

Report of the Portfolio Holder for Economic Development and Asset Management.

## PUBLIC TOILET STRATEGY

### 1. Purpose of Report

The purpose of this report is to develop a strategy to improve access for all to public toilet facilities across the Borough.

### 2. Recommendation

The Policy Overview Working Group **RECOMMENDED** to Cabinet to **RESOLVE** that:

1. the development of a public toilet strategy based upon options 4 and 5 of “*Options considered to improve provision of public toilet facilities*” be approved
2. sufficient funding is included in future years’ budgets to ensure toilet facilities are fit for purpose. (*Section 4. Financial Implications*)
3. adopting the suggestions provided by staff for the upgrading of staff toilet facilities within Council office buildings be approved. (*Appendix 4*)
4. the possibility of siting a new public toilet facility on the ground floor of the Enterprise Hub at Stapleford is explored. The development of this facility will be dependent on the cost and space required. These factors will be known once the architects have drawn up the plans and provided costings. (*Future Strategy. Stapleford*)
5. a programme of publicity to promote locations and opening times of all public facilities across the Borough be approved. (*Appendix 3*)
6. people with a variety of needs are involved in the design and / or refurbishment of public and staff toilet facilities (*Appendix 4*)

### 3. Detail

The report also covers a review of the toilet facilities within the Council Offices at Beeston and the Depot at Kimberley. This review was undertaken by a group consisting of Officers who live with disabilities.

- Appendix 1 covers the main details of the report.
- Appendix 2 includes the Equality Impact Assessment.

- Appendix 3 outlines the details of opening hours and facilities within public buildings.
- Appendix 4 includes the feedback from the public consultation and employees.

#### 4. Financial Implications

The comments from the Head of Finance Services were as follows:

The cost of providing public toilet facilities is contained within existing budgets. Further details on spending is provided within the appendix to this report along with projected future maintenance costs which are not yet factored into the base budget. Considerations on the ongoing affordability of public toilets is also covered in the appendix.

There is currently no capital budget for any additional enhancement or replacement of existing public toilets. Any significant budget implications with regards to this strategy, going forward, would need to be carefully considered and require approval by Cabinet.

#### 5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Section 87 The Public Health Act 1936 (as amended) provides that a local authority may provide sanitary conveniences in proper and convenient situations. The provision of public toilets is therefore a discretionary service. The discretion should be exercised reasonably and with a clear, objective rationale, by having a strategy will ensure this is achieved.

#### 6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

In relation to any adjustments to employee facilities, HR support any reasonable adjustments for colleagues with disabilities or other health difficulties.

#### 7. Union Comments

The Union comments were as follows:

A Unison representative is a member of the staff panel who gave feedback on staff toilet facilities with the Council offices at Beeston and the Depot at Kimberley.

8. Climate Change Implications

The comments from the Waste and Climate Change Manager were as follows:

Sharing toilet facilities across the borough offers a practical and efficient use of resource with positive environmental benefits. Doing so will lead to a reduction in energy consumption and lower carbon emissions.

If new toilet facilities are built, the environmental impact during the construction and running of any new facilities needs to be considered part of the toilet strategy. It is important to prioritise sustainable practices in order to minimise the carbon footprint associated with not only the construction process of any new facilities but the on-going running and maintenance of them. Some measures to be considered include, appropriate insulation of the building fabric, LED lighting, greywater harvesting systems and the possibility of installing a living wall or roof

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is a change to policy / a new policy an equality impact assessment is included in Appendix 2 to this report.

11. Background Papers

Nil

## APPENDIX 1

**Background**

As well as the new Changing Places toilet in Beeston Square, public toilets can be found in the following locations within the Borough.

- Beeston Town Centre: Broadgate.
- Beeston: Council Offices, Foster Avenue.
- Eastwood Town Centre: Nottingham Road.
- Kimberley Town Centre: Eastwood Road.
- Stapleford Town Centre: The Roaches.

All of the public toilets provided by the Council conform to the Equality Act 2010 but only the new toilet facilities in Beeston Square meet Changing Places standards. There is currently no budgetary provision for the Capital improvement of existing public toilets or to provide new facilities. Day to day maintenance and operation is covered by existing approved Revenue budgets and responsibility for ongoing maintenance of the buildings is undertaken by the Estates Department.

The table below shows the opening times of the public toilets and the facilities located at each site. The table will be updated with information for the new toilets in Beeston Square, when the information is available.

**Table 1: Public Toilets in the Borough**

Location	Opening Times	Facilities	Baby Change
Beeston, Broadgate	8:00-16:30 Monday to Thursday and Saturday 8:00-16:00 Friday	Female, Unisex, DDA	In the Unisex facility
Beeston Council Offices, Foster Avenue	8:30-17:00 Monday to Thursday 8:30-16:30 Friday	Unisex/DDA	In the Unisex/DDA facility
Kimberley, Main Street	8:00-16:30 Monday to Thursday and Saturday 8:00-16:00 Friday	Male, Female, DDA	N/A
Stapleford, The Roach, Nottingham Road	8:00-16:30 Monday to Thursday and Saturdays 8:00-16:00 Friday	Male, Female, DDA	In the male and female facility
Eastwood, Nottingham Road	8:00-16:30 Monday to Thursday and Saturday 8:00-16:00 Friday	Male, Female, DDA	In the female facility

### Current cost of maintenance

Table 2 outlines the cost of maintaining the toilets within the four town centres. The cost is for 2022/23 only. Unfortunately, there is no breakdown of the individual elements to the individual toilets. The total associated costs for 2022/23 was £134,881.

Table 2: Public Toilets' Maintenance cost 2022/23

<b>Public Toilets Maintenance 2022/23</b>	
Staff costs	£112,240
Repairs and Maintenance	£3,032
Electricity	£12,849
Water Charges	£3,061
Cleaning Materials	£3,388
Towel Supply	£311
<b>Total</b>	<b>£134,881</b>

### Future Maintenance of Current Facilities

A report to the Community Safety Committee in September 2020 outlined the estimated cost of refurbishment of the toilets within the next few years. The 2020 report estimated potential refurbishment costs of £18,000 by 2025/26 and costs of £45,000 by 2030/31 for all the toilets within the four centres.

Department of Business and Trade statistics show that from 2020 to 2023, costs of building materials for repairs and maintenance work increased by 40.7%. During that time, non-domestic energy costs increased by 282.5% and labour costs by 13.5%. When labour costs and increased energy costs are added, it is not unrealistic to assume an overall price increase in repair and maintenance costs of 300%

Table 3 has been updated to show the present anticipated cost of refurbishment. As costs of building materials are expected to continue to rise, the costs below will increase too. The table does not take into account any new maintenance issues that may have arisen since 2020.

Table 3: Anticipated maintenance spend on public toilets

Public Toilet	Estimated refurbishment spend by 2025/26	Estimated refurbishment spend by 2030/31
Broadgate, Beeston	£12,000	£30,000
Eastwood	£12,000	£30,000
Kimberley	£18,000	£45,000
Stapleford	£12,000	£30,000
<b>TOTAL</b>	<b>£54,000</b>	<b>£135,000</b>

If a replacement programme is agreed, in the short term, the toilet facilities could be upgraded via repainting of the walls a more welcoming colour and covering this in an anti-graffiti varnish so that it is more difficult to graffiti the walls.

Damaged panels could also be replaced. The building exteriors can be made more welcoming by the addition of hanging baskets outside the entrances. The baskets can be maintained by the Ground Maintenance Teams.

The costs for the additional work should be in the region of £4,000 to £5,000 per site resulting in a total bill of £16,000 to £20,000

### Changing Place Toilet Beeston

The total construction cost for the new toilet facilities is anticipated to be £270,000, when construction is complete. Maintenance costs for the facility have not been finalised as yet but as it cost almost £135,000 to clean and maintain four public facilities in 2022/23, a rough guide of £33,750 for each toilet facility can be assumed. The addition of a new facility would mean that the cost for five toilet facilities across the Borough would be (on present costs) at least £168,750 per annum.

The Changing Place toilet also incurs specific costs. Access to the unit which houses the Changing Place facilities (not access to the main toilets) will be via an entry card. These cards will have to be purchased by Broxtowe Borough Council and although may not be a large expense, will still contribute to increased costs.

### **Usage of toilet facilities**

A dedicated count of numbers of people using toilet facilities across the Borough has not been undertaken since 2015. During the 2015 count, there was difficulty accessing true numbers as the counters were tampered with, multiple times during the day rendering the data unreliable. Even though monitoring of usage was undertaken by independent observers, this was only for one hour at different times of the day so could not give a full picture.

A more recent count has not been undertaken but is recommended in order to gain more accurate figures. If new and upgraded toilets are provided across the Borough, then it is likely that the numbers of people using the toilets will increase as many people may find the state of the current facilities off putting.

### **Anti-Social Behaviour in Public Toilets**

Beeston Broadgate toilets are situated next to Broadgate Park, away from the main area of Beeston Square. These facilities suffer the most from illicit drug use and like the other public facilities, the toilet for people with disabilities is used by homeless people as a place to sleep (mainly on the weekends). Disabled toilets are easy to access as RADAR keys are used to operate the doors and RADAR keys can easily be bought online. The town centre attendant's office is within Beeston Square so they are not able to regularly monitor usage of the toilets.

The public toilets with the Beeston Council offices have also seen some anti-social behaviour. Empty wine bottles have been found in the toilets and recently, suspicious behaviour has been observed.

Eastwood's facilities are based within a newer building than the toilets at Beeston Broadgate, Kimberley and Stapleford. Eastwood also benefits from the toilets being near the library and a bus stop, in the town centre. The town centre attendant has an office next to the toilets and is able to monitor usage regularly. These factors combined, encourage people to use the facilities and Eastwood's public toilets are seen as the most widely used, of all the facilities in the Borough.

Kimberley's toilet facilities are based on the busy main road which has a heavy traffic flow for most of the day. Like Beeston Broadgate, the facilities are slightly away from the main centre of the town. The building is used for male sexual activity. This is of concern as the toilets are near Kimberley School and a number of years ago, the School was contacted by the Council to warn them that this type of activity was taking place. The Police have also been informed. There is no attendant's office at Kimberley public toilets as the facilities are opened by the Street Cleansing Crew in the morning and cleaned, restocked and closed in the afternoon by an agency employee from Kimberley Depot.

Stapleford's toilets are located within the Roaches area, next to a crossroads and

are not in the main town centre. This building is also used for drug taking and sexual activity in the male toilets. There has also been occasions when the toilet for people with disabilities has been used by homeless people to sleep in. Like Beeston, the town centre attendant's office is not next to Stapleford' toilets but housed further down, in Stapleford Business Hub (the old Police Station) which reduces the amount of time that can be spent monitoring usage of the toilets.

For all toilet facilities across the Borough, when the town centre attendants are on leave, then the Street Cleansing crew open the toilets. However, additional staff have to be paid to close the toilets as closure times are later than the working hours of the Street Cleansing crew.

Overall, anti-social behaviour and activities generate sites which are not welcoming and attractive to other users. It also creates issues for any attendant who has to clean up any paraphernalia or debris. Finally, it damages the Council's reputation when some of their facilities are used for illegal activities.

### **Can the Council afford to build new toilet facilities?**

In 2020, quotes were gathered for the new toilets in Beeston Square. These quotes were not for Changing Places toilets but facilities of a more general nature. The quotes were for two types of toilet facilities:

- One unit toilets which are suitable for use by people both with and without disabilities. These toilets are for single occupancy only. Therefore, in a town centre, there would need to be at least two of these units to meet future building requirements.
- The other type of toilets facilities quoted for, were facilities which included one separate unisex cubicle and one cubicle accessible for people with disabilities.

The prices in Table 4 reflect the basic specifications; upgrades and modifications can be made but this would entail a price increase in the unit cost.

Since 2020, overall construction costs have risen substantially. Department of Business and Trade statistics show that from 2020 to 2023, the cost of building materials for new work increased by 41.3%. When labour costs and increased energy costs are added (total fuel increase of 282.5%), it is not unrealistic to assume an overall price increase in repair and maintenance costs of 300%.

Table 4: Estimated cost of new toilet facilities

Number	Toilet Type	2020 Cost	VAT Included	Cost Increase	2023 Cost	Comments:
1	One pod	£24,800	No	300%	£74,400	Includes delivery and installation
2	One pod	£36,500	No	300%	£109,500	Includes delivery (clad in red brick)
3	Two units	£83,000	No	300%	£249,000	Includes delivery, installation and utility connections.
4	Two units	£94,837	No	300%	£284,511	Includes delivery and installation
5	Two units	£106,710	Unclear	300%	£320,130	Includes delivery and installation Construction of the toilets is in Germany so price subject to exchange rate fluctuations

### Future Proofing any new build

In July 2020, the Government amended the Buildings Regulations to include the specification that buildings for assembly, recreation or entertainment that had a capacity for 350 or more people (or a collection of smaller buildings with a capacity of 2,000 or more) must include a Changing Places toilet.

Also in 2020, the Government announced that they were undertaking a review on toilet provision for men and women. Following the review, it was announced in July 2022 that all new public buildings should have separate male and female toilets and that Building Regulations would be changed to reflect this.

To date, no further information has been given as to what the definition of a public building covers and whether or not public toilets are included. However, it may be safer to assume that public toilet facilities will be included in the amended building regulations and ensure that all new facilities can meet the requirements, if needed.

**Options considered to improve provision of public toilet facilities:**

## 1. Do Nothing:

This is not a feasible option due to toilet facilities being housed in ageing buildings which will incur increasing repair and maintenance costs over the next few years.

## 2. Council to utilise own funding to build new stand-alone toilet facilities:

Table 4 “Estimated costs for new facilities” outlines the costs of new facilities based upon quotes which were gathered in 2020.

This is not a feasible option due to the many competing demands upon Council budgets. Due to increasing costs, there is substantial financial strain upon funding available. Priorisation for allocation of funding to projects is undertaken via the annual budget process where priorities are agreed for the forthcoming year.

## 3. Town centres: negotiate with larger businesses in town centres to enable their toilet facilities to be accessed by the public. The business to then receive an annual payment from the Council to cover their additional maintenance and cleaning costs

This is not a feasible option due to potential ongoing costs and uncertainty about how much use the public will make of these facilities.

## 4. Utilise the toilet facilities within public buildings such as libraries and Town Halls:

The opening hours for both libraries and Town Hall are outlined in Appendix 3. Usage of these facilities could help improve access to facilities across the Borough.

## 5. Close current toilet facilities (when appropriate) and utilise external funding to build new public toilet facilities within or adjacent to new town centre buildings funded by the Levelling Up Fund and the Towns Fund. The order of prioritisation of building new facilities funded by external monies would be Stapleford, Eastwood, Kimberley and Beeston Broadgate

Options 4 and 5 are seen as the most effective strategy both in terms of cost and ability to provide improved facilities within Broxtowe.

### **Future Strategy**

Currently the public toilets provided for the use of the residents and visitors to the Borough's town centres do not deliver up to date, attractive or welcoming facilities. The estimated refurbishment costs outlined in Table 3 will not bring the facilities up to date but will merely ensure that they provide the same standard of facility as is currently available.

There is currently no Governmental funding available for refurbishment or for building new toilet facilities. The Changing Places Fund, which provided a contribution towards the building of these facilities, has now closed and no announcements about new funding have been made. There are no other sources of potential funding

Due to the cost of building new standalone toilet facilities, it would be more cost efficient to incorporate facilities into public buildings across the Borough, wherever possible.

#### **Beeston:**

Prior to the construction of the new toilet unit in Beeston Square, Beeston only had one set of toilets, which were located at Broadgate Park. With the opening of the new, up to date toilet facilities in Beeston Square, the future of the toilets at Broadgate can be investigated.

As the toilets are adjacent to a well-used park and are not near Beeston Square, the toilet facilities should remain open until additional funding is identified to upgrade them. As Beeston already has a Changing Places toilet located within Beeston Square, a new Changing Places toilet for Broadgate should be considered only after the other three town centres within the Borough have had their new facilities built.

#### **Eastwood**

Eastwood's toilets are located in a busy thoroughfare and are well used. There are fewer instances of anti-social behaviour in the toilets than in other areas of the Borough. However, the toilets do need updating. It would be prudent to wait until the next round of Government funding for towns / areas is announced and

then build in the provision of updated public toilet facilities into buildings which could be funded by new Government funding.

Working in this way would enable adequate time for public consultation to identify what is really required in the area as well as the drawing up of plans for the new buildings and their facilities.

In the meantime, as the toilets are situated next to Eastwood Library, a partnership with Inspire could be agreed to enable the library's toilet facilities to be used by the general public.

### Kimberley

Although Kimberley's public toilets are on the main road, they can be difficult to access as they are near the edge of the town centre and are close to a junction of three roads. There is a large Sainsbury's supermarket within the town centre which has accessible toilets with baby changing facilities. The toilets are already free for customer use. The store is open 6 days per week from 7am to 10pm and on Sundays, from 10am to 4pm. These opening hours are longer than the Council's public toilets.

Even though these facilities are available, it would still be prudent to have a Changing Places toilet facility when external funding is available to do so. Like Eastwood, this would enable adequate time for public consultation to identify what is really required in the area as well as the drawing up of plans for the new buildings and their facilities.

### Stapleford

Like Kimberley, Stapleford's toilet facilities are located out of the main town centre and so do not meet the needs of the majority of the people who visit the town centre. Unlike the other three town centres, Stapleford does not have as many public buildings in the town centre where toilet facilities could be utilised.

When Stapleford won Government funding via the Town Fund, one of the projects was to build an Enterprise Hub in the centre of the town. The planning for the Hub is currently at RIBA stage 1 (preparation and briefing prior to the design being drawn up). As part of the stakeholder consultation for the development of the Enterprise Hub design, the architects have been approached to consider how public toilets could be considered as part of the new design, where they would not impact upon the management of the building.

As the Enterprise Hub will be centrally located, there will be substantial footfall in

and around the area as shoppers, businesses and residents use the variety of services nearby. Placing public toilets within this area will enable more people to have quick and easy access to toilet facilities.

In order to meet all needs, it is proposed that new toilet facilities match those in Beeston; a Changing Places toilet, a toilet for people with disabilities who are mobile and separate male and female toilet facilities. The options for siting the facilities are as follows:

1. Build all facilities adjacent to the Enterprise Hub, so that no access to the building is required
2. Build all facilities within the Hub which enables access when the building is open
3. Build the Changing Places toilet so that it is accessed via reception within the building. Other toilet facilities for people with disabilities who are mobile and the male and female units could be accessed by the public from a door that is external to the building

It is recommended that option 2 is adopted as Changing Places toilets contain specialised equipment which is expensive to purchase and replace. The ability to monitor access to all toilet facilities should help to reduce the possibility of vandalism and theft.

The addition of public toilets to the Enterprise Hub may require additional funding as the Town Fund grant may not be sufficient to fund the new toilet facilities.

There is an additional advantage to relocating the current public toilets in Stapleford. The Council own land around the toilets and if the current toilets were closed and demolished, then the Council could build new housing in the area, which would contribute to meeting the Council's housing target as well as providing much needed housing for the local area.

### Order of Prioritisation

In order to maximise external funding, it would be beneficial to prioritise the building of public toilet facilities, including Changing Places toilets, in the following order:

- Stapleford

- Eastwood
- Kimberley
- Beeston Broadgate

#### Additional factors for consideration

Aside from the public toilets currently adjacent to Broadgate Park, there are no dedicated public toilet facilities in other parks or open spaces within the Borough. Provision of permanent facilities would not be feasible within current budgetary constraints. The provision of temporary portable toilets is potentially only feasible for large events and not as a more permanent fixture.

Baby changing facilities in older facilities are often housed in the female toilets. Any new toilet facilities that are commissioned should include baby changing facilities in both male and female toilets.

People who live with disabilities often need urgent access to toilet facilities. The provision of a card which highlights this need could be developed by the Council and promoted via specific networks to increase uptake.

#### Potential Savings

The cost of keeping four public toilets open in 2022/23 was in the region of £135,000. The majority of that cost was staff costs of £112,000. If the current toilets are closed and facilities located in other public buildings, the staff cost will remain as staff will be allocated other duties around the Borough.

However, it is in the long term, that financial savings will be apparent as the current facilities will need refurbishment at a cost of £135,000 by 2030/31. It is likely that maintenance costs will continue to rise until then and there is no contingency fund to meet these costs. Any future costs will have to be taken from current years' budgets and agreed by Cabinet.

#### Effects of closure of current facilities on town centre attendants

Libraries and businesses around the Borough will have their own cleaning schedules, undertaken by their own staff. As they would not have to clean public toilet facilities, the workload of the town centre attendants would be reduced. However, as the attendants already have an extensive workload, the closure of

the current public toilet facilities will enable the attendants to undertake additional cleaning of the overall area, resulting in cleaner, more inviting town centres.

### **Staff toilet facilities**

Feedback regarding current staff facilities can be found in Appendix 4. If the comments and points raised are implemented, this will result in toilet facilities which cater to more people's needs.

Overall, it is clear that people with disabilities should be included from the beginning of the decision making process when decisions are taken about how to adapt (or build) toilets for those with additional needs. When the plans are drawn up for new toilet facilities on the ground floor of the Council offices, a staff survey should be circulated as well as a Teams presentation outlining the proposals. Using a variety of communication methods to highlight the issues and proposed solutions will enable people with different visualisation techniques to understand and feedback on the proposals.

## APPENDIX 2

### Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The general equality duty applies to all of the decisions made in the course of exercising public functions, not just to policy development and high-level decision-making. The functions of a public authority include all of its powers and duties. Examples of this include: policy decisions, strategies, individual decision-making, budgetary decisions, public appointments, service provision, statutory discretion, employment of staff and procurement of goods and services.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

The council has agreed to treat people with care experience as if they had a protected characteristic

The duty also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

### EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	DCE	Lead officer responsible for EIA	Commercial Manager
Name of the policy or function to be assessed:	Toilet Strategy		
Names of the officers undertaking the assessment:	Commercial Manager		
Is this a new or an existing policy or function?	New		
<p><b>1. What are the aims and objectives of the policy or function?</b></p> <p>To offer up to date, fit for purpose public toilet facilities which meet the needs of all people regardless of (dis)abilities.</p> <p>To provide toilet facilities in town centres which will maximise access to the facilities</p> <p>To provide toilet facilities in a safe environment for all users</p> <p>To provide toilets with Council buildings which meet the needs of all staff.</p>			

Directorate:	DCE	Lead officer responsible for EIA	Commercial Manager
<p><b>2. What outcomes do you want to achieve from the policy or function?</b></p> <p>Increased use of public toilets.</p> <p>Decreased incidents of illicit activities</p> <p>Minimise financial strain to Council by use of Governmental funding to provide new toilet facilities. This will maximise the impact of Governmental funding.</p>			
<p><b>3. Who is intended to benefit from the policy or function?</b></p> <p>All residents, staff, businesses and visitors to the Borough</p>			
<p><b>4. Who are the main stakeholders in relation to the policy or function?</b></p> <p>Councillors, residents, staff, visitors and businesses of Broxtowe</p>			
<p><b>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</b></p> <p>ONS data relating to Broxtowe.</p>			
<p><b>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</b></p> <p>The Public Toilet Strategy report outlines the reasons why improvement of public toilets facilities is needed.</p>			
<p><b>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</b></p> <ul style="list-style-type: none"> <li>• The Disability Forum has been consulted.</li> <li>• A variety of groups have been consulted via the Health Communities Officer</li> <li>• Staff who live with disabilities have been consulted</li> </ul>			
<p><b>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</b></p>			

- **Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?**

No group or community will be targeted or excluded due to this strategy. The needs of people with disabilities need to be addressed through the delivery of the strategy to ensure they are enabled to have equal access to toilet facilities and not be disadvantaged.

- **Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

Yes, the strategy enables equal access by all groups / communities ( see previous comments relating to people with disabilities)

- **Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

The aim of the strategy is to ensure that toilet facilities are accessible to as many people as possible and remove barriers that may previously have made access to toilets facilities difficult.

Although the current toilet facilities met previous disability standards, the buildings are not in line with updated provision which takes into account a wider variety of disabilities. Facilities such as Changing Places toilets enable people with severe disabilities to use public toilets in a safe and appropriate manner.

- **Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

Not applicable

- **What further evidence is needed to understand the impact on equality?**

Stakeholder consultation with groups with specific needs to assess the diversity of need for continued provision of public toilets

**9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?**

**Age:**

It may be the case that older people and very young children are more dependent on toilet facilities than other age groups. Changing facilities for babies need to be incorporated into both male and female public toilets.

**Disability:**

The aim is to ensure that there are facilities available for people with disabilities

which meet as wide a variety of needs, as possible.

**Gender:**

Ensure that new built facilities are future proofed by being able to conform to any potential new amendments to Building Regulations, regarding separate provision for male and female toilets. While men can then use both cubicles and urinals, women can only use the former, and women also need safe spaces given their particular health and sanitary needs (for example, women who are menstruating, pregnant or at menopause, may need to use the toilet more often).

**Gender Reassignment:**

This does not mean that gender-specific toilets should be replaced with gender-neutral toilets. But there should be balanced consideration of how the needs of all those with protected characteristics including gender reassignment should be considered, based on the mix of the population and customer demand.

**Marriage and Civil Partnership:** None

**Pregnancy and Maternity:** see above ( gender)

**Race:** None

**Religion and Belief:** None

**Sexual Orientation:** None

**Deputy Chief Executive: Zulf Darr**

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

**Signature:**



**APPENDIX 3****Public Buildings across the Borough with toilet facilities**

There are 5 libraries across the Borough which are managed by Inspire (community benefit society). The library at Inham Nook which is open for 8 hours per week has no toilet facilities

The library in Beeston is based in Foster Avenue and has customer toilets as well as wheel chair friendly access both inside and outside the building. Opening hours total fifty-three hours per week and are as follows:

Monday, Wednesday, Thursday & Friday:	9am to 6pm
Tuesday	9am to 7pm
Saturday	9am to 4pm

Eastwood's library is based in Wellington Place. Like Beeston, the building has customer toilets as well as wheel chair friendly access both inside and outside the building. Opening hours total thirty-one hours per week and are as follows:

Monday and Thursday:	9am to 6pm
Tuesday and Saturday:	9am to 1pm
Friday:	9am to 2pm

Kimberley's library is based on Main St and also has customer toilets as well as wheel chair friendly access both inside and outside the building. Opening hours total twenty-four hours per week and are as follows:

Monday and Friday:	9am to 5pm
Wednesday and Saturday	9am to 1pm

Toton Library which is based in Stapleford Lane has customer toilets but it is unclear if there is wheel chair accessibility. Opening hours total thirteen and a half hours per week and are as follows:

Monday:	1:30pm to 5pm
Wednesday and Friday:	9:30am to 1pm and 2pm to 5pm
Saturday:	9:30am to 1pm

The opening hours for the town halls across the Borough are as follows:

- Eastwood: Monday to Thursday. 10am to 2pm
- Kimberley: Monday to Friday. 10am to 2pm
- Stapleford: Monday to Friday 11.30am to 1pm

## **APPENDIX 4**

### **Feedback**

#### Public Consultation

There have been 5 responses to the consultation. The feedback is outlined below.

#### **1. What do you think about the current public toilet facilities?**

- a. I am not really aware of any.
- b. Kimberley's public toilets are dire. Poor interior aesthetic and upkeep. Very, very dreary toilets. Never use them and never see anyone else use them except for occasionally at Kimberley Council run events. Then we receive complaints about the cleanliness and hygiene of the toilets.
- c. I think that the public toilet facilities in Beeston are practically non-existent. If I need to use the toilet I normally have to wait until I get home. If such facilities were available, I would use them.
- d. Not very good.

#### **2. What facilities would you like to see in public toilets?**

- a. I no longer have young children but the ability to change babies is important, plus accessibility for people with disabilities.
- b. Better hand washing and hand drying facilities. Better toilets and urinals.
- c. In addition to toilet cubicles it would be good if there were shower facilities for cyclists and also baby changing facilities; I would not use these extra facilities myself, but I bet there are many who would
- d. Clean, usable facilities with good lighting and open longer hours

#### **3. Currently the public toilets are located in town centres; is there anywhere else where toilets should be located?**

- a. Has the Council ever considered supporting larger shops opening up (if not already) their toilets to the public? They would be responsible for maintaining the facilities but subject to Council inspections. If their standards fall short, withdraw the funding. The current costs are eye watering but toilets are important.

Beeston has Sainsbury's and Tesco - I personally would always choose a supermarket over unattended public toilets. Stapleford has Lidl and Aldi so maybe a shop in between - the old Co-op? Also, the libraries. Support these areas and promote them. Plus pubs. Accessibility also needs consideration but I am not sure why we need separate buildings but these businesses should be compensated to a degree, subject to meeting set standards.

- b. No
- c. By bus/tram stations
- d. Where are the toilet facilities in Beeston town centre? There used to be toilets at the old bus station but these have not been built for the new bus/tram interchange. In general, toilets should be situated in bus stations, busy shopping areas and car parks.

**4. Would you use public toilets if they were located in public buildings such as villages halls and libraries? Please explain why / why not?**

- a. Yes
- b. I would, providing they were accessible during the hours required, but not if the public toilets were better maintained as they are closer. That being said, the Kimberley public toilets are further away from the central shopping precinct and Kimberley Sainsbury's have public toilets.
- c. I would use toilets if they were located in libraries and village halls. I don't use them now because I'm unsure if I'm allowed to use them.
- d. Yes, but opening hours may restrict availability.

**5. Any other comments.**

- a. Work with existing businesses for a cost-effective solution.
- b. Yes, the exterior visage of the public toilets whilst basic and of the age of those sorts of buildings, it could benefit from an exterior face-lift to make them look more appealing and in keeping with the Kimberley street scene. Also, work to the roof to

accommodate a cycling store and or electric scooter/bike charging point would be good.

- c. If not already done so, then it would be useful to show maps in noticeboards in town centres showing where public toilets are situated. Also need signposting of toilets
- d. Please keep male and female toilets separate. You could have a unisex toilet but I think women would find it intimidating if men were in there at the same time.

#### 5<sup>th</sup> person's feedback

- Clean fresh smelling toilets, ladies, and gents, separate.
- Disabled access in convenient locations, city centres and establishments where one is welcome to use them, even if not purchasing any products.
- Simple to use well maintained not much to ask.

#### General feedback

- a. Map/signage of alternate provision
- b. Important that toilets are accessible and preferably changing places toilets.

#### Staff feedback

##### Toilets within Council Buildings:

As well as staff toilets within the Foster Avenue building, there is a public toilet on the ground which includes a cubicle, urinal and baby change facilities. When the plans for the refurbishment of the ground floor of the office are drawn up, modifications to meet the needs of all groups will be highlighted and included.

One of the staff toilets within the building was recently modified to provide additional facilities for people with disabilities. The room which houses the 2<sup>nd</sup> floor disabled toilet was made slightly bigger with the addition of a floor drain, sink, small shower and a folding seat. Feedback indicated that other toilets within the building are too small to modify

Despite the modifications, it is clear that additional work could be undertaken to ensure that the facilities truly meet peoples' needs. When looking at digestive disorders, it is clear that the following additional modifications are needed:

1. Hooks to hang clothing and belongings as well as shelves to place personal belongings when dealing with medical matters
2. Certain conditions require mats on which to kneel when cleaning medical aids.

3. Paper toilet covers to cover toilet seat that users with digestive disorders can use the facilities without fear of contamination and reduce issues of spillage.
4. Sanitary surfaces where medical supplies can be placed. The surfaces need to be able to be wiped clean before and after use.
5. A full length mirror so that if placement of valves etc. is correct
6. A closed bin and liners / bags in which to dispose of used medical equipment.
7. Currently the modifications appear to be too far away from each other and are not placed within an easy to use range. This adds to the stress of having to undertake medical procedures in a public place.

#### Staff panel comments

The staff panel consisted of members of staff who are living with different disabilities. This enabled a variety of viewpoints to be raised when considered toilet facilities within Council premises. These views are outlined below.

1. All toilets which have facilities suitable for those with disabilities should have a sign on their doors highlighting this fact. This will not only enable toilets with disabled access and facilities to be easily identified by those who need to use them but also make people aware that it is not just a normal toilet. The sticker should include "Not all disabilities are visible" and not just focus on a person in a wheelchair.
2. Kimberley Depot has no disabled access to the main office building. There are no ramps, only stairs at the entrance, no ramp only stairs at the entrance. An important point was raised in that the seasons can affect a person's mobility and ability to do different things. In winter when muscles etc. are stiffer/ seize up, climbing stairs may be impossible whereas in Summer, it may have been possible with effort.
3. There are no disabled toilets at the Depot. There are male and female toilets on the first floor which provide neither access nor facilities for people with disabilities. On the ground floor, female toilets are located outside of the main building. Access to the toilets is via a step. The door is kept locked but the toilets are located outside the male changing room where people often gather to chat.
4. A basin should be installed in each of the cubicles in every toilet on each of the floors in the Council Offices. This would enable users of menstrual cups and those dealing with Crohns, diverticulitis and other digestive diseases to clean up after themselves effectively and privately.

5. The placement of air fresheners in each cubicle as well as the main body of the toilets would also aid those with digestive issues and provide a pleasanter atmosphere.
6. People tend to bring in their own sanitary product and leave them in the cubicles for use when necessary. It would be beneficial if the Council provided baskets in each cubicle for storage of the sanitary products.
7. It is not clear if the red flashing light for the fire alarm can be seen from all cubicles. A concern has been raised that should a deaf employee be using a cubicle and their hearing aid is not operating correctly, they may not hear the alarm if they are in a cubicle.
8. The drains in the toilets are old and often unfit for task. This leads to toilet windows being left open constantly whilst the building is in use and results in the toilets often being extremely cold.
9. The panel requested that when plans for new toilets in Council buildings are being drawn up, that a survey is included which outlines the proposals. This will enable staff to comment on the plans to ensure that they meet as wide a range of needs as possible. The survey should include a Teams presentation so that people who are not visual learners can understand the two dimensional drawings.