**HEREFORD CITY COUNCIL**

**COUNCIL MEETING 21st October 2014**

**Public Toilets**

This report is referred from Community Development Committee with the recommendations for Council set out below.

Members considered that the St Martin’s public toilets were close enough to the Leisure Centre, which is part of the community toilet scheme for there to be no immediate need to take them over. Members also wished to see a more comprehensive approach to taking over those toilets that were of benefit, notably Gaol Street and the Country Bus station facilities. Finally members accepted that the pilot had been successful in East Street and Union Street and these should now move to asset transfer, a matter for which approval from Council is required. Moving to a permanent ownership of the toilets and therefore a long term intention to operate them requires that certain matters which have been dealt with ad hoc through the voluntary efforts of members now need to be resolved with service contracts and the report below identifies these. Recommendations relating to these ancillary services were accepted by members of Community Development Committee and are being worked through. In order to deliver in these it is necessary for Council to resolve the asset transfer issue.

**RECOMMENDATION**

**That Council notes the decisions of the Community Development Committee following the pilot operation under license of the public toilet at Union Street and one of the East Street Units. Council resolves to instruct the Town Clerk to agree and asset transfer for these units to the City Council.**

The original Community Development Committee report is set out below to provide Council with the full context of this recommendation.

**HEREFORD CITY COUNCIL**

**COMMUNITY DEVELOPMENT COMMITTEE 30th September 2014**

**PUBLIC TOILETS**

**1. Background**

1.1 Following the abrupt closure of some of Hereford’s public toilets, and the announcement of likely closure of all of them within a year, there was a strong and very negative public reaction. An initiative to seek support from Vennture and local churches to take over operations failed and the Council resolved to take over two units and operate under a license from Herefordshire Council as part of possible programme of wider service devolution.

1.2 The pilot applied to the single unit in Union Street and one of the units in East Street. Both units were modified to take a coin operated lock, with a charge of 20 pence per visit. Despite a few teething problems with lock adjustments the operation of the equipment has generally worked and there has been no significant issue with vandalism. The toilets are modern all metal units and much more are resistant to casual vandalism than the more traditional ceramic sinks and wc’s with exposed metal pipework.

1.3 From time to time public toilets are used by people self-injecting, usually with non-prescription drugs. This can lead to discarded paraphenalia including slips of foil, syringes and sharps. These must be disposed of safely as clinical waste and each unit should have a sharps bin provided, and a suitable arrangement entered into with a licensed contractor for collecting and hygienically disposing of the sharps and other waste.

1.4 The period of the license operation and pilot is now drawing to a close and the Committee needs to decide whether to recommend to Council that we take over the operation, including an asset transfer or lease of the two units.

1.5 In addition, a further unit adjacent to the Leisure Centre in St Martin’s is now earmarked for closure, HALO having withdrawn from discussions about taking it over. In accordance with the general agreement achieved with Herefordshire that no more toilets will be closed until the City Council has had an opportunity to consider taking them over, we have been approached to see if we would wish to enter into an agreement to transfer this unit, or whether to take a temporary license.

1.6 Longer term they may also be a possibility of the Friends of Castle Green taking over the operation of a modernised unit there to retain the service in future years. Nothing is agreed on that yet and if there is a Council involvement in that matter it will be the subject of a further report.

**2. Implications of Taking Over Two Units Permanently**

2.1 The units make approximately £30-35 per week in door takings so we can cautiously project, bearing in mind the pilot has included most of the tourist season, a weekly average through the year of £20-25 each. This gives a projected income of £2,340, based on the median point of that range, if the assumption about the effect of tourism on numbers is correct.

2.2 The provision of a cleaning and replenishment service by the Chairman and Vice Chairman as a voluntary exercise is not a viable long term solution, although their efforts in this regard should be acknowledged. If the Council is going to take over the operation of two toilet units we will need to enter into a contract for cleaning and replenishment of toilet paper, soap etc. A quote has been received for this, indicating a cost of around £4,000 for cleaning plus materials. For comparison a second quote from another supplier of cleaning services is being sought. In addition a calculation has been done of the likely in-house cost if we were to employ a cleaner directly, 52 weeks a year, 7 days a week for one hour a day (which is the minimum necessary to carry out a basic clean at both sites). This in-house figure is based on salary at national minimum wage, cover for leave, a notional sum for sick cover and employer’s on costs and is slightly higher than the contract quote offered. In addition, if we did employ someone we would take responsibility for personal protective equipment including gloves, training and health and safety which no-one in the staff team is currently qualified to provide to a cleaner and would have be bought in to satisfy our legal obligations to our employee. It appears that the in-house option is thus uncompetitive on grounds of cost.

2.3 The Council will acquire costs for National Non-Domestic Rates for the units it operates and metered water. These have been previously reported to Council but to remind members the costs are :

East Street\* rates payable £1,483.65, water £2,810.04, electricity £639.20 per annum = £4,932.89

\*These figures are based on quotes for the whole site from Herefordshire Council. In fact the Council operates one unit and one storage and control area, with three units being closed. If these costs can be clarified to refer to two units out of five on the site we could reasonably expect the rates to be 40% and water and electricity to be 25%.

This gives an estimated annual cost of :

Rates £593.46, water £702.51, electricity £159.80 = £1,455.77

2.4 There are no figures available for the Union Street single unit as it had been closed for some time before we re-opened it. A unit of similar size elsewhere in the City generates costs of:

Rates £162.50, water £522.84, electricity £307.73 = £993.071

2.5 Total estimated cost of running two units is therefore £2,438.84. Allowing around £4,000 for cleaning contract costs and £500 per annum for consumables (which is likely to be an over-estimate based on use over the last six months) and sharps the reasonable estimate of the total cost of taking over the two units permanently is in the region of £9,377.68.

2.6 Against this we can set the projected income of £2,340 and therefore an estimated net cost in a year of £7,037.68. The council currently holds a budget of £35,000 for operating public toilets, £15,000 of which is earmarked for repairs and maintenance. This gives a budget of £20,000 for running costs which will cover the projected costs set out above.

**3.** **Recommendation**

**3.1 That the Committee resolves whether to recommend to Council that the City Council enters into an agreement for the asset transfer of the two units at East Street and Union Street and to continue to operate them as public toilets.**

**3.2 That the Committee authorises the Town Clerk to enter into a contract at the best price available for cleaning and consumables as soon as the third quote is received.**

**3.3 That Committee authorises the Town Clerk to enter into an appropriate contract for the safe collection and disposal of discarded drugs paraphenalia including sharps.**

**4. Further Possible Provision**

4.1 The St Martin’s site was one of those indicated by the City Council in consultation as a facility we felt ought to remain open. In the early stages of discussions about licenses for operation of units this was parked pending the outcome of discussion between Herefordshire Council and HALO. These discussions have not resulted in HALO adopting the toilet and Herefordshire have enquired if we wish to take over the unit. The Clerk has intimated that our policy of operating a pilot before making a long term decision still stands, and officers of Herefordshire have indicated that some arrangement along these lines might well be possible to avoid immediate closure.

4.2 Issues that will need to be resolved include confirming that the unit is fitted out in damage resistant aluminium and not traditional ceramics and pipe work, that there are no structural problems or urgent wants of repair that could generate a costly liability for the City Council, installing a lock for coin operation, adding the new unit to our licensing contract and sharps disposal arrangements and arranging for collection of cash given that the site is more remote than East Street and Union Street which can be periodically emptied by Council officers without detriment to their other duties.

4.3 At this stage it is only necessary for the Committee to state whether they still feel this unit is valuable and should be retained. If that is the Committee’ position it can resolve to take on the unit as a pilot for six months. If the Committee wishes to skip that stage (which is not recommended by the author) it will need to seek Council’s approval to move straight to an asset transfer and long term operation.

**5. Recommendation**

**5.1 That the Committee authorises the Town Clerk to hold discussions with Herefordshire Council to resolve the above issues, and if these can be satisfactorily resolved to authorise the Clerk to enter into a pilot agreement for six months on the St Martins site for a single unit on coin operated entry.**

Steve Kerry

Town Clerk