

Agenda for Cabinet Thursday, 18th June, 2020, 5.00 pm

Members of Cabinet

Councillors M Armstrong, P Arnott (Chairman), J Bailey, P Hayward, G Jung, D Ledger, P Millar, M Rixson, J Rowland and E Wragg (Vice-Chairman)

Venue: Online via the Zoom app. All councillors and registered speakers will have been sent an appointment with the meeting link.

Contact: Amanda Coombes, Democratic Services
Officer 01395 517543 or email
acoombes@eastdevon.gov.uk

(or group number 01395 517546)
Tuesday, 16 June 2020

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ
DX 48808 HONITON
Tel: 01404 515616

www.eastdevon.gov.uk

Important - this meeting will be conducted online and recorded by Zoom only.

Please do not attend Blackdown House.

Members are asked to follow the [Protocol for Remote Meetings](#)

This meeting is being recorded by EDDC for subsequent publication on the Council's website and will be streamed live to the Council's Youtube Channel at
<https://www.youtube.com/channel/UCmNHQruge3LVI4hcgRnbwBw>

Public speakers are now required to register to speak – for more information please use the following link: <https://eastdevon.gov.uk/council-and-democracy/have-your-say-at-meetings/all-other-virtual-public-meetings/#article-content>

1 Public speaking

Information on [public speaking is available online](#)

2 Minutes of the previous meeting held on 9 June 2020 (Pages 3 - 7)

3 Apologies

4 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

5 Matters of urgency

There is one urgent item relating to the seasonal resource and additional budget to allow improved public toilet opening, which is to be dealt with at item 7.

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are **no** items which officers recommend should be dealt with in this way.

Matters for Decision

- 7 Reinstating StreetScene seasonal resource and additional budget to allow improved public toilet opening (Pages 8 - 18)**

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Cabinet held Online via the Zoom App on 9 June 2020

Attendance list at end of document

The meeting started at 2.00 pm and ended at 3.06 pm

164 Public speaking

There were no members of the public wishing to speak.

165 Minutes of the previous meeting held on 4 March 2020

The minutes of Cabinet held on 4 March 2020 were confirmed as a true record.

166 Declarations of interest

Min 169. Local Authority Discretionary Grants Fund.

Councillor Andrew Moulding, Personal, Been involved in past applications to such funding such as Cloakham Lawns Sports Centre Axminster, Axminster Heritage Ltd, Arc Axminster, Virtue & Honour Lodge No 494, a country market at the masonic hall and personal friend to the Lord of the Manor Jim Row who is a freemason as is Cllr Moulding.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Colin Brown, Personal, Has received previous grant scheme funding.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Dan Ledger, Personal, Potential applicants to grants may be known to him.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Eleanor Rylance, Personal, Has received previous grant scheme funding.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Geoff Jung, Personal, Potential applicants to grants may be known to him.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Ian Hall, Personal, Been involved in past applications to such funding such as Cloakham Lawns Sports Centre and Arc Axminster.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Jack Rowland, Personal, Seaton Town Councillor applicants may be tenants of the council.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Jess Bailey, Personal, Potential applicants to grants may be known to her.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Marcus Hartnell, Personal, Has received previous grant scheme funding.

Min 169. Local Authority Discretionary Grants Fund.

Councillor Marianne Rixson, Personal, Potential applicants to grants may be known to her.

Min 169. Local Authority Discretionary Grants Fund.
Councillor Mike Howe, Personal, Has received previous grant scheme funding.

Min 169. Local Authority Discretionary Grants Fund.
Councillor Paul Arnott, Personal, Wife runs a Bed and Breakfast.

Min 169. Local Authority Discretionary Grants Fund.
Councillor Paul Hayward, Personal, Potential applicants to grants may be known to him.

167 **Matters of urgency**

There was one item that was dealt with in this way which is recorded under minute 169.

168 **Confidential/exempt item(s)**

There were no items that officers recommended should be dealt with in this way.

169 **Local Authority Discretionary Grants Fund**

The Service Lead Growth, Development & Prosperity presented the report which sought approval for a proposed policy to manage the deployment of monies being made available through the Local Authority Discretionary Grants Fund. The report included associated recommendations relating to the timing of when the Fund went live and delegation for the approval of payments. He reminded members that the 2 Government schemes set up in March this year for funding to businesses had had strict guidance which meant many businesses were not eligible to apply for this support.

The Chairman read out recent correspondence he had received from East Devon's MP Simon Jupp on this matter which referred in part to the following:

- Throughout the COVID-19 crisis, EDDC had played a vital role in supporting the community from coordinating volunteering efforts to the delivery of the government's financial support to local businesses.
- The injection of £72m from central government funds had been crucial in the economic response to the pandemic but some businesses weren't eligible for financial support for a variety of reasons.
- Work to highlight businesses unable to benefit from the Businesses Support Grant resulted in BEIS providing additional, flexible funding for local authority distribution.
- By focussing solely on the retail, hospitality and leisure sector, EDDC could preclude many business in East Devon that employ large numbers of people and yet continue to have large overheads whilst being extremely limited in their ability to trade.

Committee discussions included the following:

- Recognition of local knowledge and the sense of wanting to support local businesses by all members

- Set up a cross-party group or panel to make decisions, allowing the group to work locally by covering a wide range of opinion across the whole district
- These were discretionary grants so must support the businesses that fell outside the criteria in the previous funding grant scheme
- We had plenty of resources, policies and discretion so the need now was to get on with it. If no further funding was going to be received then the application of some criteria would be necessary
- There was no flexibility in the criteria. This needed ward member involvement to look into local businesses
- The funding was welcomed, there was a need to look at smaller businesses
- It was difficult to cover all categories therefore discretion must be the big focus
- All members were elected so let then be part of the solution through good communications
- Without any criteria how can we show fairness and transparency to how the funding would be distributed
- A £2.4m fund needed criteria and a flexible approach
- Help as many businesses as possible by being pragmatic to what was being asked of the Council
- Language schools must be included
- Establish cross-party group to strike a balance of a broad consultation process
- The need for criteria and form application to allow officers to filter the applications. In the event of possible over subscribing reserve the right to vary the grant level
- Keep some grants back for businesses that showed good growth potential, were in the early stages of getting established and likely to help to improve the local economy
- Had to operate within national guidance therefore quite limited to how this could be manoeuvred
- Continue to lobby our MPs, they were there to work on the district's behalf to secure future funding

The committee thanked Andy Wood, Libby Jarrett and officers for their efforts in setting up this policy to manage the funds.

RESOLVED that Cabinet;

- Considers the national guidance, Devon framework and data modelling documents,
- Approves the proposed EDDC Discretionary Business Grants Scheme 2020/21 including the eligibility criteria, local priorities, grant payment levels and its administration procedure but to be revised to include (i) language schools within Local Fund Priorities and (ii) within the Eligibility Criteria (Section 3) that businesses must be primarily trading from premises that are situated within the boundaries of East Devon District Council with delegated authority to the Strategic Lead (Finance) to amend the scheme accordingly,
- Agrees that prior to the Service Lead (Growth, Development and Prosperity) taking a decision under the scheme that there is consultation with a group of members comprising the Leader, Deputy Leader and Portfolio Holders for Finance, Economy & Assets and Corporate Services & Covid-19 Response and Recovery and two Conservative members, one of The Independent members and one Cranbrook Voice member to be nominated by the respective Groups,

- Approves launching the scheme on the 10th June with a deadline for applications of the 24th June, and
- Delegates authority to the Strategic Lead (Finance) to make any required technical changes to the Scheme, all be agreed.

REASON:

To ensure that the funding scheme can be launched and that the funds can be deployed to qualifying businesses and organisations.

Attendance List

Present:

Portfolio Holders

M Armstrong	Portfolio Holder Sustainable Homes and Communities
P Arnott	Leader
J Bailey	Portfolio Holder Corporate Services and COVID-19 Response and Recovery
P Hayward	Portfolio Holder Economy and Assets
G Jung	Portfolio Holder Coast, Country and Environment
D Ledger	Portfolio Holder Strategic Planning
P Millar	Portfolio Holder Democracy and Transparency
M Rixson	Portfolio Holder Climate Action
J Rowland	Portfolio Holder Finance
E Wragg	Deputy Leader

Also present (for some or all the meeting)

Councillor Mike Allen
Councillor Denise Bickley
Councillor Kevin Blakey
Councillor Kim Bloxham
Councillor Susie Bond
Councillor Maddy Chapman
Councillor Olly Davey
Councillor Bruce De Saram
Councillor Alan Dent
Councillor Peter Faithfull
Councillor Cathy Gardner
Councillor Steve Gazzard
Councillor Ian Hall
Councillor Marcus Hartnell
Councillor Sam Hawkins
Councillor Mike Howe
Councillor Sarah Jackson
Councillor Vicky Johns
Councillor Fabian King
Councillor John Loudoun
Councillor Tony McCollum
Councillor Kathy McLauchlan

Councillor Andrew Moulding
Councillor Helen Parr
Councillor Geoff Pook
Councillor Geoff Pratt
Councillor Val Ranger
Councillor Eleanor Rylance
Councillor Brenda Taylor
Councillor Ian Thomas
Councillor Joe Whibley
Councillor Colin Brown

Also present:

Officers:

Amanda Coombes, Democratic Services Officer
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Henry Gordon Lennox, Strategic Lead Governance and Licensing
Susan Howl, Democratic Services Manager
Libby Jarrett, Service Lead Revenues and Benefits
Karen Simpkin, Strategic Lead Organisational Development and Transformation
Alison Stoneham, Communications and Public Affairs Manager
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Mark Williams, Chief Executive
Andrew Wood, Service Lead - Growth Development and Prosperity

Chairman

Date:



Report to: Cabinet

Date of Meeting: 18 June 2020

Public Document: Yes

Exemption: None

Review date for release None

Subject: **Reinstating StreetScene seasonal resource and additional budget to allow improved public toilet opening.**

Purpose of report: To explain why a re-instatement of the StreetScene seasonal agency budget is required and give Cabinet enough information to decide on what level of additional budget or virement could be approved to enable more public toilets to re-open.

Recommendation: **That Cabinet:**

- 1. Note the use of the StreetScene agency budget of £62k to enable StreetScene Operations to meet statutory responsibilities in relation to street cleansing and maintain an Outstanding Environment.**
- 2. Review Options A-Ci for opening public toilets further (which would require additional budget ranging from £53,282 - £124,325 for 9 months until March 2021) and decide whether to pursue one of the options and to make a recommendation to Council for the additional funding, or virement from other budgets.**
- 3. Approve an extensive communications effort to explain why this restricted opening and over budget resource is required and approach the Town & Parish Council's benefitting, seeking a contribution to the costs.**
- 4. Approve a long term review of public toilet stock taking account of the 'new normal', requiring consideration of financial sustainability and Covid-19 secure building adaptations and investment within the stock with a report to be brought back to Cabinet for consideration.**

Reason for recommendation: Using the agency resource will allow us to keep beaches, parks and streets clean in the face of increased demand, restoring staffing to our normal levels.

Due to Covid-19 secure guidelines, a greater degree of cleaning is required of our public toilets. Opening any more than 10 will require more budget and staff resource. Cabinet to decide on what level is appropriate.

With the new normal of covid and the pressure on public finances, we need to review what level of provision is sustainable and what building adaptations/refurbishments may be required, hence a full review being needed.

Officer: Andrew Hancock, Service Lead - StreetScene

Portfolio Holder:	Portfolio Holder for Environment
Financial implications:	<p><u>Over financial context</u></p> <p>Members are reminded of the current financial predicament the Council is in with a projected in year deficit of £5.3m as result of Covid-19 and MTFP deficit to find of £3.8m over the next two years.</p> <p><u>Seasonal staffing agency budget</u></p> <p>To help meet the in year deficit the seasonal agency street cleaning budget of £62k was proposed to be saved. The situation has now changed as noted in the report and it is now proposed to spend this budget.</p> <p><u>Re-opening public toilets.</u></p> <p>The options available and broad costs involved are outlined in the report and members need to consider these in light of the Council's financial situation.</p> <p>The importance of these facilities are understood but this a large discretionary budget area with annual costs of £732k and annual capital costs normally in the order of £150k to £200k per year. This area was highlighted as a potential saving in our plans to help bridge the gap in the Council's MTFP. A strategy of ensuring toilet provision remained but targeted for the right areas only and to be provided at a higher standard. The need for this review is recommended in the report.</p>
Legal implications:	<p>The legal position in relation to street cleansing is detailed in the report. In respect of toilets, this is a discretionary service and so it is acceptable for a choice to be made. However, provision must be at an acceptable standard so as to comply with our responsibilities in terms of our duty of care to users.</p>
Equalities impact:	<p>Medium Impact</p> <p>We have received some comments about the difficulty that re-opening only 10 toilets has had for certain groups who need access to a toilet more often.</p> <p>The 10 toilet sites we have already re-opened do give access to a public toilet within limited opening hours (08:00-16:00). With more shops and services re-opening from Monday June 15th, there is an argument that the availability of toilets becomes a greater need and that there could be an adverse impact on some protected groups.</p>
Climate change:	Low Impact
Risk:	<p>Medium Risk</p> <p>The risk of not using the StreetScene agency budget is that we are unable to keep up with demand and keep bins emptied and public realm areas clear of litter. The risk is largely reputational, but could have knock on effects for business and the economy and the perception of residents and visitors to our area. There is a small increased risk of injury from the litter on the beach that remains uncollected, and a legal challenge risk if we cannot keep relevant land clean to the standards laid out in the Environmental Protection Act 1990.</p>

The risk of not opening the existing 10 toilets longer, or opening more toilets is one of public dissatisfaction as well as public health. People are relieving themselves outside of closed facilities and in bushes around our parks and beaches, if this persists or gets worse it could create a public health issue.

Not having enough public toilet facilities when high streets re-open will also create a reputational risk and a risk that people don't have adequate toilet facilities when out. Both could have a detrimental impact on high streets re-opening safely and on our areas economic recovery.

There is also a risk if opening facilities which are not Covid-19 secure and not cleaned to the standards we believe are reasonable and required

Links to background information: [12 May 2020 initial Toilet re-opening report](#)
[Public toilet risk assessments](#)

Link to [Council Plan](#):

Outstanding Place and Environment
Outstanding Homes and Communities
Outstanding Economic Growth, Productivity, and Prosperity
Outstanding Council and Council Services

Report in full

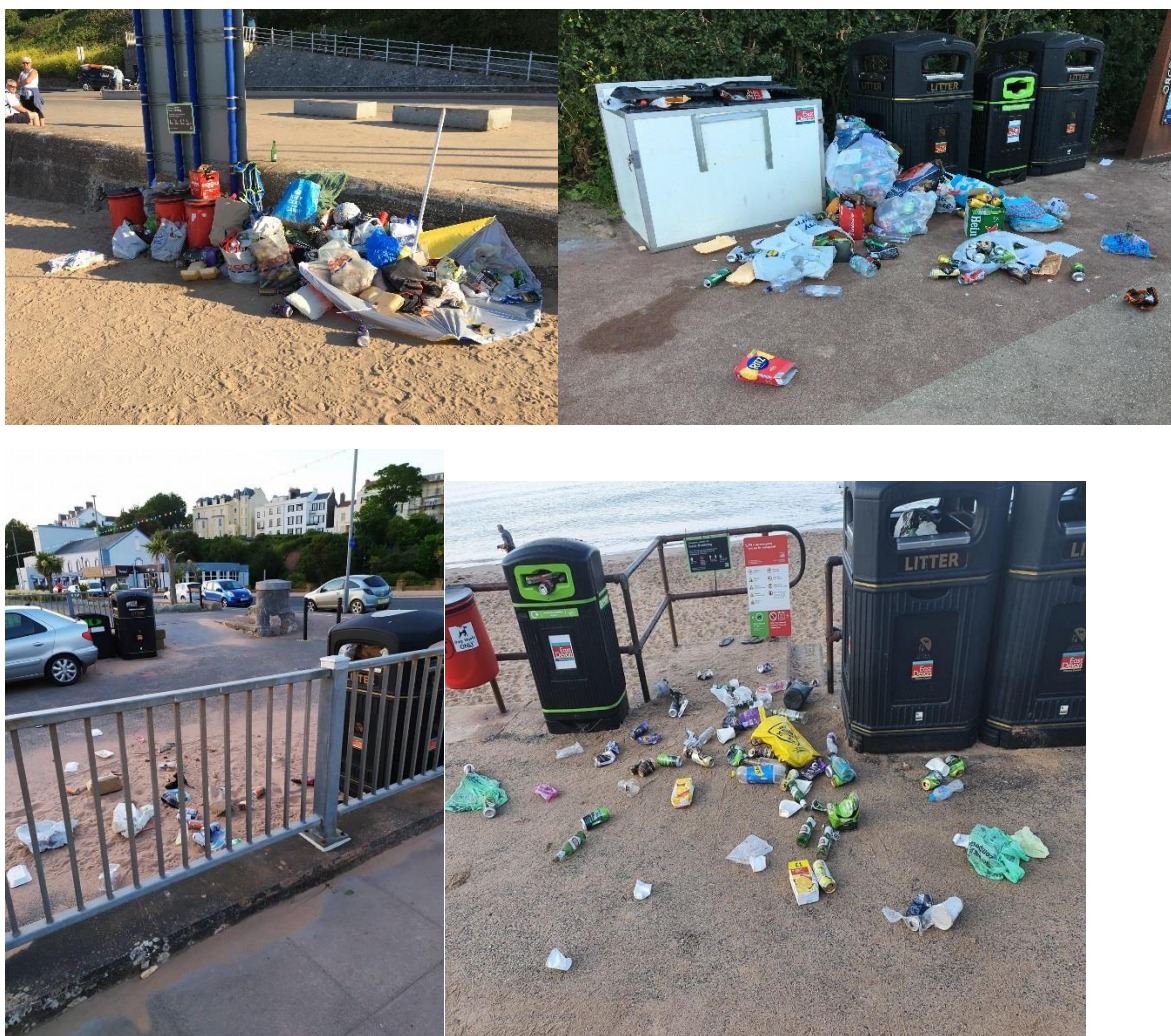
1. Reinstating the StreetScene seasonal agency staffing budget

- 1.1 In attempts to make budget savings to close the budget deficit from covid-19 response, the StreetScene seasonal budgets were earmarked not to be used in this financial year (£62k cleansing; £71k grounds).
- 1.2 EDDC has a statutory duty to clean relevant land and highways to keep clear of litter & refuse, so far as is practicable to codes laid out in the Environmental Protection Act 1990. EPA 1990 imposes duties under section 89(1) and (2) “.....to keep specified land clear of litter and refuse, and on local authorities and the Secretary of State to keep clean public highways for which they are responsible.”
- 1.3 The code of practice on litter seeks to outline in more detail what might be considered by a court of law to be practicable on different types of land. Grade A in retail/town centre and reparation timescales. We already struggle to meet this duty with increasing tourism and property growth.
- 1.4 There is budget pressure in this area as there are many new properties being built and ‘staycation’ has become ever popular; the teams are seeing an annual increase in the number of visitors to our seafront towns and beaches in normal times. This situation has now been exacerbated with levels of demand equal to the busiest summer holiday period, as people are unable to go on holiday elsewhere, or use pubs and other recreational facilities. These visitors and residents are now using our public spaces in their masses.
- 1.5 Not using cleansing seasonal staff allows only basic cleansing of relevant land in the summer season, with the increase in demand further impacting this position. When it was considered that it might not be necessary to use the budget, it was anticipated that lockdown would more heavily restrict the use of our spaces for longer. It is now clear that we cannot maintain the required standards or keep bins emptied without using this budget. We are unable at this time

to carry out meaningful beach and seafront litter picking, with permanent staff only able to empty bins and us using overtime to cover evening bin runs. Staff are working long days, past contracted hours, often in difficult conditions and unable to social distance themselves. If we don't change something this will impact the health and wellbeing of our permanent staff.

- 1.6 The impact is already creating additional complaints and media interest and it is only the start of the summer, so this position will worsen and permanent staff will not be able to maintain this level of activity.
- 1.7 Not keeping up with levels of demand has been directly evident in recent weeks and we have witnessed a significant increase in visitors to our seafronts. The teams who are operating at 20% less capacity due- to shielding and vulnerable workers being absent are really struggling with the basics of emptying seafront bins, litter picking the beaches and clearing up side waste – where people have kindly litter picked. Without capacity and resource to clear side waste, we are experiencing the waste being attacked by sea gulls resulting in even more work for our depleted operatives.
- 1.8 On a normal summer day during the school holidays, our operatives would empty the bins 3 times per day, with occasional evening bin runs when very busy. Visitor numbers over the past few weeks have meant that our operatives are emptying bins at least 5 times per day, and even this is not enough. Without the support of seasonal staff, we are faced with the challenge of having 1 operative working alone from 4-8pm trying to empty seafront bins in Exmouth, East Devon's hotspot for day tourists. Not only is it not possible for the operative to empty all the bins in a timely manner, it's also a Health & Safety Risk in that he is having to manually handle bins weighing in excess of 25kg (normal SSoW is to decant the litter to make the weight manageable, but the pressure of the bin round is meaning operatives are shortcutting this).
- 1.9 The absence of seasonal cleansing staff has resulted in the team not being able to recover the following morning until much later, the beach is not always litter picked as this task is carried out by the same person who empties the bins. We do not have resource capacity to allocate more staff to seafront cleansing as all the staff that work the weekend in particular are providing an enhanced toilet cleaning service or emptying the bins – there are no other tasks that currently take place where we can permanently re-assign staff from. Grounds staff are fully occupied maintaining parks and gardens, with reduced seasonals here also having an impact, but just about possible due to the time savings associated with re-wilding.
- 1.10 During Monday – Friday, we are already pulling grounds maintenance staff to assist with cleansing however this is also having an impact on the grounds rounds, with all parks being fully open there is a service that we need to provide to ensure that sites are safe and maintained. The grounds teams are also continuing to provide the garden maintenance service for our community housing sites and this is invaluable to those residents who are unable to leave home.

Below are some examples of the litter situation faced by the teams:



2. Re-opening public toilets – extended hours or sites following Government guidance – ‘Covid-19 Secure’

- 2.1 From the first report to SMT and Cabinet regarding re-opening some toilets, we explained the government guidance and the enhanced cleaning we felt this requires us to undertake, the report can be found in the background papers section. This explains some of the Covid-19 Secure guidance we are following.
- 2.2 Section 5 <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-9/shops-and-branches> of the covid secure guidance from the government seems to be the best steer for us in terms of toilets and the hygiene standards we should put in place. There is nothing specific about public toilets, but all the guidance says a risk assessment should be undertaken. In guidance for offices and factories, the guidance states that toilets should have enhanced cleaning schedules. Our risk assessments for the open 10 blocks can be found in the background papers section. We’ve reviewed the other 4 blocks for suitability and will complete risk assessments before opening. Recommendations for the toilets to open have come from Officers professional recommendations, previous draft review work of possible categorisation of toilets and risk assessments.
- 2.3 Information on the list of 14 suggested sites and how this has been compiled can be found in section 5. It is based on suggested ‘Category A’ facilities compiled from our draft review work done in preparation for the 18/19 toilet review which was not completed.
- 2.3 Many are calling on the Government to issue specific guidance for public toilets, this has not been forthcoming as yet. In lieu of this we must draw from the other government guidance and

apply what we feel is reasonably practicable, assessing this through risk assessment and ensuring our facilities are Covid-19 secure.

- 2.4 We have conducted the risk assessment for the 10 sites which are open. They are benefiting from an enhanced cleaning regime taking place 3 times per day with viracidal cleaner, hand sanitisers on the exterior and periodic deep disinfecting with viracidal foggers. This is very resource intensive so careful consideration is needed in actioning any of the options below.
- 2.5 Having read the various government guidance documents and undertaken risk assessments, we feel we would not be meeting our duty of care or taking reasonably practicable steps to reduce the risk of viral transmission, as is clearly the government's intention if we were to revert to previous cleaning standards.
- 2.6 It is suggested that a longer term piece of work is required over the next few months to look at the future of our public toilet stock and analyse the works required to existing toilets to make their building design more Covid-19 secure. Due our budget position and the investment needed this is likely to require reduced overall numbers or significant extra funding necessitating savings elsewhere. For example the rough capital cost of very basic improvements in design (contactless flush/taps) in the first report to SMT and Cabinet about toilet re-opening was estimated at around £212k for the 14 sites. This figure climbs per block, with many of the sites needing complete renovation at a cost of £150k per block. So a capital investment of well over £4million if you retain all sites. Not all sites should be retained where they could be converted to alternative commercial uses and retain some toilet provision or where they serve a very small community. Some are not suitable for covid 19 renovation unless significant sums are spent. With the council's overall budget deficit and a £200k saving drafted against public toilets in the medium term financial plan, a toilet review should now be undertaken to combine all these factors.
- 2.7 for the time being Option A is the most affordable and gives more toilet access than some neighbouring districts, but public pressure and interest from town councils and Members have all been asking for a greater degree of toilet access.
- 2.8 If budget can be made available, then option C is the most sensible, however it is at a significant cost. There will be some savings from the other sites remaining closed, but these won't cover all of the additional expenditure. We need to work through this 'off-setting' with Finance. For reference the current year to date variance over the budget section which relates to expenditure on the buildings/services and utilities is 36% underspent. This is not an accurate guide to year end underspends as some utilities costs have yet to be paid and there are other costs for the closed blocks that remain such as insurance and standing charges until the blocks are decommissioned. As a guide 36% of this budget section equates to £94,208. If we realise some of this underspend it will partially offset the increased staffing costs, at this point we can't say by how much; Therefore the sums in this report should be treated as additional 'over' budget considerations.
- 2.9 We believe that some sites are not suitable for re-opening in the short term such as Honiton Lace Walk as the building design does not allow social distancing, or the ability to see if it is clear to enter, hence King St is currently open as an alternative. Working through the new guidance, we won't be able to immediately re-open some toilets as some alterations to the buildings might be required to allow easy access and minimise touch surfaces (Properties separate costing in previous report to SMT/Cabinet in background papers refers).

3. Options to consider

3.1 All options have been costed for 12 months, but 9 month cost shown in bold for consideration as this takes us to the end of the financial year. Discussions regarding vaccines have suggested at least this sort of duration for altered practices and amendments; and Government guidance says changes should be in place until March 2021 to operate under Covid-19 secure.

3.2 **Option A** – Increase the opening times for the existing 10 toilet sites so that they are open from 8am until 8pm. These sites are:

- 1) West Street Car Park, Axminster
- 2) East End (Lime Kiln), Budleigh Salterton
- 3) Jubilee Gardens, Beer
- 4) Foxholes Car Park, Exmouth
- 5) Manor Gardens, Exmouth
- 6) Queens Drive/Old Lifeboat, Exmouth
- 7) King Street, Honiton
- 8) West Walk, Seaton
- 9) Connaught Gardens, Sidmouth
- 10) Triangle, Sidmouth

3.3 4FTE extra is needed to be able to service the toilets across the district, 7 days a week with the enhanced cleaning. All 10 sites will get 1 extra clean starting from 4pm as the additional operatives make their way round the district.

3.4 The additional FTE cost for this option is £94,724 for 12 months. **£71,043 for the remaining 9 months until March 2021.**

3.6 **Option B** – To re-open the remaining 4 Category A toilets (from the earlier report to SMT/Cabinet about re-opening in the background links) taking the total number of toilets to 14 with the opening times of 8am - 4pm. These sites are:

1. Cliff Path (West End, Steamer Steps), Budleigh Salterton
2. Magnolia Centre, Exmouth
3. Phear Park, Exmouth
4. Market Place, Sidmouth

3.7 An additional 3 FTE would be needed to be able to service the additional toilets 3 times per day. The 3FTE will enable the toilets to be serviced three times per day over 7 days and factors in the geographical spread of the sites. The additional FTE cost for this option is £71,043 for 12 months. **£53,282.25 for remaining 9 months until March 2021.**

3.8 **Option C** – Extend the opening hours of the existing 10 toilet sites and add the additional 4 Category A toilets that are still currently closed as listed above, taking the total number of toilets open to 14 toilets with increased opening times from 8am until 8pm.

3.9 An additional 7 FTE is needed to be able to service all 14 toilets 4 times per day until closure at 8pm, 7 days per week with enhanced cleaning. The additional FTE cost for this option is £165,767 for 12 months. **£124,325 for the remaining 9 months until March 2021.**

3.10 **Option C i** – Extend the opening of toilets to 14 sites, but opening hours until 8pm in the summer only, close toilets at 5pm in the winter. This affords some extra toilet cover, but reduces the additional funding required.

- 3.11 This option variation reduces the time you need additional staffing for. For the months of July – September, open the remaining Cat A 4 toilets so all 14 are open until 8pm requires 7 FTE for 3 months: £41,441.61. For the months of October – March 2021, open all 14 Cat A toilets until 5pm (to fall in line with businesses, still an earlier closure of the normal 7pm). Requiring 3 FTE for 6 months: £35,521.61. Overall 12 month cost of £102,617. **£76, 962 for the remaining 9 months until March 2021.**
- 3.12 If we wanted the 4 Town Centre toilets to close at 5:30pm during the summer months, then we could save 3FTE: £17,760.69. However, the 4 town centre toilet sites also serve the hospitality industry as well as beach goers returning to their cars in the car park. Plus with other toilets closed there will be more demand for the ones that are staying open. It will also be challenging to service this additional 1.1/2 hours through agency cover. For these reasons we recommend a consistent summer/winter split on opening hours.
- 3.13 There have been various discussions with Members about different toilets being opened, any additional or substitute toilets will need further funding. Therefore it is suggested that as 4.8 below, towns could be asked to contribute.
- 3.14 **Option D** – Re-open all toilets with enhanced cleaning 4 times per day from 8am – 8pm. The remaining sites currently closed are:
- 11) Brook Road Car Park, Budleigh Salterton
 - 12) Cliff Path (West End / Steamer), Budleigh
 - 13) Station Road Car Park, Budleigh Salterton
 - 14) Dolphin Street Car Park, Colyton
 - 15) Imperial Recreation Ground (Royal Avenue), Exmouth
 - 16) Magnolia Centre, Exmouth
 - 17) Orcombe Point, Exmouth
 - 18) Phear Park, Exmouth (may present an issue with parks use and will need to be reviewed – but currently building is of poor design for social distancing).
 - 19) The Maer, Exmouth
 - 20) Exmouth Bus/Train Station, Exmouth
 - 21) Jarvis Close, Exmouth
 - 22) Lace Walk, Honiton (building of poor design for social distancing)
 - 23) Harbour Road/Thury Harcourt Place, Seaton
 - 24) Seaton Hole, Seaton
 - 25) Marsh Road, Seaton
 - 26) Market Place, Sidmouth
 - 27) Port Royal (Alma Bridge), Sidmouth
- 3.15 An additional 12 FTE is needed to be able to service all 27 toilet sites 4 times per day until closure at 8pm, 7 days per week. The additional FTE cost for this option for 12 months is £284,180. **£213,135 for 9 months.**
- 3.16 It is felt that option D is financially unviable, given that the total public toilet budget is currently £732,320 excluding depreciation and the council's in year deficit is around £5.3 million due to Covid related impacts.
- 3.17 **Option E** – Re-open all toilets but revert back to normal cleaning standards with 1 clean each day and top up visits. We have not gone into detail on this option as we believe it does not follow government guidance and does not take reasonable steps to protect the public and reduce the risk of viral transmission in our facilities, being counter to our risk assessments

and interpretation of existing government guidance It is strongly recommended that this option not be pursued.

4. Staffing and budget

- 4.1 Our existing team size for toilet cleaning is 6 FTE across East Devon for toilet cleaning 7 days a week. Whilst the above costs and FTE requirements of additional Covid-19 secure opening may seem high, we have more than doubled our cleaning regime. It is also more intense and a higher standard of hygiene, so this is where the additional requirement comes from. The existing 6 FTE are entirely occupied covering the 10 blocks until 4pm, providing the enhanced cleaning across 7 days and a geographically dispersed set of toilets.
- 4.2 The doubling of our cleaning regime on its own would necessitate a doubling of staffing if keeping all 27 toilets open until 4pm.
- 4.3 Each thorough clean of a block is taking over an hour and up to 2 hours depending on stocking and levels of use. As a guide each staff member has an average of 2-3 toilets to look after with the 10 we have opened (although staffing is not always that straightforward, with some areas using multi-disciplined teams and various cover arrangements), with toilets requiring traveling time between them. So very quickly the time can be used with 3 cleans of between 1-2 hour, traveling between blocks, stocking up and breaks.
- 4.4 Due to the enhanced cleaning requirements, we now also need to staff cleaning between 4pm and 8pm under options A, C and D. Where previously the toilets would get their last clean around 4pm and then be open until 10pm, they are now to be actively cleaned after 4pm to do our best to meet government guidelines (our interpretation of these through risk assessment to do what is reasonably practicable). This additional 'half a day' then requires staff cover 7 days a week.
- 4.5 We've looked at redeploying staff from other areas of StreetScene, but due to cleansing demand and all parks & gardens being open, this is not feasible.
- 4.6 Staffing requirements are based on best estimates from our expert team on what cleaning capacity, travel time and cover will be required. StreetScene teams are generally very finely balanced, but we won't recruit more staff than required and may find in practice that slightly fewer FTEs are required.
- 4.7 Costs are based on a standard grade 2 position at £ £18,795 with on costs. No allowance has been made for additional vehicle costs, we hope to be able to take this from the savings made against running costs for the closed toilets. A vehicle costs around £4k p.a. depending on the specification.
- 4.8 It has been suggested that contributions be sought from Town & Parish councils benefitting from extended toilet opening due to the scale of the over budget costs involved. A contribution based on number of toilets and proportion of the costs would be very helpful in assisting the District open these important facilities, which in turn will help support a town's economic recovery.
- 4.9 There is a potential to vire budget from other areas to cover the additional costs in the report and this will be explored if the one of the options is approved.

5. Other considerations

- 5.1 All options would be kept under review and we don't currently know how long we would need the increased resource or enhanced cleaning for. It is likely to be for longer than 6 months, so the 12 month cost has been used for consideration.

- 5.2 As stated in 2.6 our Property, Place and Assets team have provided a rough costing for covid toilet design incorporating sensor taps, sensor flushes and no touch exits. These headline figures for some covid 19 building design improvement across 14 toilet sites total £212k. We need to work through this in greater detail, but it gives an indication of the immediate investment for covid design alterations. This does not include full refurbishments, which are required on many of our toilets now, with an average cost of £150k per block. These capital investments are significant, with the **total being over £4 million** if you applied this to all 27 sites. This is why we recommend a longer term piece of work to review exactly what is required at each site and what is affordable.
- 5.3 In the original paper to SMT on re-opening some public toilet provision, we used information from the draft public toilet preparatory review work from 2018/19 (the review was not completed) to compile a suggested Category A list of 14 sites. The assessment of possible sites for re-opening was based on this work, officer advice on suitability and where social distancing could be observed.
- 5.4 The preparatory work for the 18/19 toilet review included suggesting categories to group our toilet stock in and principles of provision to help guide the review and ensure we continued to provide 'The right toilet in the right place'. In the categories suggested, the Category A list were toilets suggested to be important and underpinning the community, visitor economy or town and so to be retained and invested in. With the other categories that toilets could be grouped into, it was to be recognised that they were still important facilities, but in the context of the principles and budget may be appropriate for alternative uses or models of operation. The specifics of this draft work have not been entered into in this report for expedience, and this is also why we are recommending a longer term piece of work to review all provision.
- 5.5 By using the draft toilet review work, Categorisation and Principles we've attempted to provide a pragmatic list which serves the need to open up further toilet provision now. It is recognised that many people have individual opinions on which blocks are appropriate and not, but a debate on the specific toilets could take a lot longer and delay decision on opening some improved toilet access (either longer hours, more block or both).
- 5.6 The Category A list of 14 toilets was produced with regard to these principles, use of blocks, location, considerations of covid-19 secure, public safety, cleaning resource and budget deficit. They are:
- 1) West Street Car Park, Axminster
 - 2) East End (Lime Kiln), Budleigh Salterton
 - 3) Jubilee Gardens, Beer
 - 4) Foxholes Car Park, Exmouth
 - 5) Manor Gardens, Exmouth
 - 6) Queens Drive/Old Lifeboat, Exmouth
 - 7) King Street, Honiton
 - 8) West Walk, Seaton
 - 9) Connaught Gardens, Sidmouth
 - 10) Triangle, Sidmouth
 - 11) Cliff Path (West End, Steamer Steps), Budleigh Salterton
 - 12) Magnolia Centre, Exmouth
 - 13) Phear Park, Exmouth
 - 14) Market Place, Sidmouth
- 5.7 The Re-opening High Streets safely fund has been assessed as a potential source of funding for the additional covid related staff expenditure as it will support our high streets and seafront

businesses. The guidance now includes a section on exclusions, and public toilets are listed within this as the below extract shows:

Reopening High Streets Safely Fund

Frequently Asked Questions V1

Question: *Can RHSS funding be utilised to support the changes required to enable the reopening of public toilets?*

Answer: The measures supported by the Fund are business-facing and are therefore located primarily in high streets, as well as other retail spaces defined in the guidance. The fund doesn't cover activities which support general destination visits, the purpose of funded activities needs to be business-based.

Whilst expenditure on public toilets, e.g. in coastal areas, could facilitate some retail/business activity, it would also support non-business activities that wouldn't be eligible.

- 5.8 We've sought information on what other local authorities are doing through a Devon multi-agency call. All areas are reporting widespread requests for toilets to open and also difficulty with guidance interpretation and additional costs associated.
- 5.9 All Districts are also reporting an increasing problem with public defecation in open spaces as toilets are closed.
- 5.10 The attending Authorities stated how they were opening facilities and what they were intending to do. Generally still very limited opening as many are not designed for permitting the social distancing and cleaning required. So our conundrums are shared by most.
- Exeter has four open, and will be opening one that presents Covid-19 secure issues but that has caused outcry/public pressure through being closed.
Rest not suitable to open at present without work.
 - East Devon have 10 of our 24 open.
 - North Devon have 7 of their 20 open and cleaning four times a day.
 - Torridge only opened 3 in their coastal towns, still difficult to open others.
 - South Hams and West Devon, none in West Devon but working to open in a couple of weeks, only 5 in South Hams and planning to open another 10 by last Friday.
 - Teignbridge didn't close their public toilets, only closed two and will reopen on 15th June. Dawlish Warren toilets closed as only seasonal and no season this year.
 - Mid Devon have 5 in total, the rest are town and parish councils. They intended all of them to be open by the end of last week.
- 5.11 The problem of public toilet availability is compounded by Cafes and Pubs not providing toilet facilities. Even when hospitality re-opens it's likely it will not be as simple as it was for people to access private sector toilet facilities.