfer of the eight Parish public conveniences to the relevant local Parish Council's, with the other seven public conveniences retained by the Borough Council, with the exception of the public convenience at the front of the Angel Centre. The public will still be able to use toilets in the Angel Centre or in the adjacent shops. A recommendation of Cabinet was that an EQIA regarding the way forward be progressed and reported to the Street Scene &amp; Environment Advisory Board.</p>			
<b>Scope of this equality impact assessment:</b>			
<p>This Equality Impact Assessment will consider the proposed future approach by the Borough Council, and is summarised as:</p> <p><u>Transfer to Parish Councils</u> – it is proposed to transfer seven of the eight public conveniences in Parished areas to the local Parish Council (the public convenience in Wrotham is already owned by the Parish Council). The facilities will be transferred through a long lease which will require the buildings to be maintained for use as a public convenience. If necessary the buildings will be improved in advance of the transfer with no reduction to existing facilities provided. The Parishes will be responsible for the future management funding and operation of the public conveniences.</p> <p><u>Retain Existing Facilities</u> – Six of the existing public conveniences in the Council's main Public Open Spaces and in Tonbridge Town Centre will be retained by the Borough Council, which will continue to be responsible for their management/operation. Funding will either be direct from the Borough Council or via Special Expenses for those public conveniences in Tonbridge in non-strategic sites.</p> <p><u>Closure of Angel Centre Public Convenience</u> – the existing public conveniences at the front of the building will be closed, with the public redirected to the toilets within the Centre. Use of these toilets will remain free of charge and there will be no reduction in the range of facilities provided. Publically accessible toilets are also available in the adjacent shops, (Beales and Sainsburys) should the public wish to use them.</p>			

This Equality Impact Assessment focuses on the changes outlined earlier in this assessment. It does not consider day to day operational issues.	
<p><b>Data and information:</b></p> <p><b>Census (2011)</b></p> <p>Average Household Size is in line with the Kent (2.4) and national average (2.4):</p> <p>Tonbridge &amp; Malling: 2.5</p> <p><b>Performance and residents feedback</b></p> <p>The Council do not have resident's feedback on the provision of its public conveniences. The only performance data held by the Council relates to the ongoing performance of the external contractor employed by the Council to clean the existing toilets. The Cleaning contract has been extended to enable adequate time to implement the new arrangements in liaison with the Parish Councils.</p> <p>In advance of the Overview &amp; Scrutiny Committee Review the Borough Council sought feedback from the relevant Parish/Town Councils and Tonbridge Ward Members regarding the existing public conveniences located in their area. A summary of the feedback received was reported to the Committee. Liaison was also undertaken with the Community Safety Unit which highlighted very few anti-social behaviour issues within the toilets.</p>	
<p><b>Relevance to the three aims of the Public Sector Equality Duty:</b></p> <ol style="list-style-type: none"> <li>1. The provision of public conveniences is not relevant to the first aim of the Duty to eliminate discrimination, harassment and victimisation.</li> <li>2. The need to consider how we can take steps to meet the needs of people with "protected characteristics", who use public conveniences, is relevant to the second aim of the Duty to advance equality of opportunity.</li> <li>3. The provision of public conveniences is not relevant to fostering good relations.</li> </ol>	
For each of the following characteristics:	<ul style="list-style-type: none"> <li>▪ Summarise available data, statistics or consultation findings.</li> <li>▪ State how the proposal will impact on people.</li> <li>▪ What action will be taken to reduce or mitigate any potential negative impacts.</li> </ul>
<b>Disability</b>	<p><b>Data and information</b></p> <p><b>Census (2011):</b> the percentage of the population in receipt of disability benefits (individuals not households) is lower than the Kent (8%) and national average (8.2%):  Tonbridge &amp; Malling: 6.4%</p> <p>The percentage of households with one or more people with a long-term health problem or disability:  Tonbridge &amp; Malling: one person - 23%; two or more people - 6%.</p>

	<p><b>Complaints (2017/18):</b> Complaints and service requests relating to public conveniences are dealt with by the Waste Services Team. The number of complaints in 2017/18 was low.</p> <p>As part of the review the Council undertook a detailed audit of its existing public conveniences. The audit identified that all of the public toilets have access for disabled people and most have a separate facility. To use the disabled toilets a RADAR key is needed, which can be purchased from the Council for £5 or are provided by health authorities. This service will be retained in the future.</p> <p><b>Assessment of impacts</b></p> <p>For the six public conveniences being retained and directly operated by the Borough Council there will be no impact on disabled users as there will be no change in service provision.</p> <p>For the eight public conveniences being transferred to Parish/Town Councils there will be no impact on disabled users as there will be no change in service provision. If the Parish/Town Council do not accept responsibility for the future operation of the toilets, the Borough Council will work in partnership with the Parish/Town Council to help identify suitable alternative publically accessible toilets in the near vicinity. A number of alternatives have already been identified in the audit of the existing facilities.</p> <p>With respect to the closure of the Angel Centre public conveniences there will be no impact on disabled users as disabled toilets are available within the Angel Centre.</p> <p>The opportunity exists to enhance the quality/range of facilities available for people with disabilities as part of the planned improvement programme.</p>
<p><b>Race</b></p>	<p><b>Data and information</b></p> <p><b>Census (2011)</b> Ethnic group of household reference person:</p> <ul style="list-style-type: none"> <li>▪ Tonbridge &amp; Malling: 97% White; 0.7% Mixed/Multiple ethnic group; 1.4% Asian/Asian British; 0.4% Black/African/Caribbean/Black British; 0.2% Other ethnic group.</li> </ul>

	<p><b>Assessment of impacts</b></p> <p>We have no evidence to indicate that people have different needs based on their ethnic group, in relation to the use of public conveniences. We have not identified any needs that would need to be addressed in the review.</p>
Sex	<p><b>Data and information</b></p> <p>We have no evidence to indicate that males would have different needs to females in relation to the use of public conveniences.</p> <p><b>Assessment of impacts</b></p> <p>We have not identified any needs that would need to be addressed in the review.</p>
Age	<p><b>Data and information</b></p> <p><b>Census (2011)</b></p> <p>One person households over the age of 65 are in line with Kent and national averages:</p> <ul style="list-style-type: none"> <li>▪ Tonbridge &amp; Malling: one person - 1%; one family - 10%; other household types all aged over 65 - 0.3%.</li> </ul> <p>Whilst the Council does not possess data on the age profile of users of its public conveniences, it is recognised that potentially the elderly and young children could be most affected if public conveniences are closed.</p> <p>For the six public conveniences being retained and directly operated by the Borough Council there will be no impact on any age group of users as there will be no change in service provision. For the eight public conveniences being transferred to Parish/Town Councils there will be no impact on any age group of users as there will be no change in service provision. If the Parish/Town Council do not accept responsibility for the future operation of the toilets, the Borough Council will work in Partnership with the Parish/Town Council to help identify suitable alternative publically accessible toilets in the near vicinity. A number of alternatives have already been identified in the audit of the existing facilities.</p> <p>With respect to the closure of the Angel Centre public conveniences there will be no impact on the elderly or young children as suitable toilets are available within the Angel Centre.</p>

	The opportunity exists to enhance the quality/range of facilities available for older or younger people as part of the planned improvement programme.
<b>Religion / Belief</b>	<p><b>Data and information</b></p> <p>We have no evidence to indicate that people would have different needs based on their religion/belief in relation to the use of public conveniences.</p> <p><b>Assessment of impacts</b></p> <p>We have not identified any needs that would need to be addressed in the review.</p>
<b>Sexual Orientation</b>	<p><b>Data and information</b></p> <p>We have no evidence to indicate that people would have different needs based on their sexual orientation in relation to the use of public conveniences.</p> <p><b>Assessment of impacts</b></p> <p>We have not identified any needs that would need to be addressed in the review.</p>
<b>Pregnancy / Maternity</b>	<p><b>Data and information</b></p> <p>We have no evidence to indicate that people would have different needs based on pregnancy/maternity in relation to the use of public conveniences.</p> <p><b>Assessment of impacts</b></p> <p>We have not identified any needs that would need to be addressed in the review.</p>
<b>Marital or Civil Partnership Status</b>	We have identified that the provision of public conveniences is not relevant to the first aim of the Duty to eliminate discrimination, harassment and victimisation.
<b>Gender reassignment</b>	<p><b>Data and information</b></p> <p>We have no evidence to indicate that people would have different needs based on gender reassignment in relation to the use of public conveniences.</p>

	<b>Assessment of impacts</b> We have not identified any needs that would need to be addressed in the review.			
<b>Armed Forces Community</b>	<b>Data and information</b> The needs of the Armed Forces community are considered as part of the commitments within the Community Covenant to encourage support for the Armed Forces community working and residing in the borough.  <b>Assessment of impacts</b> We have not identified any needs that would need to be addressed in the review.			
Please tick the outcome of this assessment:	No impact	Adjust the policy	<b>Continue the policy ✓</b>	Stop and remove the policy
How will you summarise the impacts in the committee report:	We have considered how we can take steps to meet the needs of people with protected characteristics who use public conveniences, and have identified that: <ul style="list-style-type: none"> <li>▪ For those public conveniences being retained by the Borough Council there will be no impact.</li> <li>▪ For those public conveniences being successfully transferred to Parish/Town Councils there will be no impact.</li> <li>▪ For those public conveniences unsuccessfully transferred to Parish/Town Councils the Borough and Parish Councils will work in partnership to identify suitable and publically accessible toilets.</li> <li>▪ As part of the planned improvement programme for the public conveniences particular focus will be given to enhancing facilities for people with protected characteristics identified in this EQIA.</li> </ul>			
When will you review this assessment:	01/04/2020 This date marks the deadline for the new arrangements being fully implemented.			