

Environmental Services and Climate Change Committee	
Meeting Date	10 th July 2025
Report Title	Public Conveniences Review – Business Case and Consultation Launch
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure (for service provision) Joanne Johnson, Head of Place (for property assets)
Lead Officer	Andre Bowen, Service Improvement & Project Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To consult with residents on matching the service with the resources in the medium-term financial plan by: <ol style="list-style-type: none"> a) The closure of 3 public conveniences b) Exploring and then as appropriate undertaking formal negotiations to transfer 7 public conveniences to Town and Parish Councils or other appropriate local organisations; <ul style="list-style-type: none"> ○ Oare Gunpowder Works Visitors Centre ○ Central Car Park ○ Rose Street ○ Beachfields ○ Leysdown Beach Services ○ The Spinney ○ Queenborough Park c) Introducing a Community Toilet Scheme 2. Retender for 26/27 onwards for the remaining 6 public conveniences with the ability to add additional sites subject the scenarios in 2.7. 3. That officers consider opportunities to improve the condition of the remaining public conveniences, while improving energy and water efficiency where applicable.

1 Purpose of Report and Executive Summary

- 1.1 On 17th January 2024 the Environment and Leisure Committee considered a report on the *Procurement of Minor Maintenance and Cleansing of Public Conveniences Service*. The purpose of the report was to award the service contract, and a contractor was appointed on a 1 + 1 basis from 1st April 2024.
- 1.2 For 25/26, officers commissioned the +1 option available within the tender. The costs were in excess of budget c.£196k, due to both contract inflation and to the application of a further £100k budget reduction, as proposed by Finance Sub in 2023. This was corrected in the 25/26 budget setting but with the intention of conducting a full review during 25/26 to achieve the savings required in future years.
- 1.3 This report and the accompanying appendices set out the details of the full review and the formulation of the recommendations.

2 Background

- 2.1 Swale Borough Council currently maintains 16 public conveniences for use by the general public free of charge. The majority of public conveniences are open between 07.00 and 19.00 Mon – Sun, with some facilities having seasonal changes. There are two public conveniences which are currently closed due to building structural issues and vandalism. The full list of public conveniences is as follows (Map of locations in Appendix II):
 - The Forum, Sittingbourne
 - Library Car Park, Sittingbourne
 - Rose Street, Sheerness
 - Central Car Park, Faversham
 - Leysdown Beach Services, Leysdown
 - Minster Leas, Minster
 - Faversham Recreation Ground, Faversham
 - Milton Regis High Street, Milton Regis (temporarily closed)
 - Queenborough Park, Queenborough
 - Bartons Point, Minster
 - The White House, Minster (temporarily closed)
 - Oare Gunpowder Works Visitors Centre, Faversham
 - The Spinney, Leysdown
 - King George V Playing Field, Sittingbourne
 - Milton Creek Country Park, Sittingbourne
 - Beachfields, Sheerness
- 2.2 There are two additional toilet block buildings that the Council owns but have been permanently closed for some time (Eastchurch and Rushenden). The intention is not to reopen these and to dispose or demolish the buildings.
- 2.3 The Council recognises the key role that toilet facilities play in the community. They encourage visits to the town centre, help enhance health and wellbeing and

support our vulnerable residents as we are aware that many residents consider the availability of toilets when choosing to visit areas.

- 2.4 However, there has not been a major review of provision for a long time, and we need to ensure the service remains fit for purpose. The Council has therefore undertaken a full review of public toilet provision to determine the future of each facility. This has involved looking at usage data, proximity to other facilities, condition of the facilities and interest of town and parish councils in operating the facilities.
- 2.5 A comparative analysis of the financial and non-financial costs and benefits associated with each option shown in the proposal section below, has been considered in detailed Business Case at Appendix I and Toilet Profiles at Appendix II.
- 2.6 Further work has been undertaken to look how the service should be delivered for any sites that would remain the responsibility of the Council. This included looking at in-house and contracted out operating models (Appendix IV).
- 2.7 Some of the proposals are still subject to agreement such as the transfers to town and parish councils. Note all transfers will be in line with the recently agreed Disposals and Community Asset Transfer Policies. If transfer negotiations with those that have initially showed interest are not successful, further toilet closures will be required to meet the budget. These will use the same criteria for this report's closure recommendations.
- 2.8 Whilst the report makes recommendations, it is for the Committee to debate the pros and cons of each recommendation. Furthermore, it is vital that the views of residents are considered through a stage of public consultation once the committee has come to an initial position. We therefore plan to undertake a public consultation following this committee.
- 2.9 Considering the impact that closures may have on some residents, the review also considered alternative provision options. Other local Councils operate Community Toilet Schemes. Here, the Council promotes local businesses that allow use of their toilet facilities regardless of whether you are a customer. This has benefits both for the business and local residents. To ensure the scheme remains active, Officers will regularly monitor participating businesses so that the information available to the public is kept up-to-date. Appendix III looks at this in more detail.

3 Proposals

- 3.1. To consult with residents on matching the service with the resources in the medium-term financial plan by:
 - a) The closure of 3 public conveniences

- b) Exploring and then as appropriate undertaking formal negotiations to transfer 7 public conveniences to Town and Parish Councils or other appropriate local organisations;
 - Oare Gunpowder Works Visitors Centre,
 - Central Car Park,
 - Rose Street,
 - Beachfields,
 - Leysdown Beach Services,
 - The Spinney
 - Queenborough Park
- c) Introducing a Community Toilet Scheme

- 3.2. Retender for 26/27 onwards for the remaining 6 public conveniences with the ability to add additional sites subject the scenarios in 2.7.
- 3.3. That officers consider opportunities to improve the condition of the remaining public conveniences, while improving energy and water efficiency where applicable.

4 Alternative Options Considered and Rejected

- 4.1 The least favourable option of 'do nothing' and continuing with the current number of sites and method of operation was rejected due to financial constraints. Additionally, the overall condition of the public convenience stock means that there would be considerable capital costs for urgent and non-urgent repairs/improvements. The maintenance costs for existing public conveniences between 2023 and 2032 are projected to be £1.5 million.
- 4.2 An insourcing option has been considered in Appendix IV. This option offers the least amount of savings. However, the risks introduced from insourcing operations are considered to outweigh the possible savings.
- 4.3 A charging model was also explored in Appendix V. While charging has an opportunity to generate a revenue, it is only suitable where there is already a high tourist footfall and the facilities are in excellent condition.

5 Consultation Undertaken or Proposed

- 5.1 Officers from across the Council which includes representatives from the Property Team, Contract Management and Legal have reviewed the public convenience provision provided by the Council and proposed the recommendations.
- 5.2 Parish and Town Councils were contacted about the review of public conveniences and asked to share their views including whether they would be interested in taking over responsibility. Collectively, there are 7 public

conveniences that Parish and Town Councils could take on management responsibilities for, as seen in Appendix VI.

- 5.3 Where there were possible closures of public conveniences, local businesses were asked if they would consider opening their facilities to the public. A total of 6 businesses expressed an interest as shown in Appendix VII.
- 5.4 This reports proposes consulting members of the public regarding the closure of some public conveniences. An Equality Impact Assessment (EIA) has been completed to show how the council has had due regard to the public sector equality duty (Equality Act 2010) in decision-making, as seen in Appendix VIII. This will also be updated following public consultation.

6 Implications

Issue	Implications
Corporate Plan	<p>The agreed way forward will support several Corporate Plan objectives. These include 'Running the Council' by working within our resources, and delivering in a transparent and efficient way. The 'Environment' objective is supported by reducing the environmental impact on the air and treated water wastage. While the 'Economy' objective is supported through working with businesses to increase customer footfall and free facilities for local people.</p>
Financial, Resource and Property	<p>The financial impacts of each option will vary. The 'do nothing' option would create no savings and the costs would increase each year with inflation.</p> <p>For 25/26, officers commissioned the +1 option available within the tender. The costs were in excess of budget c.£196k, due to both contract inflation and to the application of a further £100k budget reduction in 2023. The recommended mitigation for this is to close some facilities on a permanent basis (including the removal of those closed at Eastchurch and Rushenden), which would deliver the savings proposed in the medium-term financial plan. Full financial details are included in Appendix I: Business Case.</p> <p>Town and Parish Councils are able to raise funds through a "precept," which is a charge levied on residents' Council Tax bills in order to fund and improve a range of local services and amenities, like parks, community centres, and public toilets. Transferring the assets to Town or Parish Councils may likely require a public convenience dowry payment to take on the assets for a 1-year period after transfer, to cover maintenance liabilities / consumables / legal fees.</p>

	<p>Research from other Boroughs, shows that Community toilet scheme partners would require a small fee to retain interest and protect provision for residents.</p> <p>A ring-fenced allocation for toilet improvements has been made in the UK Shared Prosperity Fund grant for 25/26 totalling £40,000.</p>
Legal, Statutory and Procurement	<p>There is no statutory requirement for the Council to provide public conveniences, however we recognise the role they play in the community.</p> <p>Transferring the assets to Town or Parish Councils and 'Community toilet' agreements would require Legal input. The timescale for completing the asset transfers ahead of 31st March 2026 will prove challenging. If this is the case, we will need to use the current tender to allow service to continue at these sites until transfer is complete.</p>
Crime and Disorder	<p>Public conveniences are partly attended where there is a higher risk of crime / vandalism if unattended. Future investment needs to 'design out' problems. Evidence of this can be seen in recent new build toilet provision.</p>
Environment and Climate/Ecological Emergency	<p>The closure of several public conveniences reduces the impact of water wastage and emissions from Council and Contractor operations. Any investment plan should look at reducing emissions from carbon reduction mechanisms such as LED lighting, timed lighting, reduced water usage etc.</p>
Health and Wellbeing	<p>The provision of public conveniences can bring health and wellbeing benefits to members of the public. Residents with health issues may rely on public toilets when making decisions to visit local areas.</p>
Safeguarding of Children, Young People and Vulnerable Adults	<p>We recognise that toilet provision is important to some vulnerable residents. Public conveniences may be particularly beneficial for older people, those with disabilities, pregnant women and children. New facilities consider the implications of communal toilets and use singular cubicles viewed directly from the outside.</p>
Risk Management and Health and Safety	<p>There are financial and legal risks associated with asset transfers and the community toilet scheme, as outlined in the report. However, expert advice has been sought from the Head of Finance and the Head of Legal to address these concerns.</p> <p>There is a risk of reputational damage through closure of facilities. Residents will be consulted on the proposed changes, efforts will be made to explain the decision clearly and in future signage/website information to help direct residents and visitors to our facilities.</p>

	<p>There is risk of reputational damage if 'community toilet' scheme fails to meet commitments. Through regular inspections, legal agreements and intensive promotion, these risks are minimised.</p> <p>There are risks of vandalism from a reduced service or removed service. Closed public toilets will be secured / declared as a surplus / disposed of appropriately in line with the agreed Disposals / Community Asset Transfer Policies.</p>
Equality and Diversity	Closure or reduced provision may impact particular groups more than others as identified in the Equalities Impact Assessment, which will be revised after a public consultation.
Privacy and Data Protection	None.

7 Appendices

Appendix I: Business Case
 Appendix II: Public Convenience Profiles
 Appendix III: Community Toilet Scheme Report
 Appendix IV: Insourcing Report
 Appendix V: Charging Model Report
 Appendix VI: Parish Council Responses
 Appendix VII: Local Businesses Interested in Community Toilet Scheme
 Appendix VIII: Equality Impact Assessment
 Appendix IX - Public Toilet Facilities Consultation Printable

8 Background Papers

None.