

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Overview Committee held online via the Zoom App on 25 November 2021

Attendance list at end of document

The meeting started at 6.04 pm and ended at 8.05 pm

15 Public Speaking

The following statement was read out on behalf of Honorary Alderman, Peter Burrow, in relation to the public toilet review:

“As I have been involved in getting the carnival events back up and running I had taken less of an interest in Council events, however I picked up on the review in late September as I was involved with the previous one many years ago and has encouraged me back onto Seaton Town Council.

The paper mentioned a co-ordinated campaign in getting people to response to the questionnaire when the results are not to the liking of those that initiated the consultation in the first place. To get as much response in the cornerstone of any democracy.

The consultation was itself loaded to make people support the premise of the categorisation made by the officers before answering questions about the toilets themselves. I, myself, had to go through it five times before putting the answers in, so it is disingenuous of the officers complaining of co-ordinated campaigns when they do not like the answers that they were expecting.

If when I personally went on Facebook to encourage people to response to the consultation less than a week before the closing date is the co-ordinated campaign I feel the officers underestimate the feelings of the residents of Seaton as a proper campaign done seven weeks earlier would have got an even more representative view of their opinions.

Relating to the Underfleet toilets, in clear view, the officers say that they can use the facilities at Tesco's as it was a planning condition. There was a planning condition that two zebra crossings be built on Harbour Road and there is only one! To access the toilets, which are not displayed, you must go into the front entrance 100 metres further away than the Underfleet ones then pass through the pay-out tills walk right along the store into the Costa area to find them, another 80 metre journey. Before Covid this was bad enough but wearing masks and negotiating young people in Costa is not something elderly people getting off the coaches want to do.

The Underfleet toilets there are very well used with disabled access, when event are held there in Thurley Harcourt Place, in fact, Saturday is a perfect example with the late night shopping/lights switch on and Christmas carnival which I have organised with the carnival committee. The parade starts there and with the desire of people to be entertained there will be hundreds there and they would not like to trek to the seafront if caught short.

Sadly, the public toilet review contained many flaws and a perfect example with the Chine toilets. Their closure was sold to the people of Seaton as upgrade of the premises with access to the toilets all year. Yes, the Hideaway Café does look nice but as you can

expect it is not open all the time. There have never been a sign that explains that the toilets within are available to coastal walkers etc., in fact, those walking along the coastal path see the back of the café and the closed toilets. I walk past here most mornings and I hear from any people that you cannot use the café toilets unless you are a customer. No what councillors were told at the time.

Please make sure the Underfleet toilets are not closed because Seaton will not gain coach friendly status which is no needed for the local community and visitors alike.”

16 **Declarations of interest**

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Dawn Manley, Personal, Sidmouth Town Councillor.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Helen Parr, Personal, Ward Member for Coly Valley.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Jake Bonetta, Personal, Ward Member for Honiton St Michaels and a Honiton Town Council for St Michaels.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Mike Allen and Councillor Phil Twiss, Personal, Ward Member for Honiton St Michaels.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Paul Millar, Personal, Director of Sideshore Community Interest Company who are working with EDDC on public toilets.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Steve Gazzard and Councillor Tony Woodward, Personal, Exmouth Town Councillor.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Val Ranger, Personal, Member of the Gigg Club that use the toilets at Port Royal, Sidmouth.

Minute 17. Public Toilets Review - Consultation results and report.
Councillor Vicky Johns, Personal, user of toilet facilities.

17 **Public Toilets Review - Consultation results and report**

The Chair welcomed everyone to the meeting and reminded Members that the item had been deferred from the meeting on 18 November to allow Councillors and members of the public more time to read the report and associated papers.

The Service Lead – Streetscene gave a detailed presentation to the committee outlining the consultation results and categorisation proposal. Members’ noted that 1,267 responses had been received which included:

- Most respondents want the council to continue to provide what is provided now;
- Many respondents commented on how the proposed changes would impact on those with protected characteristics including age and disability.

The Service Lead – Streetscene explained the three priorities from the report that Members' would need to consider, which were:

- To review the equalities impact assessment and the consultation reports and to provide Cabinet with your view to assist with their decision making;
- The current recommendations is to approve the categorisation as set out in the report, Overview Committee were asked to debate this;
- The reasons the review was required:
 - The need to invest in the retained sites;
 - The need to improve standards;
 - Can no longer afford to provide at all sites;
 - Would like to ask others to help: community groups, local businesses and other tiers of local government.

He also expanded on the reasons for undertaking the review which included:

- There had been no investment in toilets since 2014. This was now overdue and needed.
- There was a large budget deficit and a need to make savings to address the deficit.
- There was a need to make the service more affordable.
- An opportunity for alternative uses to bring additional attractions to an area, such as, a new community or local business space.

Comments made by the Portfolio Holder for Finance and Portfolio Holder for Coast Country and Environment included:

The Portfolio Holder for Finance stressed the importance for Members' to take into account the Council's current situation with the budget for this year and 2022/2023. He advised that the projected shortfall for this year was £439k which would need to be taken from the General Fund Reserve which cannot continue to be relied upon and an estimate of £700k for 2022/2023 leaving an estimated £300 - £500k to find.

The Portfolio Holder for Coast, Country and Environment acknowledged the challenge that Committee Members faced following the public consultation. He personally thanked the Service Lead – Streetscene, Jamie Buckley and the rest of the team for all their hard work, stamina and perseverance.

He advised that the 27 toilets provided by the Council were in need of substantial investment and addressed that in the current climate they were difficult to clean, not Covid compliant, easy to vandalise and not up to standard for baby/adult changing facilities. He addressed the need to act now to maintain the toilets to their highest standards by borrowing at a very low rate with the need to substantially reduce the cleaning and maintenance costs.

The Portfolio Holder for Coast Country and Environment addressed some of the issues which included:

- Government funding to provide one disabled adult changing toilet in each visitor town which would assist with the finances on top of the additional borrowing.
- Close some of the toilets which have less footfall or in close proximity to other toilets.
- Relocate toilets to more central locations.
- Some toilets would be better served with another use, such as a café with a public toilet incorporated or cycle hub
- A charge to use the toilet – 30p/40p. With a paid access card available at some retail establishments.

Questions raised by non-Committee Members included:

- In response to a question raised about the upgrade costings for Category A the Service Lead – Streetscene advised it would be in the region of £3.1m with service costs of £900k in total with the ability of that being reduced by £204k up to £430k.
- In response to an explanation about the charging contributions the Service Lead – Streetscene advised there would be a net benefit of £150k based on one million visits a year at a cost of 30p per visit or £200k based on 40p per visit.
- In response to the possibility of using monies from other non-statutory areas as well as the Transformation Reserve to continue funding toilet provision, the Portfolio Holder for Finance advised this would need a further public consultation and the Strategic Lead for Finance advised that using monies from the Transformation Fund would only be a one off payment to help with the transition period.
- Clarification sought on what further investigation had been made in paragraph 2.18 on page 25 and reference was made to Orcombe Point (Category B) and whether these could remain open. In response the Service Lead – Streetscene advised that further investigation referred to ‘going out to market’ to invite formal bids on alternative uses. He advised that at Orcombe Point an expression of interest had been received from a local business to repurpose the toilets into a café which would include publicly accessible toilets.
- Clarification sought on paragraph 6.4 and whether the closure of the Harbour Road toilets would reduce the capital costs for the town council. In response it was advised potentially the capital costs could reduce if the toilets closed.
- Clarification sought about whether SLAs could be set up for town and parish councils for the continuation of toilet cleaning. In response it was confirmed the district council could offer its services via an SLA to clean the sites but would need to cover both the revenue and capital costs.

Questions raised by Committee Members included:

- Clarification sought on paragraph 2.4 regarding the proximity of the toilets and whether the reports takes into account about hidden disabilities such as colitis, visual impairment and Crohns Disease. In response it was advised hidden disabilities had been considered in the Equalities Impact Assessment.
- Clarification sought on whether there would be an assessment done on people who cannot afford to pay or have medical needs. In response it was advised that an assessment would be done pending the decisions from Committee Members.

Comments made by non-Committee Members included:

- Two thirds of people who had commented on the questionnaire did not agree with all the categories which means that people are concerned with losing toilets. It is a basic human need.
- There is a need to retain toilet provision in Colyton.
- Concern expressed that Colyton was in Category C.
- Support was expressed for opportunities for town and parish councils.
- Concerns raised about Honiton which has a population of 16,785 people needs adequate toilet provision. The town is very clearly under provision which cannot be allowed to continue.
- There are no toilets in Ottery St Mary owned by East Devon District Council. There is no reason why a town or parish council cannot take on this responsibility as they have the budget to continue to deliver these services.

- A suggestion was made for further investigation as 50% of respondents disagreed with the recommendations.

Comments made by Committee Members:

- Concerns raised about massive precept changes which will affect town councils.
- The public want and need the council to carry on providing toilet provision and are prepared to make a contribution towards those facilities.
- There is a need to consider all toilets, both rural and urban.
- A questions was raised about whether the council should be trying to offload the responsibility to a lower tier of local government.
- It was highlighted about the difficulty in understanding how much each toilet costs.
- 56% of the public agreed that they would pay to access a toilet.
- In the last 15 years Exmouth has lost four toilets.
- Support was expressed for businesses to take over some toilets and a suggestion was made that these businesses must enter into a clear agreement that they must provide toilet provision with clear signage that they are public toilets.
- Exciting possibilities in Categories B and C.

Councillor Paul Millar proposed, seconded by Councillor Jake Bonetta, the following recommendations:

That Overview Committee recommends that Cabinet:

1. Request that more detailed water usage data for toilets EDDC owned and that toilets are more regularly assessed so they can be broken down to show how popular toilets are at certain points of the day/year.
2. To offer Town/Parish Councils one final opportunity to retain Category B and C toilets if leases with community partner organisations cannot be struck within 12 months.
3. Write to all local businesses and make a powerful case for them to offer the use of their toilets to non-paying customers who may have disabilities and illnesses that are not always visible, given the findings of the local consultations which shows the high extent of local need.
4. Establishes the principle of charging for Category A toilets and considers carefully both the price entry, the choice of private partners and the option of using cash.

In response the Portfolio Holder for Coast, Country and Environment welcomed the recommendations and the need for a more accurate figure for water usage. He addressed the difficulty of this year due to Covid-19 highlighting half of the toilets had been shut and the other half over used. He also addressed the use of cash and highlighted that most of the vandalism was because of coin collection boxes.

Councillor Jake Bonetta, proposed the following recommendations:

1. Acknowledge the historic, well-publicised and in parts still live, legal and governance issues within Honiton Town Council and in the fact that they require extra time to make finances and resourcing available for taking over King Street public toilets despite their early inclined desire and to make a special case to keep these toilets open for a further two years rather than one to allow time for them to make the necessary arrangements to inherit and manage the asset.
2. Write to the Secretary of State for Housing, Communities and Local Government to request that he lobbies the Treasury for a fund be created to help Councils further invest in public toilet provision and to make toilets a mandatory rather than

discretionary service given their positive role in ensuring people with health issues can live their lives.

Councillor Millar who seconded said he was happy for the recommendation to be incorporated into the other recommendations.

Councillor Andrew Moulding proposed the following amendment and seconded by Councillor Ben Ingham that recommendation 4 reads:

Establishes the principle of charging for Category A toilets, such toilets to be made and calculated and serviced to cover the costs of their refurbishment and retention together with careful consideration of the choice of private partners and the option of using cash.

Councillor Millar said he was happy for Councillor Moulding's recommendation to be incorporated into the other recommendations.

RECOMMENDED TO CABINET

- (1) Request that more detailed water usage data for toilets EDDC owned and that toilets are more regularly assessed so they can be broken down to show how popular toilets are at certain points of the day/year.**
- (2) Request that Town/Parish Councils are offered one final opportunity to retain Category B and C toilets if leases with community partner organisations cannot be struck within 12 months.**
- (3) Request that the council write to all local businesses and make a powerful case for them to offer the use of their toilets to non-paying customers who may have disabilities and illnesses that are not always visible, given the findings of the local consultations which shows the high extent of local need.**
- (4) Establishes the principle of charging for Category A toilets, such charges to be made and calculated so as to cover the costs of their refurbishment and retention together with careful consideration of the choice of private partners and the option of using cash.**
- (5) Acknowledge the historic, well-publicised and in parts still live, legal and governance issues within Honiton Town Council and in the fact that they require extra time to make finances and resourcing available for taking over King Street public toilets despite their early inclined desire and to make a special case to keep these toilets open for a further two years rather than one to allow time for them to make the necessary arrangements to inherit and manage the asset.**
- (6) Write to the Secretary of State for Housing, Communities and Local Government to request that he lobbies the Treasury for a fund be created to help Councils further invest in public toilet provision and to make toilets a mandatory rather than discretionary service given their positive role in ensuring people with health issues can live their lives.**

Attendance List

Councillors present:

V Johns (Chair)

J Bonetta (Vice-Chair)

S Gazzard

B Ingham

D Manley
P Millar
A Moulding
V Ranger
T Woodward

Councillors also present (for some or all the meeting)

M Allen
M Armstrong
P Arnott
D Bickley
K Bloxham
M Chapman
O Davey
B De Saram
P Faithfull
N Hookway
G Jung
J Kemp
R Lawrence
D Ledger
J Loudoun
H Parr
M Rixson
J Rowland
E Rylance
P Twiss
J Whibley
E Wragg

Officers in attendance:

Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)
Andrew Hancock, Service Lead StreetScene
Simon Davey, Strategic Lead Finance
John Golding, Strategic Lead Housing, Health and Environment
Tim Child, Service Lead - Place, Assets & Commercialisation
Wendy Harris, Democratic Services Officer
Sarah Helman, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Andrew Hopkins, Communications Consultant

Councillor apologies:

I Hall
M Hartnell
G Pook

Chairman

Date: