

Environment Committee	
Meeting Date	29/06/23
Report Title	The provision of minor maintenance and cleansing of public conveniences – procurement of new contract.
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Alister Andrews, Environment Services Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Undertake a tender exercise to provide minor maintenance and cleansing of public conveniences for 1 year with a 1 year extension option from 1st April 2024. 2. To remove the ‘temporary’ toilet block at Halfway cemetery.

1 Purpose of Report and Executive Summary

- 1.1 A full review of public conveniences is required to consider options and make the necessary savings to meet the medium-term financial plan. Such a thorough review will take time to produce. The current ‘Minor Maintenance and Cleansing of Public Conveniences’ contract expires on 31st March 2024. In order for the more detailed report to be produced and the recommendations discussed, it is advised that a tender exercise is undertaken to continue to provide the necessary services for an extended period. The specification for this procurement exercise will include amendments to meet the necessary reduced expenditure of £59K as agreed by full council on 22nd February 2023. It may also include further adjustments to meet future saving requirements after discussion by Members.

2 Background

- 2.1 The current contract has been provided by Monitor Services Ltd since April 2017.
- 2.2 In August 2021 Members approved a recommendation to extend the current ‘Minor maintenance and cleansing of public conveniences’ contract until 31st March 2024. There are no further options to extend this contract and a new procurement exercise would need to be conducted to provide these services.
- 2.3 The contract requires Monitor Services to open, close and cleanse the Swale Borough Council owned public conveniences. Some facilities are ‘attended’ which means a member of staff is present throughout opening times and others are unattended. The current list of public conveniences consists of:

- The Forum, Sittingbourne (attended – shared attendant with Central Avenue)
- Central Avenue, Sittingbourne (attended – shared attendant with The Forum).
- Rose Street, Sheerness (attended)
- Central car park, Faversham (attended)
- Leysdown Beach Services (attended seasonally)
- Minster Leas
- Park Road, Faversham
- Milton Regis
- Queenborough Park, Queenborough
- Bartons Point, Isle of Sheppey
- The White House, Minster
- Oare Gunpowder Works Visitors Centre, Faversham
- Halfway cemetery, Isle of Sheppey
- The Spinney, Leysdown
- King George V Playing Field, Sittingbourne
- Milton Creek Country Park

A new public convenience at Beachfields, Sheerness is due to be completed in June 2023. This will be an unattended facility and added to the contractors list for opening, closing and cleaning.

Minster Leas facility was an attended facility, but this was reviewed and amended to make it an unattended toilet for 23/24 as part of the budget process agreed by members in February 2023.

- 2.4 The majority of public conveniences are open between 07.00 and 19.00 Mon – Sun, but a full list of opening times is available in Appendix I as there are some variations to these opening times and some facilities have seasonal changes.
- 2.5 The contractors provide toilet roll, cleaning materials and undertake minor maintenance such as graffiti removal, cubicle lock repairs, replace toilet roll holders and toilet seats and unblock drains between the toilet and the nearest inspection chamber. Other more major repairs such as broken tiles, sinks, bowls or structural elements are reported to property services for repair via a separate property maintenance contract.
- 2.6 The contractor also undertakes routine deep cleans at each facility and toilets may be kept open later for special events.
- 2.7 Ad-hoc refurbishments have taken place as required to deliver improvements using one-off funding from the reserves, but the overall asset management and levels of public convenience provision will need a more detailed review and a subsequent report for consideration by Members. For example, are they in the right locations, what are the conditions of the buildings and what investment will they need. Will new technology allow a change in approach e.g. electronic opening and closing. A procurement exercise will create the time for this work to be completed and debated fully.

- 2.8 In 2022/23 the cost of the core contract was £311K. Other fees were paid due to special event opening.
- 2.9 The current contract allows variation by joint agreement, so it is anticipated that it is best to make service changes at the point of tendering for the new contract.
- 2.10 The intention of this report is to facilitate a discussion on what Members feel is important over the next few years, whilst understanding the need to keep costs as low as possible in the current financial situation
- 2.11 Potential considerations for this short term contract;
- Should opening and closing times be varied?
 - Do the facilities that currently have attendants need them – or can they be varied to busier days of the week only or a shorter time period?
- 2.12 A ‘temporary’ toilet block was deployed at Halfway Cemetery over ten years ago. The purpose was to compensate for the cemetery public conveniences being removed when ‘The Lodge’ at Halfway was sold. There are no other cemeteries in Swale with public toilet facilities. Contractors who maintain the cemetery grounds have their own facilities to use. Furthermore, the cemetery is now full and is not offering new plots. Therefore, the number of funerals that take place are massively reduced.
- 2.13 The views of officers is that this unit is no longer essential and it looks unsightly as it is a temporary structure. This facility costs the council £3.5K pa in hire charges plus electricity and water. The costs of opening, cleansing and maintaining this facility are £5.4K pa. The total saving would therefore be approx. £9K per annum.

3 Proposals

- 2.1 It is recommended that the council undertake a new procurement exercise to provide minor maintenance and cleansing of public conveniences for 1 + 1 years from 31st March 2024. This will allow time for the full review of public conveniences to take place and for the outcomes to be delivered in readiness for the following tender process. The option to extend by 1 year is a resilience measure to account for unforeseen project creep.
- 2.2 To remove the temporary toilet block at Halfway cemetery. The facility is costly to hire and it looks unsightly. No other cemeteries in Swale have public conveniences at them. Use of the facility is suspected to be limited. Suitable communications will be placed at the site to forewarn visitors prior to the removal and advise where the nearest public conveniences are.

4 Alternative Options Considered and Rejected

- 4.1 Continuing to deliver this service via a contractor without undertaking a procurement exercise would breach procurement legislation and may lead to complaints from market competitors and possible investigation.
- 4.2 Do not undertake a procurement exercise/ award a contract. This will prevent public conveniences from being opened, closed or maintained and it is effectively a decision to close all public conveniences in Swale as they could not be managed sufficiently without such measures in place. This option is therefore not recommended.
- 4.3 Officers not to undertake a review of the public convenience assets. This is not advised as the council must meet financial obligations and reviewing what assets we have in place and how we deliver the services from those assets is key to ensuring the council is working as efficiently and effectively as possible. This is essential to meet our financial obligations.
- 4.4 To keep the Halfway Cemetery temporary toilet facility open. This is not recommended as the hire costs for this facility will restrict maintenance and improvements at other permanent facilities. No other cemeteries have public conveniences and cemetery contractors have their own facilities to use. The temporary block looks unsightly. The usage of the facility is limited and visitors generally spend a short amount of time at the cemetery. The removal of the facility will further reduce contract costs for opening, closing and cleaning public conveniences. If the facility remains, then these savings will need to be found from other areas of the business.
- 4.5 Members could also choose to close facilities. This is not recommended until a full review is undertaken.

5 Consultation Undertaken or Proposed

- 5.1 In 2018 a survey was conducted to determine usage of public conveniences. As expected, the results showed a mixture of usage with Queenborough Park equating to a cost of £1.10 per user in 2018 and Central Avenue costing £0.05 per user. Unfortunately, due to access issues, there were no results obtained for Halfway Cemetery. However, the cost per user for the Halfway toilet would be estimated at the higher end of the scale.
- 5.2 If it is agreed to remove the temporary building then signs will be erected in advance of removal to inform visitors to the cemetery and advise where the nearest public conveniences are.

6 Implications

Issue	Implications
Corporate Plan	Priority 4 – Renewing local democracy and making the council fit for the future (...support staff to find innovative ways to ensure objectives can be met in the context of diminished resources).
Financial, Resource and Property	<p>The Halfway cemetery toilet was a temporary measure over ten years ago. It is still in situ and would equate to one of the more expensive facilities on a per user basis. No other cemetery has a public convenience in it. The structure looks out of place and unsightly. The cabin costs £3.5K pa to hire plus utilities. It costs a further £5.4K to maintain, open and clean it. If agreed, the savings could be immediate.</p> <p>The further officer review will determine usage and provide recommendations on assets and funding options for the future.</p> <p>In February 2023 Members agreed to reduce the public convenience budgets by £59K. The majority of this saving will be delivered by the removal of attendants at Minster Leas and the yet to be completed Sheerness toilets at Beachfields. The removal of the facility at Halfway should also contribute to the necessary in year and future year savings.</p> <p>The contract needs to be awarded in line with current revenue budgets. As the last tender was in 2017, it is expected that costs will rise and therefore additional amendments to the specification are required in order to meet the budget.</p> <p>As an indication of costs, based upon previous contracts, it is not unreasonable to estimate that a fully attended facility may cost in the region of £50K - £60K pa to service. A seasonally attended facility may cost £40K to £45K and an unattended facility £2K to £10K pa. These estimates will of course increase with inflation and they are only being provided to assist discussion.</p>
Legal, Statutory and Procurement	<p>The procurement of a service provider will be advertised in line with the contract legislation requirements.</p> <p>The Public Health Act 1936 gives Local Authorities a power to provide public toilets, but it imposes no duty to do so.</p>
Crime and Disorder	Some toilets are attended to ensure that facilities are kept up to the necessary standard, but also to deter crime and disorder. The risk of damage and anti-social behaviour may increase in unattended facilities. The opening and closing times are structured to avoid

	times of the day when anti-social behaviour is more prevalent. These can be altered accordingly to site specific issues.
Environment and Climate/Ecological Emergency	Contract Monitoring Officers and Property Services will start to assess building options, spatial provision, working practices/ water usage and the chemicals used for cleaning to ensure they are the best environmental option. The removal of the Halfway Cemetery facility will reduce council water and energy usage.
Health and Wellbeing	The public convenience facilities operate in line with government guidance to ensure they remain safe. Such facilities are appreciated by members of the public and they have obvious health and well-being benefits. However, the contract costs are significant and it is important that we keep reviewing these facilities to ensure we are providing the right resource in the right place.
Safeguarding of Children, Young People and Vulnerable Adults	The appropriate safeguarding requirements will be identified in the specification of the tender.
Risk Management and Health and Safety	The evaluation of the submitted tenders will include the contractor's approach to risk management and health and safety. This will be maintained and monitored throughout the contract.
Equality and Diversity	All Swale Council public conveniences provide for a range of disabilities. Recent additional signage has supported the 'Not every disability is visible' campaign at all sites.
Privacy and Data Protection	None identified at this stage

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

Appendix I – List of public conveniences and the current opening times

8 Background Papers

None