

Report to: **Overview Committee**



Date of Meeting 30th September 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Public Toilets Programme Review

Report summary:

This report follows a Spotlight Briefing to Overview and Scrutiny Committees on 15th July. We have reached a key milestone in the programme for delivering against the outcomes of the 2021 Public Toilets Review. Phase 1 of the planned investment programme has now been completed alongside the transfer of some facilities to Town and Parish Councils and the sale/lease or closure of others.

The report also considers the current context for the delivery of the Public Toilets programme, including the challenges associated with the Mid Term Financial Plan and the backdrop of forthcoming local government reorganisation, and considers the options for how to move forward whilst also reflecting on learnings from this first phase.

The outcomes of that Spotlight session were as follows:

1. Overview Committee to receive a report and make recommendations on way forward.
2. The Scrutiny function to be satisfied by a cross-party Members group with oversight of project as it moves forward.

This report addresses that first outcome and provides Overview Committee with the opportunity to influence direction of travel and a more detailed options appraisal to inform Cabinet decision making.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Overview Committee

Recommend to Cabinet that an options appraisal is undertaken to influence direction of travel informed through the debate and any additional recommendations that flow from Overview Committee.

Reason for recommendation:

To inform Officers as to next steps.

Portfolio(s) (check which apply):

- ☒ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☒ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Any new decisions made will be subject to a new Equalities Impact Assessment if deemed necessary

Climate change Medium Impact

Risk: Medium Risk; Any recommendation not to proceed as per the programme will have implications on future revenue projections but also on quality of public toilet provision and potentially creating a two-tier offering though there would be a capital budget saving.

Links to background information Click here to enter links to background information; appendices online; and previous reports. These must link to an electronic document. Do not include any confidential or exempt information.

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
- ☒ Carbon neutrality and ecological recovery
- ☒ Resilient economy that supports local business
- ☒ Financially secure and improving quality of services

Report in full

Background and Context

- 1.1 The activities of recent years in connection with public toilets arose through the outcomes of the 2021 Public Toilets Review. Of all Council assets, public toilets are some of the most visible and public facing.
- 1.2 The Council needed to act to respond to medium term financial challenges, an under-investment in public toilets for many years, and to provide a more sustainable future for those retained sites which after all are a discretionary service. It wasn't just the condition that was a concern, the design with communal wash areas were no longer considered best practice, hence new facilities across the country being designed similar to our new facilities.
- 1.3 Decisions were based on guiding principles to try to ensure we get the right toilet in the right place, whilst also respecting that EDDC could no longer afford to provide all the sites it had previously. The factors included:

- a) How much the public toilets were used.
- b) The proximity to other sites and walking distances for people to find a toilet.
- c) Possible alternative uses, some of which could include public toilets provided by other businesses or organisations or additional amenity uses such as cafes and community facilities.
- d) Opportunities for innovation, such as asking people to pay to use the toilets so we can continue to provide and invest in them.

- 1.4 Decisions in 2021 were not easy but unsustainability of the status-quo necessitated a new approach. Principles were used in an open manner with Members to make some really difficult decisions, to close some sites, whilst trying to protect a level of provision, and looking to others to fund or pick up those sites we could no longer afford to operate.
- 1.5 After consultation, the decisions resulted in 15 sites of 27 originally operated, being retained and a capital budget of £3.4m being secured along with a decision to charge users. In addition, we secured £242K from then Department for Levelling Up, Housing and Communities (DLUHC) towards Adult Changing Places facilities at 3 sites (was to be 4 had we secured planning consent at Sidmouth Ham Car Park) that needed to commence by 31st March 2025. Details relating to all sites can be found here on the Council's website [New Public Toilets - East Devon](#) and this also includes a link to the Frequently Asked Questions page.
- 1.6 The 15 sites remaining open as an outcome of the 2021 Public Toilets Review are as follows:

Exmouth Foxholes
Budleigh Salterton Lime Kiln
Honiton Lace Walk
Seaton West Walk
Sidmouth Ham Car Park
Exmouth Magnolia Centre
Exmouth Queens Drive
Exmouth Manor Gardens
Axminster West Street Car Park
Budleigh Salterton Cliff Path
Sidmouth Connaught Gardens
Exmouth Phear Park
Sidmouth Market Place
Beer Jubilee Gardens
Sidmouth Triangle

- 1.7 Subsequently decisions have been made to keep both Station Toilets in Exmouth and Thury Harcourt Toilets in Seaton open, though neither have any capital budget secured through the Public Toilets Review.

Spotlight session

- 1.8 A Spotlight Briefing to Overview and Scrutiny Committees on 15th July discussed the following issues arising from delivery of the first phase;
- Over-run of the four sites this summer and reasoning.

- The financial business case for the new builds instead of a more modest refurbishment.
- Access arrangements, particularly for disabled users.
- Addressing the vandalism issues.
- A tiered pricing structure.
- Decision making in 2021, the data used to justify closures and the consultation process.
- Signage explaining to users the costs of operating a public toilet – noting the importance of the public understanding the cost implications of operating a public toilet facility.
- Engagement – importance of ensuring Members and the public are informed and how existing arrangements can be developed further for subsequent investment phases.

The specific outcomes of the Spotlight session were that;

- Overview Committee to receive a report and make recommendations on way forward.
- The Scrutiny function to be satisfied by a cross-party Members group with oversight of project as it moves forward.

This report addresses that first outcome and provides Overview Committee with the opportunity to influence direction of travel.

Current Position

1.9 The following sites (phase 1) opened this Summer:

- Budleigh Salterton Lime Kiln – mid June
- Honiton Lace Walk – mid June
- Exmouth Foxholes – early July
- Seaton West Walk – mid August



Budleigh Salterton



Honiton



Standard cubicle

- 1.10 The three sea front locations included adult changing places facilities using £242K secured from the then Department for Levelling Up, Housing and Communities (DLUHC). This was the highest allocation of any south-west authority and one of highest in the country. Our bid was strong due to the interrelationship with the wider public toilet investment programme ensuring a truly integrated delivery.



- 1.11 The investment programme is being supported by Kendall Kingscott Ltd who have worked both on Phase 1 but also already up to RIBA stage 3 i.e. ready for planning on ten of the remaining eleven sites, all but Sidmouth Ham Car Park due to that scheme having previously been refused. Structure 100 Ltd have delivered the modular build and Fifields the enabling works and groundworks. The support of these companies was procured as followed;

- The Consultants Contract. Kendall Kingscott Ltd was procured via a framework. The framework used was the NHS SBS Construction Consultancy Services 2. We negotiated their fees based on an average of the framework fees.
- The Modular Building Contract. Structure 100 Ltd (Healthmatic Ltd's sister company) was appointed via competitive tender. Kendall Kingscott undertook the tender exercise. Three suitable contractors were invited to tender.: The lowest tender offer was accepted. There was a tender report prepared by Kendall Kingscott to evidence the process. Danfo and Healthmatic are the 2 leading industry suppliers. There are few other competitors in this market.
- The Groundworks Contract. Fifields Ltd was appointed via competitive tender. Kendall Kingscott undertook the tender exercise. Five suitable contractors were invited to tender. The lowest tender offer was accepted. There was a tender report prepared by Kendall Kingscott to evidence this process.

- 1.12 The costs, excluding EDDC officer time, incurred to date are as follows. Whilst these costs might seem high, the costs are reflective of the specialist nature of the buildings and the high level of use they must withstand. Costs are market tested through procurement routes taken.

Exmouth Foxholes	£508,079.34 (incl Changing Places)
Budleigh Salterton Lime Kiln	£338,791.60 (incl Changing Places)
Honiton Lace Walk	£367,013.71
Seaton West Walk	£478,795.57 (incl Changing Places)
TOTAL (having deducted the £242K for adult changing places)	£1,450,680.22

1.13 This therefore leaves an approved capital budget of circa £1,950,000 remaining. For the remaining 11 sites in programme, as follows, we are advised of £3,035m estimated costs (construction and fees), meaning that we have an estimated budget shortfall of circa £1,085m. Costs are slightly lower than 2021 projections, though then inflated to reflect general build cost inflation. In addition, we would then need further budget to add Exmouth Station and Seaton Thury Harcourt into programme should we wish to develop to similar standard – both these sites are included within possible place making projects, otherwise there is no capital budget as these were classified as category B sites (to be disposed / transferred).

1.14 Remaining sites in approved programme are as follows:

Sidmouth Ham Car Park
Exmouth Magnolia Centre PCs
Exmouth Queens Drive Public Toilets
Exmouth Manor Gardens Public Toilets
Axminster West Street Car Park Public Toilets
Budleigh Salterton Cliff Path
Sidmouth Connaught Gardens Public Toilet
Exmouth Phear Park
Sidmouth Market Place Public Toilets
Beer Jubilee Gardens Public Toilets
Sidmouth Triangle Public Toilets

Assessment

1.15 Delivery of the overall programme was never going to be straightforward as we were transferring some sites to Parish and Town Councils alongside leasing or selling others and closing those that had no viable future. This was alongside the major investment programme in our most popular Category A facilities that would involve taking them out of action for six months, redesigning and reprovisioning them and then reopening with associated charging.

1.16 The overall benefits and successes arising from the programme to date are the following;

- Modern and clean facilities – positive feedback from overwhelming majority of users. We have received 125 complaints (to early September) out of circa 40,000 uses of our new public toilets, representing circa 0.3% of the total.
- Much improved operational design.
- Income generating – circa £16,000 generated prior to 1st September, helping to ensure the long-term financial sustainability of these facilities.
- Adult Changing Places – only by linking to Public Toilets Review.
- £123,000 capital receipts from disposals to date.
- Placemaking – aesthetics, paving, showers, planters etc.
- At Orcombe Point former public toilets, we've granted a 25-year lease, generated a commercial rent, significant private sector investment in repurposing building, placemaking, jobs and an accessible toilet provision moving forward funded by the tenant.
- Transfers completed to two Towns and one Parish Council - £1 freehold, retaining an accessible toilet provision.
- Delivered ongoing revenue saving, which was necessary to provide a balanced budget. We did this whilst retaining a level of provision for this important but discretionary service area.

1.17 Alongside these benefits we have also identified a number of challenges and learning points;

- To build on the improved effective and recorded communication to Town and District Councillors moving forward.
- Whilst we have good web pages and FAQ's which address almost all of the questions and concerns, there is a lack of knowledge by the public that this exists, so further work required to promote and update the approach and information.
- Portaloo's – Best solution during winter due to availability and not needing to connect to mains drainage (over land) or electric, though perhaps not during summer in high footfall areas. The need to develop agility to increase provision in advance of times of increased footfall
- Overrun – where build out was as per the original design, there was a seven-week delay on a two-year programme, however it had always been known that summer months are critical for seafront locations. Overrun not a result of any specific one-off failing and seven weeks was not a significant timeline in two years, however recognise the impact this had over the summer.
- An increase in the internal project / programme management is proposed to ensure the project is fully supported and any delays/challenges can be acted upon immediately. .
- Teething issues (not unexpected), vandalism at recently opened sites and inappropriate use of doors have resulted in a regular stream of cubicles being out of use and requiring repairs. The incident at Foxholes with a member of public being locked in cubicle was a result of a faulty lock part and subsequently been remedied by supplier.
- A higher than anticipated number of users struggling with the payment mechanism. In general, though with some limited exceptions, when investigated no faults have been identified. Clear and prominent signage will be in place for all future openings to mitigate against this, but we must be mindful that this model is tried and tested nationally and with a number of other facilities recently installed across South West.

1.18 We continue to review operational performance carefully and ensure that any further service improvements that are identified are implemented.

1.19 Next phases

- Disposal of some closed sites having explored opportunities with Towns and Parishes.
- Of the programme of 15 investment sites, 11 sites remain. Those 11 sites are generally smaller, more straightforward and less seasonal dependant. There has since been two additional sites retained and therefore also need including, these being Exmouth Station and Seaton Thury Harcourt sites.
- All remaining 11 sites are at RIBA stage 3 and ready to commence consultation with Ward Members and then submission of planning applications. Intention is to submit applications for all remaining sites.
- Currently the immediate next phase (winter 2025/26) is:
 - Magnolia Centre, Exmouth
 - Manor Gardens, Exmouth
 - Queen's Drive, Exmouth – refurbishment only
 - West Street, Axminster

1.20 With the first phase of the investment programme now complete and operational, there is the opportunity to consider how to proceed with the next phases. Alongside the learnings from the first phase, this needs to consider the Council's budgetary position as well as the backdrop of local government reorganisation.

Options

1.21 There are essentially three options as to how to proceed. These are as follows;

- 1) Complete the investment programme as planned, recognising that additional budget will be required.
- 2) Complete an investment programme but within budget – this could include closing some toilets and / or revising the specification.
- 3) Do not proceed with the investment programme prior to local government reorganisation

1.22 The relative costs and benefits of each of these will need to be carefully considered as part of a comprehensive options appraisal.

1.23 This Committee can make recommendations to Cabinet to inform next steps, specifically the options appraisal, in regard to the investment programme. In doing so, the following should be understood:

- Our public toilets require significant investment. To halt the programme at this stage would lead to ongoing StreetScene operational and Buildings & Facilities maintenance challenges and require more reactive spend. We would also create a two-tier offering across the District.
- The challenges with the Phase 1 investment should not be underestimated, but this was a first phase. It was the adult changing places requirement that meant we started with our most challenging sites and arguably those attracting greatest risk.
- We will need to bolster our internal project management arrangements to ensure smoother delivery of subsequent sites and to ensure all risks are monitored and mitigated.
- Additional budget is needed of £1,085m (current estimate) to complete programme. In addition, a further budget for Seaton Thury Harcourt and Exmouth Station sites, if the option to continue with investing in all sites is agreed. Delivery of subsequent phases will unlikely be completed until

Summer 2027, so a new timeline will need to be considered alongside the new options.

- Should the investment plan be completed we have forecasted £200,000 annual income from charging, noting though that we will not be at this level until 2028/29.
- A two tier system will drive use of non-charging sites and with higher footfall may increase dissatisfaction with old and tired sites.
- Reviewing unitary experiences elsewhere, place budgets are often under pressure. If we engage with Town and Parish councils with regard to asset devolution, the prospect of a refurbished toilet block with a balancing income stream is more appealing than a costly asset which requires investment. Even if we retain toilets, we still have MTFP budget challenges and savings targets, so toilet sites which can cover their operating costs through charging are preferable to enable service protection moving forwards.
- Should the Council not proceed further with these 11 sites, then abortive costs for work already completed by consultants is circa £135,000.

Conclusion

- 1.24 In terms of the bigger questions around the Medium-Term Financial Plan and Local Government Reorganisation interplay with this investment programme we need to be mindful that public toilets may well be one category of asset that best sits with Town Councils. If this is so, there is then a question as to whether investment works should be undertaken prior to, or after any community asset transfer, having identified these remaining 11 sites as needed. It is important therefore to ensure legacy moving forward. This then needs to be balanced against our competing budget requirements. What is clear is that with MTFP budget savings requirements over the next two years, we can't afford to roll back decision making and operate all sites as we did in 2021, without significant savings or cuts elsewhere.
- 1.25 Overview Committee has the opportunity to reflect on the project to-date, to consider the Medium-Term Financial Plan and Local Government Reorganisation interplay and contribute to the options appraisal to influence direction of travel. The three options being proposed are as set out in 1.21.

Financial implications:

Members will need to balance several factors in considering the implications involved in this report, this will include the financial position of the deficit in the medium term financial plan. As recommended in the report, Members will need further details and analysis to help make an informed decision.

Legal implications:

There are no substantive legal issues to be added to this report. The legal issues will depend upon the outcome of the options appraisal and next steps.