

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

Date 21st May 2019

**REPORT AUTHOR: County Councillor Martin Weale
Portfolio Holder for Economy and Planning**

**County Councillor Phyl Davies
Portfolio Holder for Highways, Recycling and Assets**

SUBJECT: Powys Local Toilet Strategy

REPORT FOR: Decision

1. Summary

1.1 This report seeks approval of the Powys Local Toilet Strategy (Appendix 1).

2. Proposal

2.1 Part 8 of the Public Health (Wales) Act 2017: Provision of Toilets came into force on 31 May 2018 and placed a duty on each local authority in Wales to prepare and publish a local toilet strategy for its area. Local authorities in Wales were given the responsibility to:

- Assess the need for toilet provision for their communities;
- Plan to meet those needs;
- Produce a local toilets strategy; and
- Review the strategy, update, and publicise revisions.

2.2 Local authorities are required to prepare and publish their strategies by the 31st May 2019. The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly. The Local Authority must take a strategic view on how facilities can be provided and accessed by their local population. Strategies will be subject to review and the County Council will be required to publish a statement of progress. The strategy should contribute toward achieving accessible and clean toilets wherever people live, work, or visit.

2.3 The County Council published a draft Strategy for a three month period of consultation ending on April 22nd 2019. Comments received on the Strategy raised a number of issues which have been summarised in the Consultation Report (Appendix 2). The draft Strategy was also considered by the County Council's Economy, Residents, Communities

and Governance Scrutiny Committee on 17th April 2019, and the comments of the Committee have also been included within the Consultation Report and Strategy.

- 2.4 Recommended responses to the issues raised during the consultation period are shown in the Consultation Report and the resulting changes have made to the Strategy (highlighted in Appendix 1).
- 2.5 The strategy sets out proposed actions that will be pursued by the County Council over the next two years in order to promote access and increase the provision of local toilets. The implementation of the actions would be accommodated within existing budgets, and many of the actions can be achieved through working practices or by the provision of information via the Council's website.

3. Options Considered / Available

- 3.1 The Council is required by legislation to prepare a Local Toilet Strategy so 'do-nothing' is not an option. The only options available are to amend the proposed actions set out in the Strategy.

4. Preferred Choice and Reasons

- 4.1 To approve and publish the Powys Local Toilet Strategy by 31 May 2019 in order to meet the requirements of the Public Health (Wales) Act 2017.

5. Impact Assessment

- 5.1 Is an impact assessment required? Yes
- 5.2 If yes is it attached? Yes (Appendix 3)

6. Corporate Improvement Plan

- 6.1 The Strategy contributes fully to Vision 2025, and the wider ambition to be an open and enterprising Council. In preparing the Strategy, involvement and engagement took place with residents and various representative groups.
- 6.2 Specifically, the Powys Local Toilet Strategy contributes to the four goals of Vision 2025 in the following manner:
 - The economy – good quality public toilets are a key to ensuring that residents and visitors can make full use of public spaces.
 - Health and care – the provision of good quality publicly accessible toilets are crucial to ensuring the wider health of the population. For some, with health conditions, publicly accessible toilets allow them to enjoy Powys without needing to worry about finding the nearest toilet.

- Learning and skills – publicly accessible toilets allow young people to make the most of the outdoor learning and recreation opportunities that the landscape of Powys provides.
- Residents and communities – the Strategy has an emphasis on business/community led provision, and as such communities will have an active role in the delivery of toilet provision.

7. Local Member(s)

- 7.1 The Draft Powys Local Toilet Strategy will equally apply to all areas of Powys.

8. Other Front Line Services

- 8.1 Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes.
- 8.2 Service areas have been involved in the preparation of the Strategy. The actions within the Strategy will need to be taken forward by service areas, so the strategy will require a continued input and commitment from a range of service areas.

9. Communications

Have Communications seen a copy of this report? Yes

Communications comment: The report is of public interest and requires use of news release and appropriate social media to publicise the decision.

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

- 10.1 Legal: The Principal Solicitor (Shire) has reviewed the proposed Toilet Strategy and supporting documentation and confirms its compliance with the Public Health (Wales) Act 2017.
- 10.2 Finance – The Finance Manager notes the contents of the report and that any actions required to implement the Powys Local Toilet Strategy May 2019 will be within the existing budgets of the services.

11. Scrutiny

Has this report been scrutinised? Yes

The draft Strategy was considered by the County Council's Economy, Residents, Communities and Governance Scrutiny Committee on 17th April 2019. Appendix 4 contains the recommendations of the Scrutiny Committee and also includes draft responses for Cabinet's consideration.

12. Data Protection

Not applicable.

13. Statutory Officers

13.1 The Solicitor to the Council (Monitoring Officer) commented as follows :
“ I note the legal comments and have nothing to add to the report.”

13.2 The Head of Finance (Section 151 Officer) notes the comments of the Finance Manager.

14. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest, he/ she should declare it, complete the relevant notification for and refer the matter to Cabinet for decision.

Recommendation:	Reason for Recommendation:
<ol style="list-style-type: none">1. To approve the Powys Local Toilet Strategy May 2019 (Appendix 1).2. To undertake an interim review of the Powys Local Toilet Strategy by the end of May 2020 to ensure the actions are on course to being achieved.3. To consider and approve responses to the recommendations of the Economy, Residents, Communities and Governance Scrutiny Committee (Appendix 4).	<ol style="list-style-type: none">1 & 2 To comply with Part 8 of the Public Health (Wales) Act 2017, requiring the development and publication of a Local Toilets Strategy by May 31st 2019.3. To comply with Corporate scrutiny procedures.

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	Peter Morris, Sue Ling, Greg Thomas
Date By When Decision To Be Implemented:	31 May 2019

Is a review of the impact of the decision required?	N
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Background Papers used to prepare Report:

Welsh Government Statutory Guidance: The Provision of Toilets in Wales:
Local Toilets Strategies, 2018

Appendices:

1. Powys Local Toilet Strategy, May 2019
2. Consultation Report on the Powys Local Toilet Strategy, May 2019
3. Impact Assessment on the Powys Local Toilet Strategy, May 2019