

# TONBRIDGE & MALLING BOROUGH COUNCIL

## CABINET

14 February 2019

### Report of the Chief Executive

#### Part 1- Public

#### Executive Non Key Decisions

#### **1 PROVISION OF PUBLIC CONVENIENCES**

##### **To review the Council's Current Provision of Public Conveniences**

#### **1.1 Background**

1.1.1 The Overview and Scrutiny Committee met on 18 October 2018 to review a detailed audit of the Borough Council's current provision of public conveniences. Options considered as part of the review included location and size of facility, facilities provided, opening hours, assessment of current condition and whether there was alternative provision nearby. Also considered were facility closure and retention and potential transfer to Parish/Town Councils.

1.1.2 In addition, Members supported the principle of funding some facilities in Tonbridge via Special Expenses on the grounds of fairness across the Borough, subject to further detail and financial modelling of all options and consideration by the Street Scene and Environmental Services Advisory Board.

#### **1.2 Legal Implications**

1.2.1 There is no statutory requirement for the Council to provide public conveniences. The current public convenience cleansing contract terminates on 28<sup>th</sup> February 2019, although extensions are possible.

1.2.2 The Provisions relating to "special expenses" are contained in the Local Government Finance Act 1992 at sections 34 and 35. These sections allow different amounts of council tax to be calculated for different parts of the district, depending on what if any "special items" relate to those parts. The Special Expenses policy adopted by Full Council in November 2016 would need to be updated and approved if changes as outlined in the report went ahead.

#### **1.3 Financial and Value for Money Considerations**

1.3.1 If Members are minded to approve the proposed way forward, it is estimated that future revenue savings of circa £75,000 could be achieved to contribute to the Council's Savings & Transformation Strategy. This broad estimate has taken into account potential savings on the cleaning contract, utilities, rates and repairs expenditure. It is too early at this stage to be accurate over the savings and these

will need to be confirmed within future reports to the Street Scene & Environment Advisory Board. The provision of public conveniences is a discretionary service provided by the Council and it is therefore entirely appropriate for it to be reviewed.

#### **1.4 Risk Assessment**

- 1.4.1 It is important for the Council to undertake the review to ensure that existing services are being provided in accordance with need, it is not duplicating alternative provision and is delivering the services as cost effectively as possible.

#### **1.5 Equality Impact Assessment**

- 1.5.1 An Equality Impact Assessment (EQIA) has been completed, to be reported to the Street Scene and Environment Services Advisory Board on 11 February 2019. The Assessment followed the agreed template, looking at each of the protected characteristics included in the Public Sector Equality Duty.

#### **1.6 Recommendations**

- 1.6.1 That the following eight recommendations as set out in the report to Overview and Scrutiny Committee on 18 October 2018 **BE AGREED:**

- 1) Subject to agreement with the existing contractor, the existing public convenience cleansing contract be extended for 12 months in accordance with current contract conditions;
- 2) Meetings be undertaken with individual Parish/Town Council to agree the transfer of ownership of the Council's public conveniences currently located in their area;
- 3) The existing provision of public conveniences at Leybourne Lakes Country Park, Haysden Country Park, Tonbridge Racecourse Sportsground and Tonbridge Cemetery be retained;
- 4) The existing Priory Road and Castle Grounds public conveniences in Tonbridge be retained;
- 5) The existing Angel Centre public toilets be closed with the public redirected to existing alternative provision;
- 6) Further investigation be undertaken into the suitability of alternative toilets in the vicinity of Tonbridge Castle to determine the future provision of Castle Grounds toilets;
- 7) The Building and Estates Manager be requested to bring forward an improvement programme for those facilities to be retained/transferred; and

- 8) Future reports be submitted to the Street Scene & Environmental Services Advisory Board on the outcome of the review, accompanied by an Equality Impact Assessment and financial appraisal.

Background papers:

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Nil

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Chief Executive