The Provision of Public Toilets

Twelfth Report of Session 2007–08

Report, together with formal minutes, oral and written evidence

Ordered by The House of Commons
to be printed 6 October 2008
Communities and Local Government Committee

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Summary

Lavatory humour is rife in British culture, but the provision of public toilets is no laughing matter: public toilets matter to everybody, regardless of their age, class, ethnic origin, gender, mental ability or physical ability. They are even more important to certain sections of our society, including older people, disabled people, women, families with young children and tourists. The first public toilets were introduced in 1852 and some of the finest surviving architectural examples date from this Victorian heyday. However, while the Public Health Act 1936 gives local authorities a power to provide public toilets, it imposes no duty to do so, and this lack of compulsion, together with a perception of nuisance associated with them, has arguably resulted in a steady decline in the provision of public toilets in recent years.

This decline needs to be addressed. The Government’s Strategic Guide on the provision of public toilets, “Improving Public Access to Better Quality Toilets” was published in March 2008 and we support its content and its desire to take the “taboo out of toilets”. This guide highlights existing powers at the disposal of local authorities that can be used to improve public access to toilets.

Many local authorities are aware of the costs of not providing public toilets, such as the need to clean up street fouling and the isolation of vulnerable groups who feel unable to go out without the assurance of access to public toilets, and they have developed various strategies for the provision of clean, safe, accessible toilets. Some have opted for a scheme where the local authority works in partnership with local businesses (such as pubs, cafes and shops) that make their own toilets available to non-customers.

Other local authorities are less committed to the maintenance or provision of public toilets, which has led to great disparities between different towns and regions. It has been argued that some local authorities have used the Disability Discrimination Act 1995 as an excuse to close public toilets, rather than bring them up to the standards required by the Act.

Many organisations are campaigning for better provision of public toilets and provided much of our written and oral evidence. The British Resorts and Destinations Association (BRADA) highlights the importance of good-quality public toilets for tourists and other visitors, who make a crucial contribution to many local economies. The National Organisation of Residents’ Association (NORA) points out the negative impact on residents where lack of good provision results in street fouling, an increasing problem because of extended licensing laws. Help the Aged and other groups stress the importance of public toilets to give older people the confidence to leave their homes and to avoid problems arising from isolation and dependency. There is a strong lobby fighting for equal rights for disabled people, including the Changing Places Consortium, which has developed and introduced public toilets that are accessible to severely disabled people. Other campaigners work to redress the inequality of provision for women, arguing that, for a variety of reasons, there should be a 2:1 ratio in favour of women’s toilets, whereas current provision is 1:1 or significantly worse. The British Toilet Association is a campaigning group with 160 members, of whom 61 are local authorities, and promotes the
“Loo of the Year” awards to recognise and reward excellence in public toilets.

The Government’s White Paper “Communities in Control” supports community empowerment, giving local groups and organisations greater power to influence decisions that affect their local area. Together with the Government’s Strategic Guide on the provision of public toilets, this can give these organisations more leverage with which to carry out their campaigns.

This report seeks to consider the evidence and to produce simple and practical recommendations to improve this important social amenity. Our over-riding recommendation is that the Government imposes a duty on local authorities to develop a public toilet strategy, which should involve consultation with the local community, for their own area. The duty of compiling and reviewing a public toilet strategy is a simple requirement that will go a long way towards achieving the right of people to have accessible and clean public toilets, wherever they live, work or visit. Our public toilet provision should not be allowed to decline at the current rate because of neglect arising from the lack of any clear strategy.
1 Introduction

The need for and accessibility of public toilets

1. Lavatory humour is deeply ingrained in British society, epitomised by films such as “Carry On at Your Convenience” and by countless jokes and euphemisms. However, going to the toilet is a universal need—there are blogs on the internet dedicated to people sharing their knowledge of clean and accessible toilets around the world1—and public toilets are a necessity for anyone who wants access to public spaces if those public spaces are not to be degraded. Public toilets are especially important for older people, disabled people, families (especially those with babies and very young children), women, tourists and visitors. Also, since opening hours were extended for licensed premises, there has been a greater need for public toilets to be open for longer.

2. There is a lack of reliable data about the numbers of public toilets still in operation. According to Government figures there is a consistent downward trend: “over many years a significant number of public toilets have closed or been allowed to deteriorate”.2 No precise figures exist; the Audit Commission published an annual review of the level of public toilet provision until 2000, but no longer does so.3 However, the trend is clear: Valuation Office Agency data on the number of toilets with a rateable value shows a decrease from 5,410 toilets in 2000 to 4,423 in 2008, a reduction of 987 or 16 per cent.4 Conversely, new types of provision, such as Community Toilet Schemes—a scheme by which local authorities work in partnership with local businesses to provide toilets for the public—may be increasing the number of toilets available to the public.

Why do public toilets matter?

3. Public toilets matter, for a variety of reasons. Without them, in many areas local authorities and residents need to clean up every morning. The National Organisation of Residents’ Association (NORA) is a group that represents English and Welsh residents’ associations and its Chair, Alan Shrank, described street fouling as “appalling, it is disgusting and if you are a resident affected by it, it ruins your life if every morning, certainly four or five days a week, you have to go out and clean up the mess and it should not happen.”5

4. A lack of public toilets results in certain groups feeling anxious about going out. Older people, for example, do not readily leave their homes without the reassurance that they will have access to public toilets, which can lead to ill-health, with consequent burdens on the NHS. Pamela Holmes, Help the Aged’s Head of Healthy Ageing, supported this point:

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1 www.thebathroomdiaries.com
4 Ev 44
5 Q 4
We have research...about the impact on isolation, about the impact on older people’s health - physical, social and mental - when they are unable to go out of the house because they are fearful of not finding a public toilet.... We have got recent figures on one in 10 older people saying that they often or frequently are lonely.  

5. Help the Aged’s paper “Nowhere to Go” highlights the social cost to older people of the decrease in public toilets:

   Twelve per cent. of older people (1.2 million) feel trapped in their own home, 13 per cent. of older people (1.26 million) do not go out more than once a week and about 100,000 never go out. Our evidence suggests that lack of public toilets is a significant contributory factor in the isolation of older people, and the situation will worsen as toilet provision continues to decline.

6. Disabled people and their carers also lack the freedom to leave their homes without the reassurance of adequate toilet facilities being available. The National Association for Colitis and Crohn’s Disease (NACC) is a national charity offering support to people who have Colitis or Crohn’s Disease—diseases that can strike at any age. It raises concerns about the lack of public toilet provision:

   Ulcerative Colitis and Crohn’s Disease, known collectively as Inflammatory Bowel Disease (IBD), affects approximately 1 in 400 people living in the UK.... The sudden and uncontrollable need to use a toilet is a genuine and recognised symptom of IBD.... Having an ‘accident’ in public is every patient’s worst fear and can have a devastating effect on their ability to undertake everyday activities such as going to work, shopping or socialising.

7. The Changing Places Consortium is a group of organisations—Centre for Accessible Environments, Mencap, PAMIS, Nottingham City Council, Dumfries and Galloway Council, Valuing People Support Team and the Scottish Government—working to support the rights of people with profound and multiple learning disabilities to access their community. The Consortium argues that, in the absence of suitable provision such as the Changing Places toilets, many disabled people are prevented from travelling into town centres and spending money, which would support the local economy. Conversely, if suitable facilities are provided, so that disabled people have a level of provision comparable to that of other people, then not only are disabled people more able to go out, but the pressure on their carers and families is greatly reduced, enabling them to continue their caring role. As Martin Jackaman, Learning Disabilities Day Services Modernisation Manager from Nottingham City Council, representing the Changing Places Consortium, stated in our evidence session: “There are definitely hidden economic benefits.” (Martin Jackaman was awarded the Guardian Public Servant of the Year Award in 2007 for his campaigning work on public toilets for severely disabled people.)
8. Tourists and visitors also rank the availability of toilets high in their lists of reasons why a location is worth visiting, a point made by Peter Hampson, Director of the British Resorts and Destinations Association (BRADA): “If you are a visitor and there on a temporary basis, provision of toilets becomes absolutely fundamental…most journeys start and finish with people going to the loo.”11 Alan Shrank confirmed this point: “It makes a lot of difference to the whole attitude that people have as tourists when they come to a town if they find there are conveniences where they want them.”12

9. There are direct benefits to local authorities providing public toilets, of which tourism is one. As Clara Greed, Professor of Inclusive Urban Planning at the University of the West of England, who has researched and written extensively on the provision of public toilets, states, “It is important to argue ‘the business case’ that investment in good toilet provision has been shown to increase retail turnover, tourist numbers, and economic growth.”13 Pamela Holmes supported this view:

You cannot cost it simply on what the loo paper and bricks might end up costing, you have got to see it as part of a broader context of a neighbourhood that is supporting and enabling its members to take part and get out and about.14

**Support for the Government’s Strategic Guide**

10. Concern about the decline in public toilet provision prompted the Government to produce “Improving Public Access to Better Quality Toilets – A Strategic Guide”. It was published on 6 March 2008 and provides a Government blueprint for local public toilet provision. In the guide’s foreword, Baroness Andrews, Parliamentary Under-Secretary of State, Communities and Local Government (CLG), states:

It seeks, above all, to take the taboo out of toilets, to stimulate discussion, to achieve better provision, and to promote a positive shift in attitudes and approaches to the whole issue of toilet provision and use.15

11. The guide also incorporates contributions from six more central Government Departments: Health; Culture, Media and Sport; Transport; Children, Schools and Families; Work and Pensions; and Business, Enterprise and Regulatory Reform. The Government memorandum to our inquiry states: “The positive endorsements from other departmental Ministers highlight the importance they attach to good quality public toilets in delivering their own policies and programmes.”16

12. The Strategic Guide highlights the existing powers that local authorities have, which can be used to improve public access to toilets, but adds that “these powers have not been utilised to their full potential in all areas.”17 It does not advocate imposing duties on local

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11 Q 40
12 Q 31
14 Q 14
15 CLG, Strategic Guide, Foreword.
16 Ev 44
authorities to provide public toilets or even to provide a strategy about the way in which public toilets will be provided; instead, the guide encourages local authorities to look anew at existing ways in which they can increase good quality public toilets. **We welcome and support the Government’s Strategic Guide on public toilet provision, with its strong encouragement for local authorities to adopt a strategic approach to public toilets, taking into account the needs of all those who use public spaces, including those with children, older people, people with disabilities and visitors to our villages, towns and cities.**

13. **It appears that the overall number of public toilets has declined in recent years, but the lack of reliable data makes it impossible to know for sure. We recommend that the Government seeks a means of collecting this data, either through requiring local authorities to provide figures from their own areas or by charging the Audit Commission with resuming its collection of accurate information on the provision of public toilets. We appreciate that there are costs associated with this data collection exercise, but it is essential for formulating a public toilet strategy.**
2 Current provision

An unequal distribution and variety of public toilets

14. At the moment, the provision of public toilets varies massively according to the local authority. A key consideration underlying this variation is that Section 87 of the Public Health Act 1936 gives local authorities a power to provide public toilets, but imposes no duty to do so.

15. The British Toilet Association (BTA) is a campaigning body established in 1999 and has 160 members, of whom 61 are local authorities. Since 2006, it has held an annual “Loo of the Year” award, with Highland, Brighton and Hove, Westminster, and Blackpool coming top of the list of those local authorities that have high levels of provision and standards of public toilets. The BTA finds much to praise:

   Many Local Authorities continue to attach a high priority to their public toilet service and there are a significant number of existing public conveniences currently being refurbished as well as new facilities being constructed. There are many fine examples of best practice in operation in spite of the discretionary nature of the service.\textsuperscript{18}

16. Indeed, some public toilets can be viewed as tourist attractions in their own right. VisitBritain—Britain’s national tourism agency, which markets Britain worldwide and develops England’s visitor economy—cites the public toilet block in Gravesend, which was shortlisted for the 2008 “Best New Building in Britain” awards by the Royal Institute of British Architects. It goes on to say that “in times past…local authorities built public toilets on a grand scale to impress visitors.”\textsuperscript{19} Peter Hampson told us about a public toilet in Scotland “where the gents toilets is opened up on a particular day for the ladies to go and look at it because it has the most splendid urinals and shiniest brass in the country”.\textsuperscript{20}

17. While some local authorities have excellent public toilets, not all have such high standards of provision. Birmingham, Cardiff, Liverpool and Edinburgh are cited by the BTA as cities with poor public toilet provision; and the South Bank (between Lambeth Bridge and the Tate Modern) has over 14 million visitors each year, yet no public toilets at all are provided there by Lambeth Council.\textsuperscript{21}

18. The lack of compulsion of local authorities to provide public toilets has inevitably led to a patchwork of standards and availability of public toilets across the country. The Government’s Strategic Guide highlights this point: “Over many years a significant number of toilets have closed or have been allowed to deteriorate. Reductions have occurred in all English regions, but especially so in London and the south-east and in some metropolitan areas in the midlands and the north.”\textsuperscript{22}

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\textsuperscript{18} Ev 24 [BTA]

\textsuperscript{19} Ev 52

\textsuperscript{20} Q57 The toilets referred to are at Rothsay Pier, Isle of Bute (www.isle-of-bute.com/victorian_toilets).

\textsuperscript{21} Ev 24 [BTA]

\textsuperscript{22} CLG, Strategic Guide, p 21.
Signage

19. Even where public toilets do exist, they are often poorly signed which means that the public, especially visitors, cannot find them. Peter Hampson told us that staff at the Tourist Information Centre in Southport were continually asked where the public toilets were, despite the fact that new public toilets were “literally 10 yards across the street”. As Clara Greed points out, lack of clear signage in British cities “has often resulted in people walking around desperately trying to find toilets” and, in contrast, she cites the example of Shanghai, where maps on rubbish bins at street corners show the location of the nearest public toilet.

20. In 2001, the Australian Government launched its National Toilet Map, which identifies more than 13,000 public toilets across Australia. The map was created to help people with incontinence regain their independence, but it also benefits other groups such as tourists. The map includes information on disability access and opening hours for most of the toilets. Nearer to home, the Government’s supplementary memorandum describes the disabled drivers mapping portal, which “lists amongst other things accessible public toilets in 115 towns and cities across the UK including the location of Changing Places facilities.”

21. A technological approach to signage is the Westminster City Council’s SATLAV initiative. For 25p, visitors can text “toilet” from their mobile phone to 80097 and will receive information about their nearest public toilet and opening hours. The service covers council-run and leased toilets, toilets run by the Greater London Authority and London Underground and toilets located in private retail stores. However, the available information is necessarily brief. When this facility was used in Parliament Square, the text received was as follows: “Yr nearest toilets: Parliament St 0800-2000, Broad Sanctuary 0900-1800, Leicester Sq & Covent Gdn toilets open 24 hrs”.

The mobile phone text option is an interesting development and is likely to be refined and developed as technology improves and practical lessons are learnt, but clear, visible signs are a simpler and more effective way of informing the public about the location of public toilets. This example also highlights the problem of each local authority having its own ways of dealing with public toilets: the SATLAV in Westminster will not highlight available public toilets in Lambeth, for example, which may be closer than those elsewhere in Westminster. It also exposes gaps in provision within and between local authorities. The Strategic Guide contains photographs of signs used in the London Borough of Richmond upon Thames, which include information about the location and opening time of toilets, and sometimes the nearest alternative. We recommend that local authorities provide visible, clear signs for their existing public toilets, detailing such information as opening hours and location. Information about public toilet facilities and locations should also be provided in promotional leaflets for both locals and visitors and on local authorities’

23 Q 42
25 www.health.gov.au
26 Ev 48
28 Text message (personal research) 02/07/2008.
websites. This will also highlight those local authorities that have a high level of toilet provision and those that are lacking in toilet provision, enabling local people to press their local authorities for better provision.

22. We recommend that there should be standard public toilet signage across the country (possibly using symbols rather than text to allow for universal recognition, irrespective of language). We recommend that the Government and local authorities, in partnership, introduce best practice guidance on a standard approach to public toilet signage.

Costs

23. Local authorities are allowed to charge for toilet provision under the Public Health Act 1936. Recent sexual equality regulations—the Sex Discrimination Act (Amendment) Regulations 2008—removed a long-standing anomaly that meant authorities could charge for toilets that included cubicles, but not for those that contained urinals only.29 This meant that in some public toilets women were charged, while men were not. The strategic guide welcomes this change in the law because it means that local authorities can charge for all public toilets, thereby giving them more freedom to plan their public toilet provision.30 However, this change in the law is not approved by all: Clara Greed states “Some equality, equally bad for all! If payment is used as a way of controlling who enters [then] that is a joke…we observed young men simply jumping over the turnstile system and nobody dared to stop them!”31

24. The costs of installing and maintaining public toilets are considerable. According to Healthmatic—a company that designs, supplies and maintains public toilets in the United Kingdom and Ireland—automatic toilets (known as APCs or APTs) “cost typically £70k plus connections to the services and then a maintenance cost of up to £15k per annum”. The cost for a stand-alone semi-automatic toilet, where access is automatically controlled within set times, is around £45,000 plus connection to services. The cheapest option is the traditional public toilet block: a standard block with four women’s cubicles, one man’s cubicle plus urinals and a cubicle compliant with the Disability Discrimination Act would cost around £140,000 plus connections to services. The costs of bringing services to the toilets can cost as much as £30,000, depending on their proximity to the sewerage system and to water and electricity supplies.32

25. The Changing Places Consortium campaigns for public toilets for severely disabled people that are spacious and clean, with suitable equipment. Martin Jackaman told us that these Changing Places toilets are more expensive because of the extra space required, in addition to the specific cost of installing a hoist and changing bench (around £8,000).33

26. The ongoing costs of maintaining public toilets vary, depending on the type of public toilet, whether it is attended and level of use. Healthmatic states: “Average cleaning is

30 ibid
31 Ev 77
32 Ev 94
33 Q 10
around £8-10k per loo, £1000 on consumables, £1,000 on NDR [non-domestic rates] and capital charges, building repairs, and other costs will vary.” 34 Older facilities need to be updated, to comply with health and safety, and disability legislation. 35 The BTA quotes the figure of £25,000 to £40,000 per year for the cost of maintaining an attended facility. 36 To provide attendants for a public toilet open ten hours a day, seven days a week would require three staff at a salary cost of around £29,000, according to Healthmatics. 37

27. BRADA quotes figures from the Chartered Institute of Public Finance and Accountability for the latest full year costs for public toilet provision in England for 2006-2007:

…we see a total expenditure (net of income) of £99.382m and…a total income of £4.617m. Conveniently, this allows us to say that the expenditure (less income) is about £100m and income £4.5m or that broadly that current income is a meagre 4.5% of expenditure. This means income across England would need to be increased 24 fold in order to reach break-even. 38

Anti-social behaviour

28. People, especially older people, link public toilets with anti-social behaviour, according to the Joseph Rowntree Foundation, which cites examples of drug-taking in public toilets. 39 The BTA refers to the many reported illegal substance overdose deaths in public toilets in recent years and some local authorities’ use of sharps disposal boxes inside public toilets: “This further alarms the ordinary public toilet user who, quite naturally, prefers not to share space with people who use public toilets as a base for their drug habit.” 40

29. Sexual activity in a public toilet is a criminal offence, under Section 71 of the Sexual Offences Act 2003. 41 Chris Ashford, Senior Lecturer in Law, University of Sunderland, states:

Research has found that this remains a law which is enforced. Between May and December 2004, 17 male defendants were proceeded against, resulting in 15 guilty verdicts, whilst in 2005 a further 46 males were prosecuted and 34 found guilty”. 42

However, Chris Ashford’s memorandum suggests that sexual activity in public toilets is not as significant a problem as media reports may appear to indicate and his own research has shown great variations in the application of this law. He believes that sexual activity in public places will continue, no matter what enforcements are in place and that “it often

34 Ev 94
36 Ev 24 [BTA]
37 Ev 94
38 Ev 71
39 Ev 30
40 Ev 24 [BTA]
41 Ev 86
42 ibid
remains undetected by the police until local media reports expose locations”. Furthermore, “media reports of public concern appear to be based on rumour, watching the traffic into a public convenience, toilet vandalism or typically in the more general area of ‘cruising’ activity, the depositing of sexual litter…. It does not appear to be based on being approached sexually in a public toilet.”

30. The Anti-Social Behaviour Act 2003 allows the police, local authority officers and Community Support Officers to issue a fixed-penalty notice to anybody caught vandalising property such as public toilets. Section 1 of the Criminal Justice and Police Act 2001 states that on-the-spot fines can be issued to people for disorderly behaviour, for destroying or damaging property and for behaviour likely to cause harassment, alarm or distress. Anti-social behaviour might decrease further because of the new amendment to the 1936 Act that enables local authorities to charge for all public toilet facilities because vandals might be less likely to commit a crime if they have to pay before entering the public toilet.

31. The BTA maintains that “there needs to be a much higher, pro-active enforcement of the law, if public confidence in public toilets is to be restored” and there is much that local authorities can do, within their existing powers, to prevent the social and financial costs of vandalism and anti-social behaviour. The Government memorandum highlights the benefits that attendants bring to public toilets: “Attendants can play a role beyond keeping toilets clean and well-stocked: they can also collect the fee from users (and provide change), assist people with special access needs, and deter vandalism and inappropriate use.” Regularly inspected toilets can also regain confidence in public toilets. The BTA supports this view:

We all feel much safer in a park or public garden or a public toilet, if we know there is someone ‘in authority’ looking after it and its customers…Public toilets are at the cutting edge of society and that is why the Loo of the Year Awards recognise the valuable roles played by toilet attendants, as well as mobile cleaning staff, in managing many of society’s anti-social issues. They are certainly not just toilet cleaners.

The City of London Corporation memorandum highlights the extra costs connected with staffed facilities, but states: “In the City’s experience, however, the costs of staffing are on the whole outweighed by the benefit of reduced costs in dealing with the effects of vandalism and other examples of anti-social behaviour.”

32. **We recommend that local authorities can and should exercise existing legislative powers to prevent anti-social behaviour.**
33. There is a perception by the general public that unattended public toilets are seen as threatening places, which puts people off using them, which in turn invites more antisocial activity. We recommend that local authorities study the benefits and cost effectiveness of providing attended public toilets, or at least ensuring regular inspections, so that the public regains its confidence in using them.

**Charging**

34. In Help the Aged research, about 1,000 respondents said that they would be happy to pay 10p or 20p to have public toilets in a good state of repair. Peter Hampson told us that the minimal charge is more of a disincentive to antisocial behaviour, such as vandalism, than an attempt to cover costs. The Inconvenience Committee of Blue Badge Guides argues strongly that provision should be free because of the otherwise negative impact on tourists, who might not have ready access to the change required to cover the small charges. In the 98 London Underground stations that have public toilets, most are free, with eight charging 10p or 20p. According to London Underground, charges are made “for a variety of historical reasons, including discouraging anti-social behaviour.”

35. Automatic public toilets (APTs) are necessarily fee-paying public toilets. The Government praises these toilets for being fully accessible, less vulnerable to vandalism and “self-cleaning after use and in exchange for commercial advertising can offer, in certain circumstances, a cost-neutral option for the local authority.” However, according to Clara Greed, APTs are extremely expensive to run, serving one person at a time and are not ecologically friendly—using a lot of water to clean after each use. There is also general unease among people about walking directly into a toilet cubicle from a busy street. The BTA highlights this feeling of unease: “Many people, particularly the elderly, are frightened of using one of the automatic types of public toilet, fearing they may get locked in, or spray washed or exposed by an automatic door opening.”

36. At one of our oral evidence sessions, the BTA was asked whether a high-quality public toilet system existed, which Britain could emulate. Richard Chisnall, Chair of the BTA, described public toilets in Switzerland, where a commercial company has taken over the running of public toilets on a 25 or 30-year lease. These McClean toilets are often found in central locations in existing retail units with an ordinary shopfront, with a range of toiletry goods for sale, creating the designer “toilet shop”. The current charge for use is SFr 1.50, which equates to just under 80p. There are some obvious advantages to such a system, but as Clara Greed states, “While this commercial approach provides a good service, it is expensive and appropriate only to prime locations where reasonable returns

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50 Ev 36
51 Q 57
52 Ev 41
53 Ev 92
54 Ev 44
55 Ev 77
56 Ev 24 [BTA]
57 Q 84
can be made.” The BTA have tried to persuade local authorities to look into using McClean, but none so far has decided to out-source its public toilet provision to McClean.

**Equality issues**

**Age discrimination**

37. We received many memoranda from organisations specifically representing older people, with other memoranda citing age discrimination as being an important issue when considering the provision of public toilets. Older people rely on public toilets, a fact raised in evidence submitted by Help the Aged:

We are more likely to suffer from conditions such as incontinence, urgency and prostrate problems as we age. It is estimated that urinary incontinence affects around 6 million people in the UK; more than half are over 65 and the majority are women. They rely on the availability of public toilets so they can go out without fear of accidents.

38. Baroness Andrews highlighted the need to address the provision of public toilets in the context of older people:

In terms of people who are shut out of the local community, for instance the ageing population and one which proportionately will be more disabled, it is appalling they are not able to access a decent public toilet, and that is certainly one of our priorities. Older people are consumers but are producers as well, and they contribute to the local economy.

The Government’s Strategic Guide cites the 2001 census to show that our population is an ageing one: “The 2001 census shows that the 65+ age group had increased by 31 per cent. (to 9.4 million) whereas those aged 16 and under had fallen by 19 per cent. (to 11.5 million).”

39. The Government has placed a duty on local authorities and primary care trusts to carry out a joint strategic needs assessment of the health and well-being needs of the local community. This assessment connects with the objectives of Public Service Agreements (PSAs), including PSA 17, which aims to tackle pensioner poverty and give older people more independence. Adequate public toilet provision is a means by which local authorities can make a direct contribution to the success of PSA 17, a point made to us by Pamela Holmes. PSA 17 has five key indicators over the three-year Comprehensive Spending

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60 Ev 23, Ev 24 [Birmingham Advisory Council for Older People], Ev 32 [Preston Older Peoples Forum], Ev 32 [Bristol Older Peoples Forum], Ev 34, Ev 36, Ev 64 and Ev 65 [Over 50s Forum Wigan Branch] are all from organisations and forums specifically representing older people.

61 Ev 36

62 Q 105


65 Q 6
Review period 2008-2011, three of which apply directly to older people and the provision of public toilets: healthy life expectancy at 65; satisfaction with home and neighbourhood among the over-65s; and the extent to which older people receive the support they need to live independently at home.”66 Local authorities have a key role in contributing to the success of PSA 17. **We recommend that local authorities ensure that public toilets are taken into account in needs assessments of older people and in supporting the independence of older people.**

**Disability**

40. An estimated 10 million people in Britain have disabilities and more than one third of people aged over 50 are registered as disabled in some way.67 Public authorities are required by the Disability Equality Duty to consider all sectors of the society they serve. The BTA supports this point, stating that “if we are to encourage inclusivity within our society we have to provide adequate toilet facilities for members of society with serious mental or physical impairment.”68 Martin Jackaman argued that

the Disability Equality Duty places a responsibility on local authorities to do more. [The Changing Places Consortium] focuses on the needs of people with profound disabilities…. Some local authorities have been very active, such as Nottingham and Bradford, others have done nothing at all.69

Following passage of the Disability Discrimination Act 1995, the number of toilets with facilities for disabled people has increased by 16 per cent, from 3,054 in 1994 to 3,533 by 2000, even though the overall number of public toilets has fallen. However, the Act has consistently, if largely anecdotally, been cited as an excuse used by local authorities to close toilets that they think would be difficult to improve to the required standards.

41. The Chartered Institute of Wastes Management suggests that “many authorities have used [the Disability Discrimination Act] as a mechanism to close toilets altogether” and maintains that “provision is worse than before the Disability Discrimination Act legislation was passed!”70 ENCAMS, the environmental charity best known for running the “Keep Britain Tidy” campaign, also believes local authorities have used the Disability Discrimination Act as an excuse for closing public toilets: the Act “was not intended to reduce the level of service for everybody.”71 The Government points out that the legislation should not be used in this way (providers are required to alter toilets only if the adjustments are “reasonable”) but says nothing on whether councils have in fact acted in this way.72

42. However, a “reasonable” adjustment can be a minor alteration, as Mike Bone, Director of the BTA, stated:

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66 www.dwp.gov.uk/opportunity_age/service-agreement.asp
67 Ev 58
68 Ev 24 [BTA]
69 Q 3
70 Ev 38
71 Ev 58
72 Ev 44
The Provision of Public Toilets

…for poorly-sighted people [councils] can paint the walls so that the hand rails in the facilities are white ones that stand out against the coloured background. That does not cost a lot of money. They can put some rails up which does not cost a lot of money, so there are quite a few things that can be done at very little expense if people have the will to improve disabled facilities without pulling them down and starting again.\footnote{Q 98}

Such an adjustment helps to achieve the objective of providing public toilets for \emph{all}. The Changing Places Consortium states:

It is now accepted and expected that everyone has a right to live in the community, to move around within it and to access all its facilities. Government policy promotes the idea of ‘community participation’ and ‘active citizenship’, but for some disabled people the lack of a fully accessible toilet is denying them this right.\footnote{Ev 50}

The Changing Places Consortium campaigns for public toilets that are spacious and clean, with suitable equipment for severely disabled people, including a height-adjusted adult-sized changing bench and hoist, and the Government’s supplementary memorandum supports and promotes Changing Places public toilets.\footnote{Ev 48} According to the consortium, there are “approximately 40,000 people with profound and multiple learning disabilities, the majority of whom need Changing Places toilets…And the number of people with complex disabilities is growing.”\footnote{Ev 5} Martin Jackaman described how the Changing Places Consortium wants local authorities to be more proactive in creating toilets for severely disabled people, alongside standard disabled toilet provision.\footnote{Q 3}

43. The provision of toilets for disabled people is under consideration by the British Standards Institute (BSI), the United Kingdom’s national standards body. Work is currently being done on the first five-yearly review of the British Standard BS8300, which concentrates on “the provision of, and facilities within, toilets for disabled people within buildings used by the general public.”\footnote{Ev 90} As the BSI memorandum states: “A Standard is a document defining best practice, established by consensus and approved by a recognized body (such as BSI). Each standard is kept current through a process of maintenance and reviewed whereby it is updated, revised or withdrawn as necessary.”\footnote{ibid} The proposed 2008 edition of BS8300 “includes additional recommendations for a special type of toilet accommodation called ‘Changing Places’…for people with profound and multiple disabilities who may need a changing bench, a hoist system or shower facilities.”\footnote{ibid} We welcome this proposed addition to the British Standard BS8300.

44. No local authority should use the Disability Discrimination Act as an excuse to close down public toilets for general use.
45. We recommend that local authorities make appropriate provision for disabled public toilets, taking the British Standard relating to the provision of disabled public toilets as their primary guideline. We recommend that local authorities, in planning their public toilet provision, should not neglect provision for severely disabled people, and we encourage them to establish specialist disabled toilets in major centres of population.

**Gender**

46. Women take longer to go to the toilet because of “a range of sartorial, biological and functional reasons…Women have more functions than men [and] at any time about a quarter of all women of childbearing age will be menstruating, whereas pregnant women, those at menopause and those with diabetes…will need to use the toilet more often.” The Government’s Strategic Guide states that women make up more than half the UK population, with a higher proportion of older people being women, yet women are catered for on a 50:50 basis, and sometimes on a 70:30 basis in favour of men. There is more provision for men, primarily because of the smaller space that urinals take and also, according to the BTA, “Britain’s public toilets were established in an age when men walked, cycled or caught a bus to work and women stayed at home to raise the family.”

47. British Standard BS6465 Part 1 2006 is the Code of Practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances. It has been updated to correct the historical position of women having fewer appliances in toilets than men and is being further updated to comply with requirements in the Gender Equality Duty. Clara Greed compares the current British Standard BS6465 with those in the Far East:

> Japan is at the centre of the restroom revolution. Standards as to geographical distribution of toilet provision are very high, and ratios of 2:1 in favour of women are to be found in terms of numbers of places to pee.

48. The BTA is involved in the update of BS6465 Part 1 2006 and recommends a ratio of provision of 2 female to 1 male facilities. Most people compare cubicle numbers only but the male urinals have to be added to male cubicles to ascertain the total male provision. Hence, when a toilet has three male urinals and two male cubicles – i.e. a total of five male facilities, the female toilet should have ten cubicles to achieve the 2:1 ratio.

Other existing arrangements have been described as discriminatory against women. The Community Toilet Scheme (a scheme by which local authorities work in partnership with local businesses to provide toilets for the public) may not appeal to women, as many of the

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81 Ev 77
83 Ev 77
84 Ev 24 [BTA]
85 Ev 44
86 Ev 77
87 Ev 24 [BTA]
local businesses tend to be pubs, and women might be less happy entering a pub, particularly on their own and in the evening, than men are. Pop-up urinals – such as ‘Urilifts’ – are open-air public urinals, designed to tackle the problem of street urination. They are permanently plumbed into the ground and are flush with the ground when not in use. The City of London Corporation is considering the use of pop-up urinals as “this style of toilet offers a high level of aesthetic value leaving the streetscene clear and uncluttered”. Its memorandum also mentions the use of “temporary portable open style urinals used now by some authorities and which can be stored when not in use.” The BTA points out that these approaches to tackling public toilet provision do not cater for the needs of women and Clara Greed suggests that they may even be against the requirements of the Gender Equality Duty:

Providing male street urinals is not a solution for women, and is arguably against the requirements of the Gender Equality Duty, by which gender considerations need to be taken into account in respect of all aspects of local authority resource allocation, policy making, and service delivery.

The use of male street urinals only deals with half the population. The point is that there needs to be an adequate number of public toilets for both women and men.

49. When local authorities work out ways in which they comply to the Gender Equality Duty in respect of public toilet provision, they should follow the relevant British Standard guidelines, ensuring that their provision covers the needs of women as well as men. We recommend that local authorities aim to provide a ratio of 2:1 public toilet provision in favour of women.

Transport

50. Travelling by public transport without good quality and readily-available public toilets is a concern for all, but especially those with certain medical conditions. The National Association for Colitis and Crohn’s Disease states: “A lack of adequate facilities at bus and train stations and on board trains exclude many patients from using public transport”. The Government’s Strategic Guide encourages the use of public transport in preference to private cars, but recognises that, because journeys may take longer by public transport, people will not leave their cars at home unless they are confident that they can find a toilet at public transport interchanges and in city centres, stating that around 60% of the public are unsatisfied with toilet facilities on trains.

51. In the Strategic Guide’s foreword, Rosie Winterton, Minister of State for Transport, endorses the objectives in the guide:

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88 Community Toilet Schemes are discussed in detail in Chapter 3.
89 Ev 62
90 PPT 20
91 Ev 24 [BTA]
92 Ev 77
93 Ev 84
The ready availability of public toilets is an important issue for everyone using public transport. The Department for Transport is particularly keen to ensure that toilets at train stations and on trains and aeroplanes are available and accessible to disabled passengers.55

52. There are 98 London Underground stations that have toilet facilities available for general use, of which 16 have disabled access. By 2010, London Underground hopes to have step-free access from the platform to the street at 25 per cent of its stations and existing public toilets at those stations will be converted for disabled access. London Underground is auditing its public toilet facilities and reviewing its policy. The BTA has been commissioned to survey toilets across the network, advising on layout, maintenance and charging.96 **We welcome the audit of disabled toilet access and the policy review being undertaken by London Underground.**

53. The Minister said that the Government had had contact with the Department for Transport about grants available for improving station facilities.97 According to the Government’s Strategic Guide, the Department for Transport’s Access for All Small Scheme Funding is providing around £7 million a year for which train operators, local authorities and others can bid to improve the accessibility of train stations, reflecting local needs.

54. Network Rail provides public toilet facilities in the 18 largest stations that it manages. It charges a fee (30p since January 2008), which allows Network Rail “to provide first class facilities which are well managed and maintained.”98 According to its written evidence, Network Rail states that many of their public toilets are currently being upgraded and it is committed to adhering to the requirements of the Disability Discrimination Act 1995. It states that:

> Network Rail recently sent a submission to the Department for Transport’s consultation on its disabled people’s accessibility code for stations, which includes access to public toilets. Network Rail will comply with all proposed standards in the new code on toilet design and layout, staffing and hours of operations.99

55. The London Assembly’s paper, “An Urgent Need: The State of London’s Public Toilets”, has two recommendations in relation to transport and public toilets. The first is that Transport for London, train operating companies and boroughs study how the provision of public toilets in and around stations and other transport interchanges can be provided, improved, maintained and signposted. The second is that:

> the Mayor should extend his policies to improve public toilet provision, currently in operation for the Underground and surface transport, to those national rail services which come under his control. We recommend the Mayor include the requirement to

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55 CLG, Strategic Guide, Foreword.
96 Ev 92
97 Q 129
98 Ev 93
99 ibid
provide public toilets in any tendering process for station upgrades in those national rail services that come under his control.\textsuperscript{100}

56. The Government’s supplementary memorandum raises the issue of franchising arrangements:

Franchisees are expected to maintain onboard provision of toilets where appropriate and to maintain existing facilities at stations where they are the Station Facility Owner. The Rail White Paper “Delivering a Sustainable Railway” (July 2007) earmarked £150 million to modernise 150 stations across the country which will focus on medium-sized stations that are run down or lack basic facilities and addresses any area that the railway has neglected for too long, which might include public toilets, although it does not explicitly say so.\textsuperscript{101}

We agree with the London Assembly’s recommendation that Transport for London, train operating companies and boroughs study how the provision of public toilets in stations and other transport interchanges can be provided, improved, maintained and signposted. We endorse the London Assembly’s recommendation that the Mayor should extend his policies to improve public toilet provision, currently in operation for the Underground and surface transport, to those national rail service that come under his control. The Mayor should include the requirement to provide public toilets in any tendering process station upgrades in those national rail services that come under this control.

57. We recommend that local authorities and train operators make full use of the Department for Transport’s Access for All Small Scheme funding of £7 million a year to ensure that there are improved, accessible toilet facilities.

58. We recommend that Network Rail carry out an audit of existing public toilets at mainline stations to locate the shortfalls in its public toilet provision.

\textsuperscript{100} “An Urgent Need: the state of London’s public toilets”, the London Assembly Health and Public Services Committee, March 2006.

\textsuperscript{101} Ev 48
3 Community Toilet Schemes (CTS)

59. A significant number of local authorities have adopted a new means of making existing toilets in private premises available to the general public. The Government’s strategic guide claims that the London Borough of Richmond upon Thames was the first local authority to devise the scheme.\footnote{CLG, Strategic Guide, p 37.} However, Richard Chisnell told us that “the Highland Comfort Scheme in Scotland has been going for 15 years, Brighton has had a similar scheme for some years and other authorities are looking at it increasingly”.\footnote{Q 81}

60. The schemes differ in detail, but the general principle is a simple one: that local authorities work in partnership with local businesses to provide access for the public to clean, safe toilets and may provide a payment to participating local businesses.\footnote{CLG, Strategic Guide, p 38.} The Richmond scheme provides free public toilets, but other local authorities, such as Brighton and Hove City Council and their “You’re Welcome” scheme, have some local businesses that charge for the use of their toilets.\footnote{www.brighton-hove.gov.uk.}

61. Two of our members visited the borough of Richmond on 10 June 2008 and saw the scheme in action in three local businesses and were impressed by the numbers of toilets in the scheme, the standard of cleanliness and the enthusiasm of the local businesses. We are grateful to Councillor Stephen Knight, Councillor Martin Elengorn and Eve Risbridger (Head of Street Scene) from the London Borough of Richmond upon Thames for organising the event, to Fiona Campbell and Daniel Green from ENCAMS for attending and to the owners and staff at Arthur’s Café, Waitrose and the Cabbage Patch for their hospitality and helpful information.
The Provision of Public Toilets

Key Statistics of the Richmond Community Toilet Scheme

- The Borough of Richmond upon Thames has a resident population of 182,000 and attracts around 4.5 million visitors a year
- Currently 69 participating partners spread across the borough, with concentrations in high demand areas, such as Twickenham, Richmond and Mortlake
- Wide range of businesses participate, including pubs, restaurants, cafes, community centres, retail stores, Council offices and supermarkets
- 34 CTS toilets have facilities for disabled people
- 22 have baby-change facilities
- 28 are available during the morning
- All but two are available during the afternoon
- 52 are available during the evening, some until after midnight
- The Council pays each partner £600 plus VAT and maintains public liability insurance
- There is a dedicated member of staff at the Council to co-ordinate the scheme
- The scheme costs around £65,000, which is about £20,000 cheaper than the leasing arrangement for the five automatic public toilets that it replaced

62. The Government strategic guide refers to the Environmental Campaigns (ENCAMS) Toolkit (due to be published in the Autumn of 2008). The toolkit shares good practice of implementing Community Toilet Schemes, based on work done with the London Borough of Richmond upon Thames, and of implementing the use of mobile phone technology to help the public locate their closest public toilet, based on work done with Westminster City Council, “which should help to spread some of the innovative approaches to improving access to toilets that some local authorities have already adopted.” The ENCAMS toolkit is to be provided to all local authorities and interested parties. We welcome the ENCAMS toolkit, which shares good practice of implementing the Community Toilet Scheme and recommend that all local authorities should incorporate it into their public toilet strategy.

Advantages of the CTS

63. The Government is in favour of such Community Toilet Schemes, endorsing the initiative of local authorities and local businesses working together in partnership to improve and increase the number of public toilet facilities in their local area. The Mayor of London has encouraged every London borough to sign up to the scheme, stating that “The Community Toilet Scheme is a common sense and cost effective solution to the lack of public toilets in London.” The Community Toilet Scheme means that, potentially, far more toilets are open to the public, at less cost to the local authority. Richmond has closed all but five of its public toilets and Baroness Andrews told us that incidents of anti-social behaviour in toilets that are part of the scheme are significantly lower than those previously

106 CLG, Strategic Guide, Annex D.
107 Ev 44
experienced in public toilets in the borough\textsuperscript{110}. The scheme allows local authorities to provide public access to toilets at low capital cost, according to Peter Hampson.\textsuperscript{111} The BTA suggests some people do not like to be seen directly entering a toilet cubicle in a public place, but are more comfortable using toilets within shops, cafes or pubs.\textsuperscript{112} The scheme involves local businesses in the local area and the public toilets are ‘locally owned’. The BTA cites Tim Martin, chairman of the pub chain J.D.Wetherspoon, who said that their increased profit in 2002 was partly the result of winning the 2001 Loo of the Year trophy.\textsuperscript{113} “This might imply that there is demonstrable evidence that participating in such schemes can lead to an increase in popularity.

\textbf{Disadvantages of the CTS}

64. While Community Toilet Schemes offer an alternative approach to the provision of public toilets, there are problems connected with them. The CTS toilets are not suitable for large numbers of visitors needing the toilet at the same time. As Peter Hampson asked, “…why would a restaurant put up with 50 people getting off a coach and ploughing into their cafe with no return on business?”\textsuperscript{114} During our visit, we heard that the CTS scheme is supplemented by hiring in blocks of temporary toilets when there is a large influx of people to Twickenham for rugby matches.

65. Peter Hampson also made the point that the facilities will be open only when the business is open; this means 10am until midnight in some pubs, but means far shorter opening hours in other establishments.\textsuperscript{115} However, taking the number of outlets as a whole, Community Toilet Schemes potentially offer much longer open hours than provided by traditional public toilets.

66. The terms and conditions of the Community Toilet Scheme in the borough of Richmond state that: “The Service Provider/Proprietor retains the right in exceptional circumstances to refuse a member of the general public admission to their premises and/or use of their toilet facilities.”\textsuperscript{116} This means that the toilets are not public in the same sense that municipal toilets are public; the scheme’s toilets are open to the public, \textit{provided that the service provider is prepared to accept them.}

67. This highlights the need to have local authority-run public toilets to supplement the CTS. The borough of Richmond has five public toilets, including those situated in civic buildings, parks, libraries and cemeteries, but this year it will review their continued existence: “There are significant costs associated with the refurbishment of the 5 remaining traditional ‘highways’ public toilets as well as ongoing inappropriate behaviour issues and dwindling use.”\textsuperscript{117}

\begin{footnotes}
\footnotetext{110}{Q 123}
\footnotetext{111}{Q 43}
\footnotetext{112}{Ev 24 [BTA] and Q 82}
\footnotetext{113}{Ev 24 [BTA]}
\footnotetext{114}{Q 43}
\footnotetext{115}{Q 43}
\footnotetext{116}{London Borough of Richmond upon Thames, “Public Use of Private Toilet Facilities Agreement”.
\footnotetext{117}{Ev 97}}
68. The visit to Richmond highlighted the cost and the time needed to administer the Community Toilet Scheme. Richmond has a dedicated member of staff who organises and oversees the scheme. Richard Chisnell made this point:

Our concern is that the Richmond scheme is unique in that someone has been dedicated to developing it over the last two or three years. Businesses come and go. There is a cost to every council who introduces a community toilet scheme, not only in possible remuneration to the participants through a subsidy towards consumable or cleaning costs but also in managing it and ensuring that the toilets are up to standard.118

69. Pamela Holmes made the case against Community Toilet Schemes on behalf of older people:

It is certainly a way forward in terms of the menu of options that a local authority can provide, but our evidence from older people is that they do not always feel comfortable going into bars and restaurants, particularly as the day progresses and it gets towards evening. They would rather be anonymous and not be seen to be there having to go to the toilet…[the CTS] is an option which should be available but that should not detract from the commitment by local authorities to provide facilities that old people can use at any time.119

Concern about the scheme has also been raised on behalf of those women, families with young children and people from ethnic and religious minorities who do not like going into pubs.120 A list of the participating businesses in Richmond showed that a significant proportion of business participants are pubs and we raised concerns – both on the visit and in our second oral evidence session – about the willingness of some groups of people to go into pubs.121

70. Our visit also highlighted the need for good signage and raised the question of how visitors are made aware of the scheme. Richmond has signs in the window of each participating business, which say that the business is part of the Community Toilet Scheme, but it was evident from our trip that some residents themselves did not know about or understand the scheme. Eve Risbridger, Head of Street Scene at Richmond Borough Council, accepted that the current window stickers were too subtle and the borough is currently redesigning the logo to make it clearer.122 Richard Chisnell highlighted the point that the CTS needs to be managed “from the point of view of the providers, the commercial partners, as well as of the users, and communication to users is vitally important to ensure that their feelings, their reservations, are managed to best effect so they can be overcome.”123

71. The more local authorities take up this scheme, the more evident will be disparities between and even within local authority provision. Not every pub or café within the

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118 Q 81
119 Q 22
120 Ev 77
121 Q 124
122 Committee visit to the Royal Borough of Richmond-upon-Thames, 10 June 2008.
123 Q 102
Richmond borough council area has entered into the scheme and it is confusing for residents, visitors and tourists to know which local authority has taken up the scheme and which outlet within each local authority has taken up the scheme. We hope that, as more local authorities see the benefits, more will embrace the scheme and make it one option among many.

72. We support the Community Toilet Scheme (CTS) initiatives in local authorities, although they are not appropriate everywhere and may provide only a partial solution to the adequate provision of public toilets; the CTS alone cannot cover the needs of every local member of the community. We commend those authorities that have extended their provision of public toilets in this way, but we recommend that such schemes must be supplemented by other types of toilet provision. Local authorities need to be aware of some groups who might feel uncomfortable going into a pub to go to the toilet. The scheme must cover a variety of outlets to ensure that toilet facilities are available for a wide range of users, over a substantial part of the day and night.

73. The signage in CTS schemes need to be extremely clear and welcoming to the public. When local authorities start such a scheme, the initiative should be heavily publicised in the local media; local authorities need to advertise the scheme – as one among other types of public toilet facilities – to local residents, as well as to visitors and tourists. Stating “Community Toilet Scheme” on a window is not enough information to tell the public that those premises’ toilets are open to the general public.
4 Relevant existing local authority powers

Introduction

74. Local authorities have existing planning, licensing and leasing powers by which they can ensure that public toilets are provided for the general public. The Government’s Strategic Guide repeatedly states that these powers are not being used to their full potential by local authorities.\(^{124}\)

Section 106 of the Town and Country Planning Act 1990

75. Section 106 of the Town and Country Planning Act 1990 allows a local planning authority to enter into a legally binding agreement or planning obligation with a land developer over a related issue. Richard Chisnell suggested that

anywhere where there is a public realm involvement, be it a car park, a public place, a shopping centre, we would expect that planning application to be examined for some toilet capability. Now, shopping centres obviously tend to have public toilets and better ones because they know they can keep their customers there longer if they satisfy their toileting needs, but there are a lot of other locations where we would suggest that planning applications are not being properly inspected for possible public toilet provision.\(^ {125}\)

76. Mike Bone cited an example in Ilminster, South Somerset, where Tesco was given permission to build a new superstore, provided that it included a public toilet.\(^ {126}\) The Government’s strategic plan describes Brent Council making use of its planning system, by securing a £700,000 contribution towards the provision of new toilets at sites between Wembley Central Station and Wembley Stadium. Not only will visitors to Wembley Stadium benefit, but the local community will now have six new public toilets.\(^ {127}\)

77. Agreement to build a public toilet is only part of the solution; it needs to be maintained and cleaned. This is highlighted by Clara Greed as a further problem:

Building a public toilet, the initial capital investment is only about 40% of the total cost, rather you have to allow for cleaning, maintenance, attendants, security. Getting a toilet as part of planning gain under a [Section 106] agreement is a dismal solution as so many developers [adopt a] ‘hit and run’ [approach], nobody is around to ensure that funding commitment to long term cleaning, maintenance etc. will continue and so the new owners soon close the toilets.\(^ {128}\)

Public toilet provision gained under Section 106 of the Town and Country Planning Act 1990 is to be encouraged. We recommend that local authorities review such

\(^{124}\) CLG, Strategic Guide, p 28.
\(^{125}\) Q 69
\(^{126}\) Q 69
\(^{127}\) CLG, Strategic Guide, p 31.
\(^{128}\) Ev 77
agreements regularly to ensure not only that the requirement to build is carried out, but that the toilets are regularly maintained.

Positive Letting Policies

78. The Government’s Strategic Guide explains how leasing conditions can be used to secure toilet provision in new buildings, but states that it would not be a suitable way of securing greater public access to the toilets. It does focus on the way in which ‘positive letting policies’ can be used, so that leasing conditions include the provision of toilets for the public. The guide describes an example whereby a council might lease one of its buildings to be used as a café, and include a clause that allows non-paying customers use of the café’s toilet facilities.\textsuperscript{129} \textbf{We recommend that local authorities should make full use of positive letting policies to ensure a greater number of toilet facilities available for the general public.}

Premises Licence Applications

79. The Government encourages local planning authorities to use the updated British Standard BS6465 “as a basis for securing an appropriate level of provision, design quality and accessibility for sanitary facilities in new buildings and buildings undergoing major refurbishment.”\textsuperscript{130} Environmental health officers can review plans and premises license applications and object to an application that does not meet the requirements in the relevant British Standards.\textsuperscript{131} This is an existing power that local authorities have, which should be utilised. \textbf{Environmental health officers can use their powers to ensure that public toilets are provided and maintained for public use in relevant commercial premises. We recommend that environmental health officers review plans and licence applications to ensure that adequate sanitary facilities are provided.}

Section 20 of the Local Government (Miscellaneous Provision) Act 1976

80. Section 20 of the Local Government (Miscellaneous Provision) Act 1976 states that a local authority \textit{may} require an owner or occupier to provide sanitary appliances of such kinds and numbers as are so specified. This lack of compulsion in Section 20 enables local authorities to allow some establishments selling food and drink not to provide toilets for their customers, a point highlighted by the BTA: “There are no legal requirements to provide toilets for customers or visitors – except where food and drink is to be consumed on the premises and even then, different rules seem to apply with different Local Authority areas.”\textsuperscript{132} \textbf{We recommend that local authorities should encourage establishments selling food and drink for consumption on the premises to provide appropriate toilet facilities for their customers, following relevant British Standards. Local authorities have existing planning, licensing and leasing powers by which they can ensure that more public toilets are provided. These are not being used to their full potential and we...}

\textsuperscript{129} CLG, Strategic Guide, p 29.
\textsuperscript{130} \textit{ibid}
\textsuperscript{131} \textit{ibid}
\textsuperscript{132} Ev 24 [BTA]
recommend that local authorities use such existing powers to ensure the adequate provision of public toilets.

The Public Lavatories (Turnstiles) Act 1963

81. The Public Lavatories (Turnstiles) Act 1963 prohibits the use of turnstiles in any part of a local-authority owned or managed public toilet. According to the Government’s strategic guide, this requirement was in response to public concern about the safety and access problems of turnstiles for the general public, most specifically for disabled people, people with luggage or pushchairs, and pregnant women.\textsuperscript{133} However, this law does not apply to private providers of toilet facilities, which is an obvious inconsistency. The problem of accessing turnstiles was highlighted by Richard Chisnell: “To see people queuing up with luggage, and families trying to get through a turnstile and put money in a coin-operated slot before catching a train is pitiful in Britain in the 21\textsuperscript{st} century.”\textsuperscript{134} We recommend that all providers of public toilets consider modern access-control methods as an alternative to traditional turnstiles.

\textsuperscript{133} CLG, Strategic Guide, p 44.
\textsuperscript{134} Q 77
The role of local authorities in providing public toilets

Sustainable Community Strategies

82. As noted above, the Public Health Act 1936 gives local authorities a power to provide public toilets, but imposes no duty to do so. However, the Local Government Act 2000 places a duty on local authorities to provide a ‘community strategy’, which should aim to enhance the quality of life of local communities and contribute to the achievement of sustainable development in the UK through action to improve the economic, social and environmental well-being of the area and its inhabitants.  

83. The Government’s Strategic Guide states that community strategies “set the overall strategic direction and long-term vision for the economic, social and environmental well-being of a local area.” Community strategies allow local communities to voice their needs and priorities; co-ordinate the work of the council and the work of the local public, private, voluntary and community organisations; co-ordinate present and future work of those organisations so that communities’ needs are met; and contribute to sustainable development locally and more widely.

84. Woking Borough Council, for example, has linked the provision of their public toilets in two of the three key priorities identified in its community strategy: one priority concerning a clean, healthy and safe environment and the other concerning integrated and accessible local facilities and services. As the Government’s Strategic Guide states, sustainable community strategies, working alongside other policies can provide an opportunity and a context within which local authorities can review public access to toilets across their area, and make linkages with their spatial planning policies, balancing the needs of urban and rural areas, land use and urban design priorities, the developments of town centres, shopping and leisure areas, links with strategic transport, and the demands of the 24 hour economy.

Local Development Frameworks

85. A Local Development Framework (LDF) is a folder of local development documents that outlines the way in which planning is to be managed. According to the Government strategic paper, this can also be used by local authorities, alongside other approaches, to review their provision of public toilets and can also be used to set out their intention to

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140 www.planningportal.gov.uk
seek contributions to fund public toilets for certain types of development. The London Borough of Richmond upon Thames is planning to use its Local Development Framework to encourage the building of public toilets in new developments.

**Business Improvement Districts (BIDs)**

86. Business Improvement Districts are voluntary, business-led partnerships in which local businesses can decide, by ballot, to pay a levy for additional services. They enable businesses to prioritise and commission specific services, building on existing public provision, to improve the local trading environment. An example is in Croydon, where the Whitgift Shopping Centre, National Car Parks, and Croydon BID provided joint funding for the renovation and maintenance of two public toilets in the town centre area that had been closed for some years. The Minister spoke to us about BIDs:

> Of course, it is in the nature of a BID that businesses have discretion how they use that additional levy, but, again, because the evidence is that it adds to the attractiveness of an area and businesses and, therefore, people are more likely to go there and stay longer…there is a real argument here for economic benefit.

**Local Authority Business Growth Incentives (LABGI)**

87. The Local Authority Business Grant Initiative allows local authorities to keep a share of revenue from business rates, thereby encouraging them to promote local economic growth. They can then decide how this money can be spent. The Government’s supplementary memorandum described Hertsmere Borough Council and its decision in May 2008 to spend £40,000 LABGI funding to pilot a community toilet scheme in Borehamwood for a year, starting this summer.

**Performance Framework**

88. The Government’s Strategic Guide describes the new performance framework for local authorities and identifies 35 national indicators (NIs), chosen from a set of 198 for inclusion in Local Area Agreements between a local authority and central government. According to the Department for Communities and Local Government:

> The new local performance framework will put people, places and their priorities at the heart of public services through greater flexibility to set and respond to local priorities; enable improved outcomes across areas through greater partnership working; increase engagement, accountability and scrutiny of local services by their communities; improve the way we allocate scarce resource through greater local flexibility and enabling increased pooling of funds; and establish clearer accountabilities for shared...
goals and provide more streamlined, effective and valuable performance management.\textsuperscript{147}

89. There are six National Indicators (NIs) that link to the provision of public toilets: NI 4 (the percentage of people who feel that they can influence decisions in their locality); NI 5 (overall/general satisfaction with local area); NI 138 (satisfaction of people over 65 with both home and neighbourhood); NI 140 (fair treatment by local services); and NI 195 (improved street and environmental cleanliness). If local authorities are treating public toilet provision seriously, they should consider placing the provision of public toilets within one or more of these national indicators. \textbf{There are a variety of different tools that local authorities can use as a lever to promote public toilets.} We recommend that local authorities recognise the value of public toilets and find ways in which to include the provision of public toilets in their duty to support their local community, through, for example, Community Strategies, Local Development Frameworks, Local Area Agreements and Business Improvement Districts.

6 People power

Community empowerment

90. The Government’s White Paper “Communities in Control” was published in July 2008. Its foreword, by the Prime Minister, describes how it sets out measures to enhance the power of communities and helps “people up and down the country to set and meet their own priorities”, claiming that “in this way we strengthen local democracy by increasing participation.”

91. This empowerment was described by Baroness Andrews in the context of public toilets:

…we think it is more effective if what is provided is locally determined and owned and sustainable and, therefore, a source of local pride…the Local Government Act [is] putting more emphasis on community voice with people saying what they want in local community and the duty to involve, and I think that is the direction to go in, in order to put pressure on local authorities and councils to do better.”

Baroness Andrews told us of a specific example when local residents took action into their own hands:

In Camden it was a group of older people who got together and said: “This is really not good enough, we have to have better provision”, and they drew up a strategy which the council put in place, and we have seen that in other parts of the country…It has to be something that the local area does because it is the right thing to do, and there are all sorts of ways of putting pressures on councillors, as we know.

92. The local community has new powers to influence their local environment, as highlighted in the Community Empowerment Action Plan and the White Paper “Communities in Control”. For example, the White Paper introduces a new duty on local councils to respond to all petitions about local authority functions and public services. If the council’s overview and scrutiny committee does not consider that the response is adequate, the petitioners will be able to secure a debate of the full council and “in any event, if 5 per cent. of the local population sign a petition, there will have to be a full council debate”. This means that if enough people in the local community demand more public toilets, the local authorities will have to listen to their concerns.

93. There is much that the local community can do: “people-power can, and does, make a difference” as the Government’s Strategic Guide states. It highlights “neighbourhood management partnerships, tenant management organisations, community forums, local

149 Q 104
150 Q 109
151 “Communities in Control: Real people, real power”, Communities and Local Government, July 2008.
voluntary and community groups” who all have a voice in shaping the environment in which they live.152

94. In our evidence session, we heard from Alan Shrank about the way in which NORA shares best practice between residents’ associations about tackling local problems connected with public toilet provision.153 We also heard from Martin Jackaman about the Changing Places campaign that has facilitated public toilets for the severely disabled.154 The ENCAMS memorandum recommends that there should be a public consultation before public toilets are demolished, and only when it has been agreed in the local community that those toilets are no longer viable, should closure take place.155 In this way, the local community is having a direct voice in shaping their local area.

95. We recommend that local authorities consult their local community if there is the threat of public toilet closure, and that local authorities must demonstrate the case for closing public toilets. Public toilets should be closed only if there is a strong case for it and after extensive consultation.

96. Local authorities should follow the Government’s White Paper “Communities in Control” and should involve the local community when devising their public toilet strategies.

Available guides and literature

97. There is a wide range of detailed information and guidance on all areas concerned with the provision of public toilets, including location, design and signage: the Government’s strategic guide is a general overview about the provision of public toilets; the BTA has a list of recommendations and a comprehensive website; and British Standards BS8300 and BS6465 both provide codes of practice for the design of sanitary facilities and scales of provision.

98. The British Standard Institute memorandum describes the proposed British Standard BS6465 Part 4, which is based on the current Annex C of BS6465-1:2006, and will provide

a comprehensive standard for providers of public toilets, which takes into account physical (special/geographical) distribution issues, user requirements and design considerations (including the Gender Equality Duty [GED] of the 1975 Sex Discrimination Act) and practical, economic and management issues.156

However, as was noted during our oral evidence sessions, although there is the Government’s Strategic Guide, “for all we know that guide could be sitting in the chief executive’s bottom drawer, never seeing the light of day.”157 It is important that these

152 CLG, Strategic Guide, p 33.
153 Q 16 and Q 18
154 Q 3 and Q 7
155 Ev 58
156 Ev 90
157 Q106
guides and strategies are used by local authorities, in an active way and in the context of their other priorities.
7 A public toilet strategy

99. Section 4 makes it clear that there are significant planning, licensing and leasing powers that local authorities can use to support the provision of public toilets. There are a number of additional tools and frameworks, as stated in Section 5, which can also be used for this purpose.

100. The Government’s Strategic Guide notes “increasing public concern” at the decline in the provision of public toilets, and general concern about their safety, cleanliness and accessibility. 158 At the same time, both the guide and the Government’s memorandum state that local authorities should be empowered to take further action in providing public toilets. 159 The BTA suggests that “too many local authorities have basically given up on public toilet provision” and fears that “without a stronger Government lead on the issue, an increasing number of Local Authorities will assume that society’s toileting needs can be wholly satisfied by other commercial premise providers”. 160

101. However, the Government does not want to impose any duty to provide public toilets, nor even any duty on local authorities to provide a strategy about the provision of public toilets. As the Minister told us: “what we have done over the past ten years is increasingly to leave local authorities to determine the way they do things and run things, and that has been the direction of travel.” 161 Instead, the Government hopes that each local authority will see for itself the benefits and “recognises the value of public toilets, stimulates local debate and responds to community concerns, galvanises other service providers to take action, and builds links with local businesses and communities.” 162

102. But many local authorities have not seen the benefits of public toilets, as can be seen by the decline in the numbers and standards of public toilets, which is why many organisations that submitted evidence sought a statutory duty on local authorities to provide public toilets 163; BRADA went as far as to suggest ring-fenced funding for this provision, weighted towards areas that receive most visitors. 164 However, this suggestion goes against the move to empower local authorities to make their own decisions on what is important in their areas and to decide how best to spend their block grants.

We feel strongly that the recommendations made in the Government’s Strategic Guide should be acted upon by local authorities. For this reason, we recommend that the Government imposes a duty on each local authority to develop a strategy on the provision of public toilets in their areas, which should include consultation with the local community and which should be reviewed annually. The duty of compiling and reviewing a public toilet strategy is a simple requirement that will go a long way

159 Ev 44 and Ev 30
160 Ev 24 [BTA]
161 Q 106
162 CLG, Strategic Guide, p 27.
163 Ev 24 [BTA], Ev 36, Ev 65, Ev 77.
164 Ev 65 [BRADA]
towards achieving the right of people who live in and visit this country to have accessible and clean public toilets, wherever they live, work or visit. The way in which local authorities plan and utilise their own strategic plan is a decision for them; the fact that they have a plan should be a duty placed on them by the Government.
Conclusions and recommendations

Introduction

1. We welcome and support the Government’s Strategic Guide on public toilet provision, with its strong encouragement for local authorities to adopt a strategic approach to public toilets, taking into account the needs of all those who use public spaces, including those with children, older people, people with disabilities and visitors to our villages, towns and cities. (Paragraph 12)

2. It appears that the overall number of public toilets has declined in recent years, but the lack of reliable data makes it impossible to know for sure. We recommend that the Government seeks a means of collecting this data, either through requiring local authorities to provide figures from their own areas or by charging the Audit Commission with resuming its collection of accurate information on the provision of public toilets. We appreciate that there are costs associated with this data collection exercise, but it is essential for formulating a public toilet strategy. (Paragraph 13)

Current provision

3. We recommend that local authorities provide visible, clear signs for their existing public toilets, detailing such information as opening hours and location. Information about public toilet facilities and locations should also be provided in promotional leaflets for both locals and visitors and on local authorities’ websites. This will also highlight those local authorities that have a high level of toilet provision and those that are lacking in toilet provision, enabling local people to press their local authorities for better provision. (Paragraph 21)

4. We recommend that there should be standard public toilet signage across the country (possibly using symbols rather than text to allow for universal recognition, irrespective of language). We recommend that the Government and local authorities, in partnership, introduce best practice guidance on a standard approach to public toilet signage. (Paragraph 22)

5. We recommend that local authorities can and should exercise existing legislative powers to prevent anti-social behaviour. (Paragraph 32)

6. There is a perception by the general public that unattended public toilets are seen as threatening places, which puts people off using them, which in turn invites more anti-social activity. We recommend that local authorities study the benefits and cost effectiveness of providing attended public toilets, or at least ensuring regular inspections, so that the public regains its confidence in using them. (Paragraph 33)

7. We recommend that local authorities ensure that public toilets are taken into account in needs assessments of older people and in supporting the independence of older people. (Paragraph 39)

8. No local authority should use the Disability Discrimination Act as an excuse to close down public toilets for general use. (Paragraph 44)
9. We recommend that local authorities make appropriate provision for disabled public toilets, taking the British Standard relating to the provision of disabled public toilets as their primary guideline. We recommend that local authorities, in planning their public toilet provision, should not neglect provision for severely disabled people, and we encourage them to establish specialist disabled toilets in major centres of population. (Paragraph 45)

10. When local authorities work out ways in which they comply to the Gender Equality Duty in respect of public toilet provision, they should follow the relevant British Standard guidelines, ensuring that their provision covers the needs of women as well as men. We recommend that local authorities aim to provide a ratio of 2:1 public toilet provision in favour of women. (Paragraph 49)

11. We welcome the audit of disabled toilet access and the policy review being undertaken by London Underground. (Paragraph 52)

12. We agree with the London Assembly’s recommendation that Transport for London, train operating companies and boroughs study how the provision of public toilets in stations and other transport interchanges can be provided, improved, maintained and signposted. We endorse the London Assembly’s recommendation that the Mayor should extend his policies to improve public toilet provision, currently in operation for the Underground and surface transport, to those national rail service that come under his control. The Mayor should include the requirement to provide public toilets in any tendering process station upgrades in those national rail services that come under this control. (Paragraph 56)

13. We recommend that local authorities and train operators make full use of the Department for Transport’s Access for All Small Scheme funding of £7 million a year to ensure that there are improved, accessible toilet facilities. (Paragraph 57)

14. We recommend that Network Rail carry out an audit of existing public toilets at mainline stations to locate the shortfalls in its public toilet provision. (Paragraph 58)

**Community Toilet Schemes**

15. The ENCAMS toolkit is to be provided to all local authorities and interested parties. We welcome the ENCAMS toolkit, which shares good practice of implementing the Community Toilet Scheme and recommend that all local authorities should incorporate it into their public toilet strategy. (Paragraph 62)

16. We support the Community Toilet Scheme (CTS) initiatives in local authorities, although they are not appropriate everywhere and may provide only a partial solution to the adequate provision of public toilets; the CTS alone cannot cover the needs of every local member of the community. We commend those authorities that have extended their provision of public toilets in this way, but we recommend that such schemes must be supplemented by other types of toilet provision. Local authorities need to be aware of some groups who might feel uncomfortable going into a pub to go to the toilet. The scheme must cover a variety of outlets to ensure that toilet facilities are available for a wide range of users, over a substantial part of the day and night. (Paragraph 72)
17. The signage in CTS schemes need to be extremely clear and welcoming to the public. When local authorities start such a scheme, the initiative should be heavily publicised in the local media; local authorities need to advertise the scheme – as one among other types of public toilet facilities – to local residents, as well as to visitors and tourists. Stating “Community Toilet Scheme” on a window is not enough information to tell the public that those premises’ toilets are open to the general public. (Paragraph 73)

Relevant existing local authority powers

18. Public toilet provision gained under Section 106 of the Town and Country Planning Act 1990 is to be encouraged. We recommend that local authorities review such agreements regularly to ensure not only that the requirement to build is carried out, but that the toilets are regularly maintained. (Paragraph 77)

19. We recommend that local authorities should make full use of positive letting policies to ensure a greater number of toilet facilities available for the general public. (Paragraph 78)

20. Environmental health officers can use their powers to ensure that public toilets are provided and maintained for public use in relevant commercial premises. We recommend that environmental health officers review plans and licence applications to ensure that adequate sanitary facilities are provided. (Paragraph 79)

21. We recommend that local authorities should encourage establishments selling food and drink for consumption on the premises to provide appropriate toilet facilities for their customers, following relevant British Standards. Local authorities have existing planning, licensing and leasing powers by which they can ensure that more public toilets are provided. These are not being used to their full potential and we recommend that local authorities use such existing powers to ensure the adequate provision of public toilets. (Paragraph 80)

22. We recommend that all providers of public toilets consider modern access-control methods as an alternative to traditional turnstiles. (Paragraph 81)

The role of local authorities in providing public toilets

23. There are six National Indicators (NIs) that link to the provision of public toilets: NI 4 (the percentage of people who feel that they can influence decisions in their locality); NI 5 (overall/general satisfaction with local area); NI 138 (satisfaction of people over 65 with both home and neighbourhood); NI 140 (fair treatment by local services); and NI 195 (improved street and environmental cleanliness). If local authorities are treating public toilet provision seriously, they should consider placing the provision of public toilets within one or more of these national indicators. There are a variety of different tools that local authorities can use as a lever to promote public toilets. We recommend that local authorities recognise the value of public toilets and find ways in which to include the provision of public toilets in their duty to support their local community, through, for example, Community Strategies,
Local Development Frameworks, Local Area Agreements and Business Improvement Districts (Paragraph 89)

People power

24. We recommend that local authorities consult their local community if there is the threat of public toilet closure, and that local authorities must demonstrate the case for closing public toilets. Public toilets should be closed only if there is a strong case for it and after extensive consultation. (Paragraph 95)

25. Local authorities should follow the Government’s White Paper “Communities in Control” and should involve the local community when devising their public toilet strategies. (Paragraph 96)

A public toilet strategy

26. We feel strongly that the recommendations made in the Government’s Strategic Guide should be acted upon by local authorities. For this reason, we recommend that the Government imposes a duty on each local authority to develop a strategy on the provision of public toilets in their areas, which should include consultation with the local community and which should be reviewed annually. The duty of compiling and reviewing a public toilet strategy is a simple requirement that will go a long way towards achieving the right of people who live in and visit this country to have accessible and clean public toilets, wherever they live, work or visit. The way in which local authorities plan and utilise their own strategic plan is a decision for them; the fact that they have a plan should be a duty placed on them by the Government. (Paragraph 103)
8 Formal Minutes

Monday 6 October 2008

Members present:

Dr Phyllis Starkey, in the Chair
Mr Clive Betts
Jim Dobbin
Mr Greg Hands
Anne Main
Mr Bill Olner
Emily Thornberry

Provision of Public Toilets

Draft Report (Provision of Public Toilets), proposed by the Chairman, brought up and read.

Ordered, That the Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 102 read and agreed to.

Resolved, That the Report be the Twelfth Report of the Committee to the House.

Ordered, That the Chairman make the Report to the House.

Ordered, That written evidence received in connection with the inquiry be reported to the House for printing with the Report.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Monday 13 October at 4.20 pm]
Witnesses

Monday 2 June 2008

Ms Pamela Holmes, Head of Healthy Ageing, Help the Aged, Mr Martin Jackaman, Learning Disabilities Day Services Modernisation Manager, Nottingham City Council, The Changing Places Consortium and Mr Alan Shrank, Chair, National Organisation of Residents’ Associations

Mr Tony Anderson, Chair of the Guild of Registered Tourist Guides, The Inconvenience Committee of Blue Badge Professional Tourist Guides and Mr Peter Hampson, Director, the British Resorts and Destinations Association

Monday 9 June 2008

Mr Mike Bone, Director, and Mr Richard Chisnell, Chair, British Toilet Association

Baroness Andrews OBE, a Member of the House of Lords, Parliamentary Under-Secretary of State, Department for Communities and Local Government

List of written evidence

1 Normanton and Altofts Senior Citizens Association
2 Birmingham Advisory Council for Older People
3 The British Toilet Association
4 The Joseph Rowntree Foundation
5 Preston Older People’s Forum
6 Bristol Older People’s Forum and Bristol Women’s Forum
7 Nottingham City Council
8 Merton Older People’s Housing Forum
9 Help the Aged
10 The Chartered Institution of Wastes Management
11 The Inconvenience Committee of Blue Badge Professional Tourist Guides
12 The Department for Communities and Local Government
13 The Department for Communities and Local Government (Supplementary)
14 The Changing Places Consortium
15 VisitBritain
16 ENCAMS
17 The City of London Corporation (the Office of the City Remembrancer)
18 The Older and Wiser Merton Seniors’ Forum
19 The Over 50s Forum Wigan Branch
20 The British Resorts and Destinations Association
21 The British Resorts and Destinations Association (Supplementary)
22 Clara Greed, Professor of Inclusive Urban Planning, UWE, Bristol
The following memoranda have been reported to the House, but to save printing costs they have not been printed and copies have been placed in the House of Commons Library, where they may be inspected by Members. Other copies are in the Parliamentary Archives, and are available to the public for inspection. Requests for inspection should be addressed to The Parliamentary Archives, Houses of Parliament, London SW1A 0PW (tel. 020 7219 3074). Opening hours are from 9.30 am to 5.00 pm on Mondays to Fridays.

- UK Paruresis
- The National Organisation of Residents Associations
- Shrewsbury Town Centre Residents Association
- The Inconvenience Committee of Blue Badge Professional Tourist Guides (Supplementary)
- Changing Places Consortium (Supplementary)
- Mr Dilwyn Chambers
- Mrs EA Macdonald
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Oral evidence

Taken before the Communities and Local Government Committee

on Monday 2 June 2008

Members present
Dr Phyllis Starkey, in the Chair
Mr Clive Betts
John Cummings
Anne Main

Dr John Pugh

Witnesses: Ms Pamela Holmes, Head of Healthy Ageing, Help the Aged, Mr Martin Jackaman, Learning Disabilities Day Services Modernisation Manager, Nottingham City Council, The Changing Places Consortium and Mr Alan Shrank, Chair of National Organisation of Residents’ Associations, gave evidence.

Q1 Chair: Can I welcome you. This is the first oral evidence session of our short inquiry on public toilets. It would be very helpful if you could go along from my right and say who you are and which organisation you represent.

Mr Shrank: My name is Alan Shrank and I am Chairman of the National Organisation of Residents’ Associations. Would you like me to say a few words about that?

Q2 Chair: No, that is fine. We have got the notes about what the organisations are.

Mr Jackaman: I am Martin Jackaman and I am representing the national Changing Places Consortium.

Ms Holmes: I am Pamela Holmes from Help the Aged.

Q3 Chair: Excellent. If I can start the questioning. Because we have not got a huge amount of time, each of you should not feel obliged to answer every question and, of course, we have got your written memoranda, so we have got all the information and responses you have given us there and we do not necessarily need you to repeat those. I want to ask you to respond firstly as to why local authorities seem to have given up on providing public toilets, whether you think local authorities should have an obligation to provide them and whether the Government should be doing anything more assertive.

Ms Holmes: I think the reasons why local authorities have not continued to support the provision of local public toilets are various and some of these are detailed in the recent strategic guide which describes a situation which has evolved over the last few years. As far as older people are concerned, it is absolutely devastating. We have research, and it is in the submission we made, about the impact on isolation, about the impact on older people’s health—physical, social and mental—when they are unable to go out of the house because they are fearful of not finding a public toilet. This is whether they have got incontinence—which is a common condition as you get older, not inevitable but common—or whether they simply are going out shopping or whatever it might be, the fact that they cannot depend on there being public toilets absolutely increases the amount of isolation. We have got recent figures on one in 10 older people saying that they often or frequently are lonely. As far as local authorities having a duty, we would very much support that call for local authorities to see it as part of their duty to provide local public toilets and to take the menu of options which are available and examples of best practice which exist. We would certainly support that call.

Mr Jackaman: As far as the Changing Places Consortium goes, we would say the disability equality duty places a responsibility on local authorities to do more. What we have got with the Changing Places Consortium, which focuses on the needs of people with profound disabilities as you know, is local authorities being proactive. Some local authorities have been very active, such as Nottingham and Bradford, others have done nothing at all. Therefore, we would very much welcome pressure on the local authorities to be proactive and create Changing Place toilets alongside, as an extra to standard disabled toilets.

Mr Shrank: My members from all over the country report that the reason why their toilets are being closed by local authorities is because of the abuse made of them by various members of the public. I understand from the police, there are only a relatively small number of people causing the trouble, but as a result of them causing the trouble those conveniences are closed and a large element of the community are suffering as a result. The recent sort of abuse which goes on, and I am sure you know, is one that is very difficult to prevent unless you close the place. This is what has happened. They close them completely and sell them up. In my own town of Shrewsbury they have sold up I think it is three out of 10 public toilets. One of them is a hairdressers, another is a Chinese restaurant and another has just closed. They do this for the simple reason that they are expensive to maintain, they cannot keep them open late, which is what the public want, and it is not mandatory. It just drops off the budget whenever they have to reconsider what they
have to spend their money on. Because it is not a mandatory duty of local authorities to provide public conveniences, they close them.

Q4 Chair: From your organisation’s point of view, do you think authorities should have a duty to provide public toilets?

Mr Shrank: Indeed, I put that in our report that they do need to do that. Where they do provide them it is no good providing them just until 8 or 9 o’clock. From the point of view of my association members, they do not have a problem themselves within the daytime because they are residents, they have got their homes and they know the setup in their area where they live. They have got the same problems when they leave their homes and go elsewhere that everybody else does, but what is peculiar to residents’ associations, and my association, is that their members very often live in towns and city centres with a night economy. When the night economy closes, which can vary from two to three in the morning, and turn out their patrons there are no public loos open. Very, very few cities and almost no towns have 24-hour loos. It is perfectly possible to have a loo open for 24 hours, Westminster does it, Norwich does it, various places in the country have at least one in their town centre. It is essential that you have many more of them because the street fouling which goes on is appalling, it is disgusting and if you are a resident affected by it, it ruins your life if every morning, certainly four or five days a week, you have to go out and clean up the mess and it should not happen.

Chair: Absolutely.

Q5 Anne Main: You have raised a few issues that I would like to pin you down on. You have almost described St Albans; people can go into Marks and Spencer’s, British Homes Stores, Costa, all the other places in the day, pop in and use the loo, often without charge, no problem whatsoever; in the evenings is when there is more of a problem. We do have public toilets which are also closed in the evenings, but what St Albans has done—I would ask you to consider this because providing full-time concrete blocks of toilets open 24 hours a day might be very expensive—is it has got mobile toilets which come out specifically to deal with the evening economy. They are portaloo’s, in effect, self-cleaning. Would you consider that could be a way forward rather than having a proper, let us put it that way, public convenience which is kept going all through the day, 24 hours, because to me that would seem quite onerous on any local authority?

Mr Shrank: You could have some that are open 24 hours a day, I am not saying all of them should be. You can get various devices which either come out of the pavement or are set up in certain places and are fixed and available, you pay your fee to get in, but on the whole most of those places are designed for men and not for women. There seems to be an assumption that women do not get themselves into the same difficulties as men at night but it is not true, there are just as many women in trouble as there are men these days because there is no convenient loo. That is certainly the experience of my members.

Q6 Mr Betts: Can I follow up the idea you had about having a statutory requirement for local authorities? Have you thought how that might be framed? Surely it would not be possible just to say every local authority has got to provide toilets, there has got to be a bit more definition than that, has there not?

Ms Holmes: As I understand, there is an opportunity to look at the Public Health Act of 1936 which calls on local authorities to provide loos, but does not make it statutory or a duty to do so and there may or may not be legislative opportunity to do that. To pick up on the DCLG’s recent call, for example, on Lifetime Neighbourhoods, which is a commitment to build homes to lifetime standards and also a vision for Lifetime Neighbourhoods which has to include a provision for everybody, this would be one driver for local authorities to respond to this opportunity to create Lifetime Neighbourhoods for everybody. This would be one way of encouraging them or mandating them to do something about it. There is also the PSA17, which is a driver on increasing independence and well-being and that is another opportunity which currently exists for local authorities to play their part in enabling the Government to achieve the PSA17 which is a stated intention.

Q7 John Cummings: Public toilets are obviously seen by many as a basic human right. If we all accept that particular premise, could each of you give your specific reasons why the decline in public toilet provision has such an effect upon the people you represent? Can you give an example for the record of what your main concerns are?

Mr Jackaman: My main concerns are that standard disabled toilets do not meet the needs of people with profound disabilities. In recent years, children who would have died at premature birth are living because of better medical health. The increases are rapid and significant in terms of living longer. There are now interventions, putting tubes in stomachs, but the social consequences of this are not being met. We put hoists in people’s homes but not into the public toilets. What we have got is a situation where we have got some 40,000 people with profound multiple learning disabilities who are living at home with families who cannot go out and their parents cannot go out because a standard disabled toilet does not meet their needs. Perhaps I ought to explain. They assume that people can use their arms. If you have got pads or cannot use your arms, like people with profound disabilities, then what happens is parents have to lay their sons and daughters on the floor. That might sound a bit horrific but that is what is happening. I work in the local authority in Nottingham and the reason I got into this was because the Government says under the Valuing People Agenda, “We need to get out more” and staff were saying, quite rightly, “We can only go out for two hours because they need their pads changing”. What this has meant, by having a new
Mr Shrank: I think I have seen it, thank you.

Q13 Dr Pugh: I think somebody said already that people have a right to a public toilet and I do not think any of us would question that, but in the evidence of Help the Aged they state that a large proportion of you would be happy to pay a nominal amount to have public toilets, staff cleaning and toilets in a good state of repair. Does everyone have a right to a free public toilet?

Ms Holmes: From our research, the questionnaire which 1,000-odd people answered, people indicated they would be happy to pay 10p to 20p. Do they have a right to a free toilet, I think the answer is people are happy to pay a bit of money towards their upkeep and the cost and I do not think it has to be free necessarily.

Q14 Dr Pugh: Does the research not show that the nominal amount, as you say, is simply that, it is a nominal amount, it does not cover the cost? Obviously the less it covers the cost, the more expensive it is for local authorities to do and the less they do. Is there any way of improving the economics of this?

Ms Holmes: There should not be a quid pro quo for how much money is raised by the toilet and therefore what it costs to run, I think it should be seen as a broader example of a good community which is welcoming to all. You cannot cost it simply on what the loo paper and bricks might end up costing, you have got to see it as part of a broader context of a neighbourhood that is supporting and enabling its members to take part and get out and about.

Q15 Dr Pugh: Just pursuing that and, please, other people come in if they feel they have something to contribute here, one thing you can clearly do is obviously reduce the cost of provision. That clearly needs to be analysed and what that might mean. It might mean something about maintenance, about design and about reducing the cost of vandalism. From your experience, are you able to tell us what helpful steps could be taken which would help local authorities finance the facilities at a lesser cost or a more economical cost than they are currently doing?

Mr Shrank: It is a matter of the design of the cubicles. Some of them have time limits on them and some of them are made of stainless steel. I am sure the toilet industry is looking into this because it is obviously very important for them to be able to provide the facilities which local authorities want. As long as there is no mandatory duty for the local authority to provide the facilities, I cannot see them wanting to spend that sort of money. If it were to be made a statutory duty, then they need some funding for it.

Q16 Dr Pugh: They would have to look at some element of redesign of their services. What prompts me to say this is my own local authority has produced stainless steel cubicles in the middle of town which have replaced an old Victorian system that went underground and is now being turned into a wine bar. I assume one of the arguments for it—I
have not looked closely into it—is that it is more cost-effective to provide a facility like that. If other local authorities could exemplify that practice in what they did, they could cut down some of these rather poor economic stats we are looking at.

Mr Shrank: My association works on the simple system that a member sends an email to me with a problem, I email all my members, within two days I get replies from the people who have had the problem, how they have tackled it and then I send the answers to the questioner and he or she can work out which is the best practice for their particular problem. I am sure this could be done with public toilets. Every local authority has got their own way of trying to solve this problem. The problem is if you do not have 24-hour service provided in some places in the town centre, you then have an expense in the morning of clearing it up. It either falls on the businesses and the residents or it falls on the street cleaning service provided by the local authority. They have an awful lot to do if there are no public loos open in the middle of the night.

Mr Jackaman: You talk about economics; with no Changing Place toilets, then people are being prevented from coming into towns and cities and spending. The example which is in our submission, of course, highlights that family spent the whole day in the city centre spending money. The other side of that coin, of course, is that if you provide support and give people the exact same right as everybody else, treat people the same as everybody else, then, of course, families are not going to crack up with the pressure of not having to go out, they become totally dependent.

Q17 Dr Pugh: There are hidden economic benefits, not necessarily to the council but to the wider community?

Mr Jackaman: That is right, there are definitely hidden economic benefits. We have a situation where families come from Leicester to shop in Nottingham, so that is probably quite good for Nottingham.

Q18 Mr Betts: We talked about what people consider to be a reasonable charge and I accept 10p or 20p for a pensioner going out and doing their shopping is probably okay, but if we look at provisions for special toilets at night or keeping them open 24-hours with all the extra costs that can involve, particularly the extra cost of payment for people at that time of night as well, would it be reasonable to charge a bit more for opening, maybe £1? If you are going to spend £3 on a pint of beer, is it unreasonable to spend a pound to get rid of it? Is there a case for variable charges?

Mr Shrank: Yes, but it would cost them nothing to pee up against your door, so why should they spend £1 when they can do it without trouble. The police take no action. My understanding is the police have been told the CPS will not prosecute any human being who street fouls, they will fine dog owners but not people, and the Home Office has told the police not to harass people who are fouling the street. As long as that goes on, they are not going to spend £1 to go and urinate in a cubicle, they will go on doing what they are doing now. There are three elements: you have got to try and persuade the youngsters who are doing this that they have lost their self-respect and respect for other people's property; you have got to persuade the police to take action; and then you have got to provide adequate facilities for them at night. What we have done in Shrewsbury is we have this notice put up on the back of the front door of all licensed premises in order to persuade people to take advantage of the facilities that are there before they go into the street.

Q19 Chair: Has it worked?

Mr Shrank: It has only been going for about six weeks.

Q20 Chair: Perhaps you could let us know if it does work.

Mr Shrank: I do not know how you would assess it. It is not easy to assess!

Q21 Anne Main: Briefly on that, I have spent the night out with my police and they fine people £50 on the spot if they see them urinating in doorways, so they can do it. I would like to caution that it is not an absolute fact that they cannot do this because they can. I feel we are talking about different sets of toilets here, that is the only thing I would like to get out. You want a pop-up instant urinal which is fairly cheap and whatever—

Mr Shrank: I want one that works for women and men.

Anne Main: —and we are talking here state of the art toilets. I wanted to sort out our loos into separate categories.

Q22 Emily Thornberry: In many towns and cities we seem to be moving away from publicly provided toilets to local authorities working in partnership with businesses, local cafes or pubs, sometimes even paying them for having toilets open. What do you think about that? Do you think this is a way forward?

Ms Holmes: It is certainly a way forward in terms of the menu of options that a local authority can provide, but our evidence from older people is that they do not always feel comfortable going into bars and restaurants, particularly as the day progresses and it gets towards evening. They would rather be anonymous and not be seen to be there having to go to the toilet. Many have said they feel it should be a duty which is placed on local authorities. The response is that it is an option which should be available but that should not detract from the commitment by local authorities to provide facilities that old people can use at any time.

Q23 Emily Thornberry: Have you ever asked people what they think about one possible solution, which might be to have it as a licensing requirement that members of the public be allowed to have access to public toilets?
Ms Holmes: We have not asked older people that.  
Mr Shrank: I think I suggested that of all the places it would be sensible for, it would be the public houses, they should be obliged to have their facilities available to the public and not be able to refuse entry. At the moment a landlord can refuse entry to anyone to his premises if he does not want them to come in and he does not have to give a reason, but if somebody wanted to use their conveniences they should be allowed to do so. The problem of street fouling which I raised is that there are no premises open when the problem occurs, so it may solve some of the daytime problem, but it will not solve the night problem.  
Mr Jackaman: That real question of using public houses is perhaps a step too far at this stage in the game. We would be quite happy and parents are quite happy to even accept a toilet which is open until 8 or 10 o’clock at night because at the moment there is no statutory responsibility. We are working with British Standards on this, but there is no responsibility yet.

Q24 Mr Betts: In terms of toilets which are suitable for disabled people to use, are we getting more of that provision? It has also been suggested to us that sometimes authorities say, “That toilet has got a few steps, it’s a bit difficult” and use the disability discrimination provision as a reason for shutting the toilet down altogether. What are your experiences?  
Mr Jackaman: I think local authorities are trying to minimise and look at their provisions and I am sure there are examples where that has happened. Also, I think with the pressure of the Disability Discrimination Act and the disability equality duty local authorities are also thinking this is important. Of course, speaking as someone who is employed by a local authority, the other thing is when we are asked by the Government to develop services and get people spending more time in the community, therefore, we have to work in partnership and parts of the council have to say, “Right, we need to make our facilities more accessible”, and the proactive ones are doing that.  
Ms Holmes: Certainly accessibility is a big problem for older people and a number said that they could not access the toilet, it was not something they were able to use, whether it was because steps were involved or handles or locks or having space to move about, and this is certainly a problem for a number of older people.  
Mr Shrank: Some local authorities are using it as an excuse to close premises because they say, “We can’t convert this premises for access for the disabled, so we will close it”. They are looking for excuses to close them.

Q25 Chair: Do you have any specific examples of that, not necessarily now but if you could provide them?  
Mr Shrank: I can try and provide them.  
Chair: That would be extremely helpful or, indeed, any of the other two witnesses because anecdotally people have said that, but it would be good if we had some real examples.

Q26 Mr Betts: We will move on to what one of my constituents referred to as the “TARDIS toilets” that she was not going to use because she went in and pressed the button and she was not sure where she would be when she came out! Are these generally not popular with sections of the public? I know a few years ago when I was on the council they were being sold as the best thing because they would not need any maintenance, you do not have any attendants, they would be vandal-proof and they would be the solution to all our problems.  
Ms Holmes: Anecdotally our evidence is that older people find them difficult to use and are frightened the doors are going to flick open while they are in there and they do not feel comfortable using them, so it has not been an option for them.  
Mr Shrank: It is very difficult if you have got children in a pram or if you have got a basket of shopping. They are difficult to use.  
Mr Jackaman: They are totally unsuitable for people with profound disabilities because you would not have the facilities.

Mr Betts: Could they be redesigned in a way that could make them more suitable?  
Q27 Dr Pugh: Why would it be more difficult if you have got a basket of shopping as opposed to an old-fashioned cubicle?  
Mr Shrank: It depends on the size of the door, does it not? Some of the ones I have seen and used are not all that easy to get into.

Q28 Mr Betts: Is it possible to come up with a different design or is it a challenge to come up with something which is fairly low maintenance and a bit more vandal-proof than the traditional toilet, but which is reasonably easy to use? Is that a challenge we ought to be putting to all these wonderful designers we have at present?  
Mr Jackaman: If you are using a ceiling hoist, that would be incredibly difficult. Of course, the other thing is vandalism. A lot of the Changing Place toilets are kept with a radar key or, in the case of some local authorities, there is an attendant because of the nature of the facilities and you get into issues of liability.

Q29 Anne Main: We would all of us love to have a set of loos that we could walk into and it is state of the art, but what you are suggesting is a statutory duty on local authorities to provide toilets. As I say, I keep going back to the fact that we are talking about different sets of loos here, so let us assume it is a multiplicity of toilets. If you are saying it is a statutory duty, can you accept that many local authorities would find that onerous and would have to take finances from elsewhere, which would make it difficult for an authority to make ends meet?  
Ms Holmes: If you are talking about the creation of a local neighbourhood and a place where people want to live, and that is presumably the interest of local authorities, you have to see public toilet provision as part of that menu of what is seen to be a good place to want to live, work and raise families and so on. It goes along with good pavements and
street lighting and a focus on crime, but it is a good indicator of the seriousness with which a local authority takes the provision of a good neighbourhood. To think in straight economic terms is to miss the hidden costs or benefits of having people able to get out and about.

Q30 Anne Main: The balance has got to add up for a local authority. My authority struggles desperately with its funding and they are not alone. If you are struggling to make sure you have got adequate care for the elderly and various other things which are under pressure, would this be a step too far to make it a statutory duty on local authorities that that had to be a priority?

Ms Holmes: We would argue no because the cost of health and social care, for example, which will not be coming out of the same budget but will be a cost on local authorities, would at some stage be less because older people would be able to get out and about, keep active, would not be depressed and would be able to keep more involved. There would be hidden benefits from the provision.

Anne Main: You did say earlier on they do not like going to some of these premises, they feel slightly embarrassed about going in there and, I am sorry, to me that is not a good enough argument. You have to have a demonstrable need, just because people would rather have something else is not a good enough reason for a local authority press to decide that. You have made a cogent argument about empowering disabled people, that is not just like, “Well, they do not like going to Marks and Spencer’s” or wherever.

Q31 Chair: Presumably if it were a statutory duty that would not necessarily mean that the authority had to provide it? It would not exclude the community toilet schemes where the councils pay some money to a trader essentially and give them public liability cover, that could be part of fulfilling their statutory duty.

Mr Jackaman: From our point of view, as long as there was a Changing Place toilet in public facilities because at the moment it is a dignity issue because they cannot access it so they are discriminated against, it is a real discrimination issue. That is the point that I would make.

Mr Shrank: A lot of towns are historic and they are tourist centres and tourists turn up by train, there is a loo at the station, but if they turn up in a car or a coach and they use a big car park unless there are toilet facilities there, suddenly the place becomes unattractive because they cannot use a toilet facility when they really need it. They have just got out of a long journey and they are a crowd of people on a coach trip, they come, there is nothing. You go to some towns and they have worked it out, they have put public toilets on car parks. You find them in multistorey car parks usually, but you do not find them in open car parks outside towns, but some do it. It makes a lot of difference to the whole attitude that people have as tourists when they come to a town if they find there are conveniences where they want them. It is very simple, a private authority will not do it because on the whole they do not run car parks like that.

Mr Jackaman: Simply when you get the situation where parents get someone up, get them in the adapted vehicle, get them into the centre of town and then straightaway they need changing, it is back to the car and back home. That is the choice.

Chair: Thank you all very much indeed. If you can provide us with the specific examples afterwards, that would be extremely helpful. Thank you very much.

Witnesses: Mr Tony Anderson, Chair of the Guild of Registered Tourist Guides, The Inconvenience Committee of Blue Badge Professional Tourist Guides, and Mr Peter Hampson, Director, The British Resorts and Destinations Association, gave evidence.

Q32 Chair: Again, could you say who you are and which organisation you represent?

Mr Anderson: My name is Tony Anderson. I am Chair of the Guild of Registered Tourist Guides, which includes the Blue Badge Guides that work around London and other areas of the country and also those Green Badge Guides who guide also in cities, do walking tours and so on.

Mr Hampson: My name is Peter Hampson. I am the Director of the British Resorts and Destinations Association. If I may, could I leave a magazine which has all the membership lists and maps showing where we cover?

Q33 Chair: Absolutely. If we could start where we stopped in the previous session which is about tourism and toilets and your view about how hard it is for tourists to find public toilets, how much public toilets matter and whether they influence tourists’ choice of destination?

Mr Anderson: Going backwards in your questions, yes, they matter very much indeed. We have people who, for example, arrive in London after a two, three-hour coach ride and before they even start to think how about how wonderful this city is, about the excellent sights they are seeing and they probably waited years to see, the first thing they want to do is to be comfortable. The first thing they need to do therefore is to use the toilet and probably also to get something to drink as well, but it is the toilet that is the important thing. If you arrive, for example, here in Parliament Square before ten o’clock in the morning it is almost impossible to find anywhere where you can do that.

Q34 John Cummings: Why do you mention ten o’clock in the morning?

Mr Anderson: Because that is the time that the toilets open around here.
Emily Thornberry: Where are the toilets around here?

Q35 Chair: Obviously you know where they are in the building!
Mr Anderson: I rest my case. There are some down by Westminster pier, there are other ones just on the other side beside Queen Elizabeth II Conference Centre and there are some also underneath the road by Parliament Street.

Q36 Chair: They do not open until ten o’clock?
Mr Anderson: They do not open until ten o’clock.

Q37 Chair: When do they shut?
Mr Anderson: They shut, I think, at five o’clock in the evening.

Q38 Emily Thornberry: How big are there? If you have a whole coach load of people.
Mr Anderson: If you have a whole coach load, first of all, you have the issue of coach parking in Parliament Square which is an issue, in Tothill Street—

Q39 Chair: It is not one that we want to go into.
Mr Anderson: Okay. It is difficult. If I might just pursue that point, the other issue with the toilets around here is that they charge and it is 50p to use those. I notice you were talking about that with your previous evidence.

Q40 Chair: 50p?
Mr Anderson: 50p per person which is not an awful lot of money in the great scheme of things, but if you are with a coach of people who are paying a flying visit to this country who, for example, have arrived in Dover or Southampton and come here and who have been told that they can pay everywhere in this country with credit cards, 50p is an issue. The change, the money is the issue. Mr Hampson: Toilets are an absolute fundamental issue for tourists. You use the word “tourist”, I prefer to use the word “visitor” because in this context I think it is equally important. For example, if I am visiting my local town of Southport if I am going shopping I would regard that I would be a visitor. If I do not do it often, I will be in the same position as somebody visiting from a long way away. The issue is about familiarity, you need to know where these things are and you can use the facilities in a store or the local toilets and you will know which are the best toilets if you are familiar with the place, if it is somewhere you go often. If you are a visitor and there on a temporary basis, provision of toilets becomes absolutely a fundamental. As I said in my evidence, most journeys start and finish with people going to the loo. That is what we as human beings tend to do and I think we need to acknowledge that fact. That is why—in previous evidence somebody mentioned about car parks—it is an eminently sensible place for public toilets to be, just as they should be at places like stations.

Chair: We are going to explore the community toilet scheme in a second but, Anne, did you have an issue to raise on this?

Q41 Anne Main: On Mr Hampson’s very pertinent observation, that most of us who go to our local town centres know exactly which cafés, restaurants or shops where we can pop into the loos. Is there something to be said for displaying a sign that says, “We welcome visitors and people can use our toilets”? It is a cheap option.
Mr Hampson: It is a cheap option and most places will do it. As part of my preparation for coming to see you today I thought I better have a quick look around my local town and, yes, there are signs. You can put up a sign that says, “The such-and-such an attraction”, “Westminster this way”, but if you were to sign toilets, where are you going to sign them for somebody who is not sure what they are looking for and suddenly, “Oh, I want a toilet”? You have to have signposts on literally every corner. Most towns you will find do have signing maps. Sefton Metropolitan Borough Council, Southport, where I happen to be based, has an excellent map that shows the public provision and the private sector provision where those private sector providers have had to agree to have their facilities shown. Some of the big train stations, for example, are on that map. It is about information. If I could reinforce that, I went to the TIC, the Tourist Information Centre, this morning and said, “Do you get many complaints about the toilets?”—brand new ones which are opposite.

Q42 Chair: Where is this?
Mr Hampson: Southport and he said, “No, the new toilets we have are really, really popular. The question we get is ‘Where are they?’” They are literally 10 yards across the street and people just do not realise they are there.

Q43 Emily Thornberry: I think that we were also looking at the idea of community toilet schemes, local authorities working in partnership with local businesses, and how that would work. I suppose what your evidence seems to be is that if you know a local town centre well you will know the places to use and not use and it is much more difficult for tourists. Would a community scheme work, do you think, for tourists and, if so, how?
Mr Hampson: I have mixed views. To start with I think it would not work in the case where you are dealing with very large numbers. For example, why would a restaurant put up with 50 people getting off a coach and ploughing into their café with no return on business? I think the community scheme is a wonderful idea and it allows local authorities to put provision, ie not have to have the capital cost of putting small provision, and that is where a lot of them suffer, it is rural areas, small towns. You are using somebody else’s facilities, but you have to accept that those facilities will only be open to their requirement, so the pub is not going to stay open or the restaurant is not going to open the facilities early. I think it will work very well up to and including the point where you get some abuse. If there is an...
unpleasant incident or something happens, then the pub landlord is going to think twice about whether or not to continue with the arrangement they have got. It is great in its context. I do not see it working, for example, in Westminster. I do not see it working in a Blackpool or a Bournemouth but, yes, in a small rural town, perhaps where they have not got a toilet near a popular start for a walking route, for example, the local pub, and it makes sense for both the business, the community and the local authority, they can get some money for providing the service and the local authority gets the service provided at low capital cost.

Mr Anderson: I can only agree with that. In many ways around in London, for example, I think it could be a big disincentive for pub or café owners to run something like that because if you take the example that I was giving earlier about visitors arriving in Dover being transported up here in coaches, you can have on any one day anything between 20 and 40 coaches arriving in London at roughly the same time. On the way down, we might say, “This café is good”, and “That café is good” and, “That pub is good”, so you would end up with 10 or 15 coaches arriving at each one. It is a big disincentive on the owner or the management of that establishment to continue with that scheme because who is going to want to have that number of people going through their particular establishment which would put off the people who are already in there or who are wanting to have a cup of coffee and a read of the paper, a bite to eat, a sandwich or something like that? Certainly I would not want to sit in a café when a coach load turns up and then walks all the way through and then walks all the way back out again.

Q44 Emily Thornberry: And queued up.
Mr Anderson: And queued up and talking.

Q45 Emily Thornberry: And borrowed 50p!
Mr Anderson: Exactly. It is a real issue. As tourism is changing and we are going more and more towards these flying visit sort of tours, then this is becoming more and more of an issue. We have talked about Westminster but a similar situation is in the City. If you are coming in from the East or the South East a very popular stop is the Tower of London. If you want to stop a coach at the Tower of London for longer than 15 minutes it will cost the coach company £10 and if you have got 20 coaches arriving there, it is going to take longer than 15 minutes to get all your passengers out and get them back in again when you are waiting for the first coach to have finished.

Q46 Chair: Could I ask a question about London which I had not really thought about. What sort of provision is there at tube stations, because transport infrastructure hubs are an obvious place to put loos? Mr Anderson: It is fairly meagre, I think.
Mr Hampson: They are often outside but not inside. They are not provided by London Underground, they tend to be in parks and gardens close by from my limited knowledge of that.

Q47 Dr Pugh: Back to payment again. The tourist industry is slightly divided by the evidence we have got. BRADA believes that free toilets are ideal but accepts that there may be scope, given the cost, for some charge, whereas VisitBritain want them free. There must be surely some sort of price that people do not mind paying or a price that they are not especially surprised by? To what extent do you think this sort of issue is price sensitive?
Mr Hampson: If I can answer that. I have tried to do some research on the actual cost to provide toilets on a not-for-profit basis. The maths are incredibly difficult, but since I put my evidence in I got hold of the CIPFA figures for 2006–07, that is the outturn figures that CIPFA produce for England. According to those figures, local authorities in England are spending, including their capital cost nett of any income, very conveniently £99 something million, ie around about £100 million in 2006–07. During that same period their income was around £4.5 million, so 4.5%. Doing that maths, in order to cover the cost you would have to charge 25 times more and that is very simple maths and it gets more complicated because obviously the greater the charge, the more people will not pay, et cetera. One of the things that we have had highlighted is even at 20p a lot of money is lost, because little old ladies and little old gentlemen—I must be careful what I say—lots of people hold the door open for the next person so you do not get the income.

Q48 Chair: Could I ask, in a sense you represent business rather than residents, if I can put it that way. Do you think there would be scope for a levy on local businesses in a place that was a tourist attraction in order to provide public loos? Mr Hampson: They would tell you that there already is and it is called business tax and the fact that there is no provision within the funding grant for a statutory responsibility, that is the issue. There needs to be a statutory responsibility and there needs to be money made available for it.

Q49 Dr Pugh: If there is a statutory responsibility it is obviously going to impact particularly on those areas which are tourist attractions that do have coach parties and things like that and, therefore, there should be some discretionary element?
Mr Hampson: It is what I would call a “Super, what a good idea” idea, you have to go through the process. We have not looked at the nuts and bolts on it, but we think that if you are going to go down that
route the provision for locals should be provided by that local authority; provision for visitors, ie people coming from outside and who are therefore other people’s residents, that is the area you should focus on trying to get a funding grant into. It is based on the number of day and night visitors that visit an area because it is fundamentally the visitor element that is pushing up the cost of the provision of public toilets.

Q50 Chair: Would you include the issue that was raised by the Residents Association about the nighttime economy where public provision seems to be even more key?

Mr Hampson: The public provision at nighttime is a real issue and I have to say that providing toilets is not necessarily the answer. A lot of these modern toilets are open 24 hours a day or as near as they can be, it is the fact that people do not use them. Again, it is recent experience. I do not go out very often late at night, I am beyond that in terms of age, but recently very near the public toilets in Southport a couple of guys were urinating in a shop and when remonstrated with by me and my group of friends they were extremely rude about it, they crossed the road. I think a previous witness mentioned it, people, particularly guys, do not like paying to use effectively a urinal, they want a free facility.

Q51 Mr Betts: In terms of local comments, have you got any surveys that have been done to indicate how important tourists regard the provision or non-provision or cleanliness of public toilets? Is there any systematic evidence that you could let us have?

Mr Anderson: All I have is anecdotal from my work and the work of my colleagues where it is a fairly frequent complaint about the state of toilets and their accessibility, or their availability perhaps rather than accessibility. You may take a group up to Oxford, for example, and on the way back you will be talking to them, “Have you had a good day?” and so on, “Yes, it was a lovely day. It is a beautiful city, but the toilets were an absolute disgrace”. I am using Oxford as an example of many other places in and outside London as well.

Q52 Chair: Is there a difference between the feedback you get from men and women?

Mr Anderson: No. In my experience, if toilets are in a dreadful state it is both sides that complain.

Mr Hampson: I think it is more of an issue for females though the toilets whether they are in a dreadful state. My personal experience again is I know that I will go and use a public toilet that is in a bit of state and think, “That was pretty unpleasant”; my wife, for example, will not use a public toilet that is in a state and it is just one of those things. We can always judge a visitor experience in our family by the look on my wife’s face as she leaves a public loo.

Q53 Mr Betts: Is there not any evidence?

Mr Hampson: Nobody has done it because I think it is so self-evident that public toilets when you are away from your home location are an important factor, but nobody has gone to the expense. It would be an enormous expense to do it, but certainly at times it does come up.

Q54 Mr Betts: As I am saying, lots of resorts and tourist attractions do surveys about, “Did you enjoy it? What was your feeling? What was good? What was bad?” on a sample basis and I wondered if that had been incorporated into anything you were aware of?

Mr Hampson: It is in a lot of the surveys and questions about visitor experience. There was certainly some work done by VisitBritain where they were doing a benchmarking for resorts or destinations and that is certainly part of the questioning in that. There will be some evidence base floating around, but I do not think it has been done on a wide national basis.

Chair: We will contact VisitBritain then and try and get that.

Q55 Mr Betts: Turning the tourist issue around, I suppose there are also one or two examples, are there, of public conveniences which now have developed a historic attraction which maybe attract visitors too? Are you aware of that as a different aspect to our inquiry?

Mr Anderson: Yes, there are. In fact, it is funny you should say that because I was looking at VisitBritain’s written evidence to you to see whether they had included anything on your previous question, but they referred to the public toilets in Gravesend which cost £300,000 or something like that but people stop and go and see them.

Q56 Chair: Are they modern?

Mr Anderson: Yes, they are. The public toilet block in Gravesend was shortlisted for the best new building in Britain by the Royal Institute of British Architects.

Q57 Chair: Mr Hampson, do you know of any other tourist attraction loos?

Mr Hampson: I do know that there are a number of loos around the country which are regarded as a must-see. I am trying to remember the name. There is one in Scotland where the gents toilets is opened up on a particular day for the ladies to go and look at it because it has the most splendid urinals and shiniest brass in the country or something along those lines. In terms of the issue, they are never going to be a mass attraction. The real issue about toilets is how much they are a negative impact on the tourist economy and it is something that every town, particularly that aspires to have a decent visitor economy, should be in a position to sort out. The truth of it at the moment is local authorities struggle to provide a decent basic service. There are ways and means of doing that. As I was trying to say before, there is £100 million spent after income and broadly £4.5 million income, that is all those 20 pences they are collecting. Frankly, it costs as much as to collect a 20p, cart it, count it, account for it as it does to collect it. When I have asked my colleagues, “Why do we charge 20p?” it is a disincentive: so before you
go and vandalise it you have to put 20p in, literally that is the logic of it. Instead of going into an open toilet block and kicking every urinal and every cubicle door in, they have got to think, “I’m going to put 10p in it”. If the cost was to go up, I would suggest that you would then start getting huge problems with the locking mechanisms and the costs. A modern locking mechanism costs in the order of £1,000 to replace. Since I gave my evidence one of my colleagues has read the evidence and he cited an example where it cost £10,000 to replace the door on one of those modern cubicles, that is the order. When you are looking at modern answers to this, for every modern answer there is a downside. Those modern toilets are no longer cleaned by minimum wage-type employment, they are now toilet technicians who have all sorts of magic machines they plug into the back of them and analyse what is wrong with them, et cetera. It is not just a simple case of modern facilities can change the way things are done, yes, but they have their ups and downsides. One of those cleaning toilets’ base cost is about £120,000 for one cubicle, and they take time. Another colleague pointed out that there is no way that they could be used in a lot of the big resorts, particularly a coach park, because they have to go through whatever it is they do to self-clean themselves. It is literally they are not going to work where you have got mass tourism.

Q59 Dr Pugh: It can be worse than that. You get a sign for a toilet and then find it is closed. Mr Hampson: That is right.

Q60 Mr Betts: Coming back to the contributions that business might pay, I know business will always say, “We pay for all this out of our rates”, but there are things like business improvement districts now where businesses together in an area, if they want to see an improvement which will benefit their trade, are happy to pay for shrub beds, hanging baskets, better street cleaning additions. Is the provision of toilets something that could be incorporated within that sort of scheme?

Mr Hampson: It definitely is an area that could be incorporated into it, but again it is the costs of these toilets. You are talking hanging baskets as opposed to in a lot of cases significant capital investment which is what is actually needed, so it is old Victorian loos that have served their time long since being replaced with modern new cubicle blocks. The business improvement grant could tackle that, but again, in terms of business, which business in a place like Blackpool or Bournemouth are you expecting to pay for it? Is it every business? Is it the undertaker, the butcher, the baker, the candlestick maker? Are you singling out retail because that is a tourist element? Are you singling out restaurateurs? Half of them will turn around and say, “Okay, we will close the toilets we do provide”, they would not do that, but you can see where the argument might go in that case. Who would you actually target? Is it not then another local tax?

Q61 Chair: On that point, I think we have covered everything, so thank you very much indeed. If there are additional facts, particularly specific examples that would amplify the points you made, we would be really grateful to get them in writing through the Committee Clerk.

Mr Anderson: I have sent some this morning so you should have them.

Chair: Thank you very much indeed.
Monday 9 June 2008

Members present
Dr Phyllis Starkey, in the Chair
Mr Clive Betts
John Cummings
Anne Main
Mr Bill Olner

Witnesses: Mr Mike Bone, Director, and Mr Richard Chisnell, Chair, British Toilet Association, gave evidence.

Q62 Chair: Can I welcome you and thank you for coming. This is our second session on public conveniences, and the Committee is off to the borough of Richmond tomorrow to look at their community toilet scheme. Can I start by asking you for your assessment of what the local authorities are doing or not in relation to public toilets? Do you think they have given up on providing public toilets?
Mr Chisnell: Yes and no, to be honest, because there are a lot of authorities, 70 to 80, who enter our Loo of the Year Award scheme every year; 60 or so are members of the Association and they take the provision of public toilets very seriously. There are a number of others, I suspect the majority, who feel they do their bit but have rather lost touch with the needs of the modern civilised society in that they are maintaining very old and antiquated facilities to the best of their financial ability.

Q63 Chair: Have you looked at what sort of authorities are in the first group, that is, the ones who are very positive about it? Is there some general characteristic about those sorts of councils? Do they have lots of visitors, for example?
Mr Chisnell: Yes. Westminster, for instance, and East Lothian is the best, we feel, in Britain, east of Edinburgh, and has been for twenty years because it attaches a very high priority to its visitor impressions, but it is not a general picture; it is very mixed. Some of the metropolitan authorities are the worst offenders at closing public toilets and they, of course, have the most numbers of visitors. Liverpool is a classic example, a European city of culture with just two automatic public toilets, neither of which were working when we visited 12 months ago. So that is the rather varied picture that we find as we go about our business.

Q64 Chair: And is it your view that local authorities should have a duty to provide public conveniences rather than it being discretionary, as it is at present?
Mr Chisnell: Our experience is that, inevitably, if we are to have a sea change state of mind amongst authorities and amongst all other influences, we need some legislative persuasion, because it has not worked up until now with encouragement. Yes, we are very grateful to Minister Phil Woolas and, of course, Baroness Andrews for picking this challenge up after 10 years of campaigning. On behalf of the general public—it is not all us, do not get us wrong—the general public are ready for improvements in this but it has taken a long time to get where we have. We acknowledge that the guidance document is very good; we were perhaps a lead body in helping to put that together so we are very pleased with the government’s approach on that, but our feeling is that without legislative requirement or empowerment local authorities will find it easy not to do anything because it is a discretionary service.

Q65 Chair: And who do you think should fund it?
Mr Chisnell: The provision? Well, we now have a lot more tools in the armoury because our vision, if you like, is for government to implement a public toilet provision Act, which would hopefully be fully compliant by the 2012 Olympics, which would not require local authorities to provide public toilets per se but to require local authorities to draw up a strategy which would indicate to both their residents and their visitors where people can go to the toilet. Now, it is either a local authority municipal toilet provision or it is commercial toilets through community toilet schemes, or it is contracted out services which, of course, Westminster are doing around this very building now through their City Loo scheme through a leasing operation—it is a whole range of provision and this is the modern world. We cannot expect local authorities to provide all public toilets but we do expect in a modern, civilised Britain that local authorities, as the main providers of public services—and this we suggest is a frontline public service because that is what people want to do on arrival anywhere, visit the toilet—should be required to have a strategy in place which indicates where people can go to the toilet.

Q66 Mr Olner: As an ex local government member I never thought there were many votes in loos; it is certainly not something that is high upon the priority agenda of local councillors. How do you make local councillors more aware of the essential provision?
Mr Chisnell: If I may refer you to the 2004 local elections, where five councils were threatened with capping, Shepway and Torbay amongst them, they closed all their public toilets overnight. Michael Howard called us down to his constituency in Folkestone on the Saturday and on BBC 2 Newsnight, when the election was held two or three weeks later, four or five members of the public, when asked why they voted Tory against the national trend for Lib Dem, all said “Because they shut the public toilets”, so public toilets are big vote pullers. There are numbers of examples, and we are not
saying it is one party or the other; all three parties, depending on who is in power, have this difficult balancing act with the electors. It is a big issue with electors locally.

Q67 Mr Olner: Do you think local authorities are making the best use of their available planning and licensing powers to ensure that there is adequate toilet provision? I have to say, it comes very low down the list, in my opinion, of local authorities.

Mr Chisnell: That is the problem.

Q68 Mr Olner: But where can they use what powers they have to let somebody fill that vacuum so the public toilets are provided?

Mr Chisnell: Well, there are some increasing examples of Section 106, Victoria Plaza is a prime one along the road here, where the public toilet is provided as part of the planning consent, and we always encourage that when we talk to local authorities and we have given best practice advice to numbers of them over the years.

Q69 Mr Olner: Where would that advice be given? There are lots of things that can be provided by Section 106 agreement. Where would you influence the fact that a public toilet should be provided by Section 106 as opposed to something else?

Mr Chisnell: Well, that is a relevant question and a slightly difficult one, but anywhere where there is a public realm involvement, be it a car park, a public place, a shopping centre, we would expect that planning application to be examined for some toilet capability. Now, shopping centres obviously tend to have public toilets and better ones because they know they can keep their customers there longer if they satisfy their toileting needs, but there are a lot of other locations where we would suggest that planning applications are not being properly inspected for possible public toilet provision.

Mr Bone: There is a recent example in Ilminster, South Somerset, where Tesco were given permission to build a new superstore dependent on a new public toilet being built.

Q70 Chair: Do they just provide the public toilet? Who pays for the continuing running costs?

Mr Bone: The main service is down to the Council; it was just provision of the toilet. The capital expenditure was covered.

Mr Bone: We believe there are various types of facilities required. We would like to see in larger towns and cities a visitor welcome centre which would combine a fully inclusive toilet, with perhaps a visitor centre and also a café or a restaurant, so that when people arrive they can use the toilet, the information centre and have a tea or coffee as well if they want to, so we see that in the larger locations as the keystone. Then in prominent places there would be local authority provided toilets, which could be either funded by the Council or contracted out, so not cost the Council very much at all. With regard to the toilets themselves we would like inclusive facilities for all types of users, so not just male and female but also for the disabled, DDA-compliant accessible toilets, and also Changing Places type toilets. We now have 40 or 50 in the country already which really cater for the severely physically and mentally handicapped where they do need a hoist, and facilities where people can go to the toilet without using tissue paper, et cetera, and also, of course, family friendly facilities where men can take their daughters or carers can take opposite sex children and use a toilet in the same building without having to leave the baby outside while they go to the toilet. So that is what we see as being fully inclusive facilities.

Q72 Anne Main: And the hours of operation?

Mr Bone: That would depend on the use and location. If it was in a town centre where people need the toilet 24 hours a day we believe there should be facilities 24 hours a day. In a country location where the population is not there during the night, then you change it accordingly. So it would depend on the location and usage in that area. We need to meet the requirements of users in that area at that time.

Q73 Anne Main: And the cost should be borne by?

Mr Bone: We do not have a problem with charging for toilets providing they are good, safe, clean facilities that people would want to use, whether that is 20p up to a maximum of 50p that is dependent on the council and the facilities provided. Here in London there is a range. Just outside there is a toilet which is 50p which is a good, clean, useable toilet and people use it and pay 50p.

Q74 Anne Main: Do you believe that covers the cost?

Mr Bone: It can do over a leasing period for a private contractor, yes.

Q75 Mr Olner: Just quickly, obviously your authority has a huge interface with local government. How often do you talk to the Local Government Association and other like-minded bodies to ensure that your views are regarded as priorities with them?

Mr Chisnell: Very little. We did approach the LGA some years ago but we were advised that we had all possible openings through our Chairman at the time, now our Honorary President, Sir William Lawrence, who is involved with the Local Government Association. We interface whenever we can with the bodies that might be relevant but
having tried to woo, if you like, the Local Government Association some years ago we have not tried since. We had a rebuff.

Mr Bone: But we do communicate. Within the last two months we have written to all the chief executives of all the local authorities in the country explaining what our campaign is about and what the BTA is about, so it is very one-way to some extent. I have only taken over from Richard since 1 April but I have had many councils phoning up since then responding to that communication, so things are starting to move.

Mr Chisnell: No. That is exactly it. We do not want councils to be able to avoid taking this issue more seriously and giving it a higher profile, as so many councils are doing. It is basic human society stuff and has been done already. All we are saying is that as a council you cannot opt out of looking at this issue and coming up with firm recommendations as to how you are going to satisfy your residents’ and your visitors’ toileting needs.

Q76 Mr Betts: We are looking at maybe a legal requirement on councils to have a strategy or a plan for public toilet provision in their area. What you are really saying to us is that there should be a requirement on councils at least to look at this issue and come to a view about what is reasonable. In the end we cannot be specific, can we, in national legislation about what outcomes they eventually reach?

Mr Chisnell: No. That is why we are saying if there is a charge to be applied then it has to be applied, as Mr Chisnell:

Mr Olner: They will not do it for nothing, will they?

Mr Chisnell: No. That is why we are saying if there is a charge to be applied then it has to be applied, as long as the toilet is in a fit-for-purpose state. We feel there is opportunity to include in the price of a rail ticket not just a seat in an air-conditioned carriage but a toilet for a long distance traveller or a medium distance traveller, and also on the station when you arrive or before you depart. Airport terminals do not charge for the use of toilets—yet!

Q79 Mr Betts: In terms of the funding, then, clearly charging would be a small element but much of it will fall back on council taxpayers or the local council at present. Do you think there is any case for trying to get businesses which benefit in particular from tourists coming to an area to make an extra contribution? Business improvement districts are around now in some cases but they tend to provide things like hanging baskets and better streets, and perhaps they have not moved on to public toilet provision. Is that another area where you want to see some development?

Mr Chisnell: Yes, indeed, and we have just driven up the Devon and Dorset coast on our way back from Penzance over the weekend, and to see all the beautiful flowerbeds in Lyme Regis and Sidmouth and other towns looking absolutely fantastic makes one proud to be part of 21st-century Britain, but then to go and look at the toilets of these places is a totally different picture, and that is a shame because, on the one hand, one feels pride and, on the other, one feels rather upset that this is still allowed to happen in a modern Britain. There are a lot of opportunities for local authorities to be able to spread the cost. Businesses, of course, already pay rates but we feel that there ought to be some incentive for businesses to open up their toilets, because we all nip into the pub or the café but maybe some business rate relief ought to be considered, because they are then providing a public service.

Mr Bone: I mentioned earlier family welcome centres. One of the opportunities there, rather like the motorway service stations do, is for those to provide marketing in public toilets which is possible and is a revenue earner. So that is another way companies could provide towards the cost of toilets.

Q80 Chair: Could I go back to your suggestion about business rate relief? Again, would you be suggesting that the local councils should make good the loss effectively, or that central government should do that?

Mr Chisnell: I think we would prefer central government to carry the charge on this because if we are to satisfy people’s toileting needs, with increasing numbers of visitors in the run-up to the Olympics—and I know we all keep talking about that but there will be a run-up and there will be a lot more visitors in all parts of Britain, not just London—then I think Government has a part to play in ensuring that the visitors go away not only impressed by Britain but also by the availability of toilets.

Mr Bone: But we do communicate. Within the last two months we have written to all the chief executives of all the local authorities in the country explaining what our campaign is about and what the BTA is about, so it is very one-way to some extent. I have only taken over from Richard since 1 April but I have had many councils phoning up since then responding to that communication, so things are starting to move.

Mr Chisnell: No. That is exactly it. We do not want councils to be able to avoid taking this issue more seriously and giving it a higher profile, as so many councils are doing. It is basic human society stuff and has been done already. All we are saying is that as a council you cannot opt out of looking at this issue and coming up with firm recommendations as to how you are going to satisfy your residents’ and your visitors’ toileting needs.

Q77 Mr Betts: In terms of the charges, last week we had evidence that some authorities charge for the use of public toilets and are bringing in something like 10% of the cost of running them, and you almost wonder what is the point of that. Indeed, some of the evidence was that in one case more was spent on replacing the payment mechanisms on the doors of toilets than was collected in the charges. Would it not be better just to say this is not really cost effective and we might as well make them free?

Mr Chisnell: In an ideal world we would welcome them all being free, as many of the best authorities currently practise. It is the same with railway stations. To see people queuing up with luggage, and families trying to get through a turnstile and put money in a coin-operated slot before catching a train is pitiful in Britain in the 21st century, but that is the way it is because operating companies and train stations want the revenue, and that is why they are often underground because they are not prepared to put them above ground.

Q81 John Cummings: Do you think that the shift towards community schemes is allowing local authorities to escape their responsibilities in the provision of public conveniences?

Mr Chisnell: That is the rub and the most important point of this initiative, which we applaud. We have sung the praises of Richmond and others and they are not the first—the Highland Comfort Scheme in Scotland has been going for 15 years. Brighton has had a similar scheme for some years and other authorities are looking at it increasingly—but our
worry is that local authorities will see this as an opt-out, partly because of the ageing stock or the lack of availability. A lot of public toilets provided in Victorian times are in the wrong position for today’s society and they do not have the facilities. You can hardly get a twin buggy into any of them, and that is
not really suitable for a 21st century Britain, and they do not have family facilities and inclusive facilities for those with special needs, so there are certainly opportunities for more community toilet schemes and we would support that and applaud and advise any council to go down that route. Because they are open longer, pubs and some night clubs would be suitable, but it has to be driven. Our concern is that the Richmond scheme is unique in that someone has been dedicated to developing it over the last two or three years. Businesses come and go. There is a cost to every council who introduces a community toilet scheme, not only in possible remuneration to the participants through a subsidy towards consumable or cleaning costs but also in managing it and ensuring that the toilets are up to standard. A coachload of visitors will not be able to get into the local pub or café to use the toilet.

Q82 John Cummings: Do you have any research to indicate whether people are likely to feel safer and more comfortable using the toilet in a shopping centre or in a department store than they would a public toilet?

Mr Chisnell: Yes, they do. We have not done specific research but all the anecdotal evidence and questions we have asked over the years when we have met and talked to people is that, of course, we all feel safer going into the pub or the shopping centre because they are managed buildings. The problem with most public toilets is they are in unmanaged buildings and people are worried about what is going on in there and the antisocial behaviour which seems to be so prevalent in modern Britain.

Q83 Anne Main: Do you know of anywhere in the world, any country, which operates a public toilet system that you would say we could emulate?

Mr Chisnell: Yes. McLean in Switzerland. They are in stations. They have even altered the signage on the concourses now to “McLean WC”, and I would urge the Committee to take a daytrip to Zurich or Basel.

Q84 Anne Main: That sounds wonderful, but who is McLean?

Mr Chisnell: McLean is a commercial company where the authorities in Switzerland, the rail authorities in this case and I know municipal authorities are trying to get them to participate as well, take over the running of the whole facility on a 25 or 30 year lease and after every cubicle is used it is serviced.

Q85 Anne Main: But that is in stations. Do they operate in the town anywhere?

Mr Chisnell: They are now beginning to be used and provide a service to some of the main municipalities in Switzerland and, we hope, Germany. We have been trying to persuade them to come to Britain but we have not been able to persuade any authority.

Q86 Anne Main: But if there are local authorities who are fighting shy of this on a lot of occasions, quite rightly because I have been a councillor and it is a very costly exercise and quite often you end up with a building that no one wants to use anyway because it is so horrid, is there somewhere getting it right with a template we could look to? Or are you saying that so far even that has not been rolled out? This is a global problem, by the sound of it.

Mr Chisnell: Well, I would point you to East Lothian. We have a premier league of authorities in Britain, for example, East Lothian and Westminster. Over 15 million people use Westminster’s 28 public toilets, and if they were not there where on earth would they go? We have 14 million visitors on the South Bank of the Thames a year, and no public toilets.

Q87 Chair: Can I pursue the subject of McLean? A major reason why local authorities are giving up on loos is that they are very expensive, we have been through all this, and you cannot charge people enough to pay the costs and if you do they do not use them, which defeats the whole object, so how come a private contractor can make a profit? Which presumably they do since they are not a philanthropic organisation.

Mr Chisnell: Well, as far as we are aware they have some ground authority in terms of capital expenditure to start with, but after that the facilities are managed totally by the contractor. In the Mcleans case some years ago they were charging 80p for a cubicle and people were flocking to use it and, as I say, they had to alter the toilet signage on the concourse to “Mcclean WC” because people were saying: “Where is the McLean?”

Q88 Chair: So 80p?

Mr Chisnell: It may be more than that by now; I have not checked for a year or two. The point is it is very popular with the users because people expect high standards of everything in life today, and are prepared to pay 80p. It is 50p for a urinal.1

Q89 Mr Olner: Just quickly on that, how does the cost of an operation like the one run by McLean, and also that of JC Decaux which is very similar, compare to what a local authority would want to contribute to a community toilet?

Mr Chisnell: We are talking about two different approaches—

Q90 Mr Olner: We are, but one is more expensive, very much more so, than the other.

1 Note by witness: the current charge for a Mclean toilet (male and female) is SFr 1.50, which I think equates to just under 80p.
Mr Chisnell: Well, the leasing out and the revenue charging, the contracting out of toilet facilities, is often at no cost to the local authority because the contractor is given advertising sites. You can have a public toilet for free in return for advertising.

Q91 Mr Olner: So it can only work with advertising backing it up?

Mr Chisnell: No, it works in other ways as well. The Healthmatic contract with Cotswold is a £1 million contract to upgrade 19 public conveniences over three years, and that is working well; some of the toilets in Bourton-on-the-Water are very good quality, up to the level of the visitor experience in other respects, and the Council is due to gain some financial payback for these facilities before the end of the contract. So there are various ways of skinning this contracting-out cat, and some of the BTA members, half a dozen of them, are now practising the turnkey operation because they are specialists. We do not expect local authorities to know how to run public toilets; all we do is expect them to provide a service to the public.

Q92 Anne Main: Just thinking about the 80p—and it sounds like a pound a go, and I can see the headlines now—our concerns are that some people cannot afford a pound a go, particularly if they have several children with them, and also that they will just go and pee up someone’s front door. So are you saying this would run in tandem with some form of free provision? What is in place over there that stops the competition, so to speak, of free provision for people who cannot afford the money, and your McCleans Rolls-Royce pound-a-pee provision?

Mr Chisnell: That is a very relevant issue because not everyone will pay, and the one problem we have with charging for toilets is that there is a certain section of society who cannot afford to pay and, therefore, will go where they feel they can get away with it, which is not helpful, obviously, for the hygiene of the place in question. There is no easy solution. We do really have a two-tier toilet service. We did a big study for the South Bank. There are a lot of lovely toilets along the South Bank, we know them all very well now, in all the theatres, the National Film Theatre—you name it, they are there, there are probably plenty, but they will not put signs up. There is only one finger sign on the whole of the South Bank to Bankside but they have been shut for three years and they still have not taken the sign down, and this was three years ago, so that is how important people think toileting is, sadly. But there is a need, and we suggest that certain portions of the South Bank should have a free public toilet because that way anyone who needs to go should be able to go, and these would need to be funded by the main buildings along the South Bank that have jurisdiction over that patch of land, if you like. The reason they will not put up finger signs, we understand, is they do not want to attract everybody into their premises to use the toilet. 95% of us can get away with it without being questioned, but there are people less fortunate than ourselves and we have to satisfy their needs as well.

Q93 Anne Main: So you do envisage running a tandem system of a Rolls-Royce service and a free service, can I put it that way?

Mr Chisnell: Yes. That is market segmentation, and in most aspects of life that is the norm. The reason we, MPs and councillors—and we know because we get lots of calls from them—of all parties are so frustrated, and users and residents are frustrated, is because we get one toilet fits all, and that is not the way of the modern world!

Q94 Chair: Can I pick up an additional point about the community toilet schemes? We are going to visit Richmond tomorrow but, if a community toilet is in a pub, for example, are there not some sections of the population that might feel a bit wary and unhappy about going into a pub? For some women, particularly some members of the ethnic minorities, for example, it would not really be a public toilet because they would feel really unhappy about going in there.

Mr Chisnell: That is a big issue, yes. I do believe that people feel nervous about going into buildings even if there is a sign outside saying: “You are welcome, come into our premises”. Once they get in there is a warm welcome and they are not as unfriendly as people might think. One has to say that the toilets in these community toilet schemes are, as for cafes and pubs, not necessarily equipped to the public toilet standards that we would like to see, so there are limitations, but there are also advantages in terms of their opening hours, as I have said, and their signage and availability, so they have positive advantages. But a lot of people, I agree, would be concerned about using a pub to go to the toilet. It is a cultural thing and it is going to take a while. It is a bit like a lot of people do not like using an automatic public convenience. Is the door going to open? Are you going to get showered upon? These are real issues, but they are modern ones.

Q95 Chair: Can I ask about anti-social behaviour? If we think about Zurich, I do not want to run down a delightful city but it does have a bit of a problem certainly with high levels of drug-taking, which is one of the issues about unattended public toilets. Do you have evidence of how serious that is within unattended public toilets, and how much it is just used as an excuse, that and other anti-social behaviour?

Mr Bone: There is obviously the question of people committing sex crimes in toilet, which we know about; there are people taking drugs in toilets; and there are lesser crimes like graffiti and people generally abusing toilets, and where they are unattended and in locations where they are covered from view, badly lit, with no security and so on, there is going to be a problem. The answer is to look at prevention of this sort of activity rather than close toilets because you have a problem, so we would advocate that toilets should be well lit, attended if possible, and there should be signs telling people what will happen to them if they do abuse the toilets,
which you do not very often see. Use of CCTV has been used very satisfactorily in lots of places to cut down dramatically people abusing toilets.

Q96 Chair: Presumably not actually in the cubicles?
Mr Bone: Oh, yes, it can be used inside as well. Providing it is not trained on the urinals and providing it shows people coming in and going out, that is quite a deterrent. In fact, very close to here there is a toilet with CCTV, people probably do not realise it but it has CCTV in it, and that does deter a lot of people.

Q97 Chair: But not if they just want to use the loo for what it is intended?
Mr Chisnell: No.

Q98 Chair: The other issue is the Disability Discrimination Act. Anecdotally it has been suggested that this is another excuse by local authorities who say: “We cannot upgrade it to make it compatible with the Act so we will close it down”. Do you have evidence of that?
Mr Bone: We do. The DDA applies as a standard to new buildings and refurbished building, not to existing facilities, so if a council is closing an existing facility that does not comply that is not a true case. What we would like to encourage councils to do, obviously, is to upgrade and improve toilets to the DDA standard completely, but there are lots of other things they can do. For example, for poorly-sighted people they can paint the walls so that the hand rails in the facilities are white ones that stand out against the coloured background. That does not cost a lot of money. They can put some rails up which does not cost a lot of money, so there are quite a few things that can be done at very little expense if people have the will to improve disabled facilities without pulling them down and starting again.

Mr Chisnell: We did alert Sir Bert Massie some years ago to this problem. We were getting a lot of calls from councillors and others saying toilets were being closed, and press coverage, of course, on matters lavatorial is very keenly followed in all areas of Britain, and they put out a press release saying that non-compliance of a disabled facility is no excuse to shut the whole facility, but I am afraid many were lost because of that.

Q99 Mr Olner: Could we come back to the gender issue in the current provision of public toilets? From your own evidence, women need more public toilets than men, and use them for a wider range of reasons than men. How do we address that problem? There is talk about urinals, and French ones for men in town centres and one thing and another, but that obviously does not adequately facilitate the needs of women.

Mr Chisnell: No, it does not, and CCTV footage, I gather, confirms that in many town centres at night. The Urilift or the pop-up urinals do have a role to play, and the other forms of male urinals at night-time or weekends are saving thousands of gallons of foul-smelling liquid pouring down many of London and other city’s streets.

Q100 Mr Olner: It is going into the aquifers below the ground?
Mr Chisnell: Yes, so it is not very pleasant, and with all the modern shopping facilities we have in town centres it is not a very pleasant thought that most owners of these rather plush shops have to wash their doorways every morning to wash the urine away. That is not the sort of Britain we should be encouraging in the 21st century, so we have to find solutions.

Q101 John Cummings: Are women, especially older women and also women from ethnic minorities, at ease going into a bar or a pub to use public toilets in line with the community toilet scheme?
Mr Chisnell: That is a difficult question to answer. I suspect in the main not because it is a new experience for them, but, on the other hand, do these people go into bars at all? Do they go into public places?

Q102 Mr Olner: Do you have any evidence?
Mr Chisnell: Not specifically, no, but it is an area of concern that we have about the community toilet scheme. It has to be managed both from the point of view of the providers, the commercial partners, as well as the users, and communication to users is vitally important to ensure that their feelings, their reservations, are managed to best effect so they can be overcome. The community toilet scheme does have a role to play but it is not the ultimate solution. We do emphasise that we believe that local authorities have a duty and should be required to have a duty to ensure that toilet provision, through whatever source and however it is managed, is effective in their particular area.

Q103 John Cummings: I am rather surprised that we have the community toilet scheme, and I am just wondering what evidential factors there are in relation to encouraging various sections of the community to become involved and to use the facilities?
Mr Bone: It is not just females, in fact. A lot of the older people—and the population is ageing dramatically in this country—will not go into licensed premises, so it is not just females who are an issue here. It is not a question of making but suggesting people use licensed premises for their toileting needs. Chair: Thank you very much indeed.
Welcome, Baroness Andrews. Can I start off by asking firstly, briefly, whether your view is that local authorities are giving up, to a certain extent, providing public toilets, and, secondly, whether it is the Department's view that authorities should have a duty to provide toilets, or whether you are more in favour of the line that the BTA were pushing, that they should at least have to draw up a strategy?

Baroness Andrews: I do not think they are giving up; I think it is not always easy. Having done the strategy, and I should pay tribute to the partnership we had with Richard and the BTA and others, we found there was real interest and concern about what could be done, and I think there really is a sense that certainly we have to do better as a country and many local authorities are responding very proactively to that, and you can see that from the sort of examples we give in the guide. We are not in favour of a duty, not because we do not think this is an important issue, I think it is an extremely important national issue and it does really impact on the quality of people's lives, and not because we have never had a duty, although there has always been a discretionary element, but because we think it is more effective if what is provided is locally determined and owned and sustainable and, therefore, a source of local pride. I would also say, I think, that the LGA is of that opinion otherwise it would itself have taken a more corporate role here, but in order to improve and sustain what we have, I think it is going to be determined by what people need, for example, the Local Government Act putting more emphasis on community voice with people saying what they want in local community and the duty to involve, and I think that is the direction to go in order to put pressure on local authorities and councils to do better.

Q105 Chair: One of the reasons why local authorities may be loath to provide public toilets is they are expensive facilities and often expensive to maintain, but we also had evidence in our first session about the costs effectively of not providing public toilets, and we have had mention again today particularly in relation to the night-time economy of the cleansing costs either for individuals or, indeed, for the councils themselves the next morning if there is not any adequate provision. It was also put to us last time that if you do not have adequate public toilets there are sections of the community which are not able to get out and use other local facilities or even spend money in local shopping centres. Has the Department made any assessment of those countervailing costs of not having public toilet provision?

Baroness Andrews: No, we have not done any quantitative surveys or any economic surveys, and I heard today some of the graphic implications of the night-time economy, for example. What we tried to do in the guide was bring together the qualitative evidence and comment which makes it perfectly obvious that there is a huge benefit to the local economy and local society in looking after and seeing toilets as very much something to be proud of and positively something to draw attention to. For example, the tourist economy is absolutely self-evident, and this is a really important piece of evidence for the local community to be able to point to. In terms of people who are shut out of the local community, for instance the ageing population and one which proportionately will be more disabled, it is appalling they are not able to access a decent public toilet, and that is certainly one of the priorities. Older people are consumers but are producers as well, and they contribute to the local economy.

Q106 Mr Betts: I do not think anyone is suggesting that a statutory duty would be framed in such a way that you as Minister, or any minister, should have to sit down and decide on the appropriateness of public toilet provision in every local authority in the country. That, clearly, would be ridiculous. On the other hand, we have a guide at present and for all we know that guide could be sitting in the chief executive's bottom drawer, never seeing the light of day. Should not there be some requirement for each local authority to show that they have looked at the guide and taken a view about it? It might be they are going to do nothing but at least a report every year, two or five years could be presented to the council about what the plan for public toilet provision in the area is. Would that not be something that could be done?

Baroness Andrews: There are two questions there. As I understand it, Mr Betts: first, whether they should be taking as much notice of our guide as we hope they are and, second, whether they are producing their own guides and be under a duty to produce their own strategies. Taking the more important point—should there be a duty to provide strategies—you will know that what we have done over the past 10 years is increasingly to leave local authorities to determine the way they do things and run things, and that has been the direction of travel, conspicuously recently, of course, in terms of the Local Area Agreement. I think if we were to impose a requirement to produce a guide, we would be moving away from what we want to see, which is local authorities saying: "Here we have an issue which affects the living standards and the quality of life in our community; it is really important and we want to do something about it", and I am not in favour of that. But the optimistic point is that local authorities really are doing this in increasing numbers. If you take Richmond, which is obviously very well known to the Committee, it used its local development framework to encourage public toilet provision. Plymouth, for example, has made an assessment of all its provision and what else is needed. Now, if Plymouth and Richmond can do it, and they are very different, every local authority in the country should be able to take that perception and that sort of decision, because there are a number of different resources and powers that...
they can use. Part of the problem is they may not be using what is already available to them to make a better policy out of this.

**Q107 Mr Betts:** So what you are saying is you do not think there should be a statutory requirement to produce a strategy or plan but your advice would be that every local authority should be doing that, following the best examples that are already existing?

**Baroness Andrews:** I think so. What we tried to do in this guide essentially was to show first that it had a very positive benefit to the community when there were good toilets available, not just for places like Westminster but for all local authorities and their communities. We tried also to show that it had a definite benefit in terms of the impact on tourism and so on, and that local authorities could learn from each other and from a range of innovative best practice which was not easily accessible or available. We then also tried to remove one of the barriers which the LGA in particular had pointed out to us about this inability to charge for urinals, which was, in fact, creating a disincentive to charge for toilet provision as a whole. So by removing that barrier we have also freed up some new resources and ideas about how to spend the money freed from that.

**Q108 Mr Olner:** Following on from what Clive Betts was saying about whether the good guidance is right at the bottom of the chief executive’s drawer and the bottom drawer of the leader of the councils, I do think that we ought to be looking at some stage about bringing a certain duty on public toilets, particularly as you mentioned the elderly and some of the elderly’s incontinence problems. I did have a brother-in-law who was severely disabled by a stroke and found it extremely difficult to get to a public loo. Fortunately at that time he was able to do it but he had to plan his day knowing where the public loo was, so if a local authority has none at all, or they are inadequately placed, then I think we really are letting down our disabled people, and in that respect I think there ought to be some sort of a duty.

**Baroness Andrews:** I am sure you are right, that we have to have a particular care for people whose needs are different and who need special help as well. It is interesting that, although the Audit Commission stopped collecting evidence in 2000, it had already seen an increase in the number of toilets that were available for disabled people, so there has been a movement to improve that sort of provision, and certainly we are working with the Changing Places campaign to address the needs of severely disabled people and people with complex disabilities. It is interesting that Richmond has half its community toilets in that scheme available to disabled people, and I would have thought that is probably higher than most provision in most local authorities, which suggests to me that, if you plan these things properly and if you, for example, take the community strategy and work with cafes and pubs and shops and make it part of their business and their profit also to draw people in because provision is so good, you will achieve the objectives you want without putting a duty on local authorities, which may or may not be fit for all local authorities in the same way because provision does differ so much.

**Q109 Mr Olner:** But do you think the duty ought to be that councils provide it themselves, or do councils do a community agreement? All I am worried about is they just walk away and do nothing. They do not provide it themselves, and do not do a community agreement either.

**Baroness Andrews:** What we have to ensure they know, first, is the sheer benefit to the local area, to the council, of providing what is right for that area. What is interesting, for example, is that sometimes the most effective pressure comes from older people. In Camden it was a group of older people who got together and said: “This is really not good enough, we have to have better provision”, and they drew up a strategy which the council put in place, and we have seen that in other parts of the country. It is not simply the Council itself responding; it is being put under pressure. What we have done through the duty to inform local people and the local area agreements is to say to people: “It is your turn to speak up here, your voice has to be heard louder here”, and I am not sure that a duty affects that. It has to be something that the local area does because it is the right thing to do, and there are all sorts of ways of putting pressures on councillors, as we know.

**Q110 Chair:** Minister, you talked about some ways in which planning can be used to get toilet provision. Do you think there are other ways that councils should be doing to get planning and licensing law to extend the range of public toilet provision?  

**Baroness Andrews:** I certainly think that planning might be able to be used a bit more creatively. I spoke of the local development framework which is what created the opportunity for Richmond to act, and we have had an example of Section 106 from Richard Chisnell already this afternoon and I can give another example which is the toilet facilities at Wembley stadium and around Wembley, in fact, which I think are available for the local community as well and were driven through a Section 106 agreement. We would look, for example, at what we want to achieve in the Olympic Village and the regeneration that is going to be done through that. I would have thought it is self-evident that you could use Section 106 to put in provision of this. Part of the challenge is making people, including local councillors, see that they have a right to ask for these sorts of things and it is also appropriate when you are making a place, as local authorities are supposed to be doing, and that this something which really makes a difference to the quality of the place. A lot of this is about amplifying and pushing and trying to incentivise. In terms of the licensing laws I do not think they make a very significant difference. It is the Local
Baroness Andrews: toilets for their customers? It means, there are quite a few and we have a list of do operate—and not just in Richmond by any means, there are quite a few and we have a list of them—that it is often cafes. In relation to the question you raised earlier women do not often like to go to pubs on their own, for whatever purpose, cafes are a much more comfortable choice, and it ought to be perfectly possible for department stores, and cafes in particular, to offer that sort of provision. In my experience most of them do but, clearly, I am wrong.

Chair: We were advised beforehand that only two of Prêt a Manger’s outlets, for example, have toilets, which was a surprise for most of us.

Q117 Anne Main: On the question of funding, it could well be hugely onerous for many of the small outlets you have referred to to have to provide the sort of facilities we have been hearing about, totally disabled friendly and so on, and I must say St Alban’s is a heritage town and it would be disastrous for some of the small business I know, so can I just park that with you? If this is going to be part of the place-shaping that people want to see, if the local authorities said: “We have some pretty awful public facilities, it is going to be a large investment to put this right”, and they may be in smaller rural village-type areas so we are not talking about having great big department stores to sponsor this, if they approach the Government is there going to be any funding stream they could draw down upon to help them in partnership develop these facilities, if they have not got anywhere else particularly they can draw on in that community to get, say, Section 106 funding out of?

Baroness Andrews: We do fund local government well, as I am sure you would agree, over the past 10 years--

Q118 Anne Main: I am talking specifically about this particular issue.

Baroness Andrews: No, we would not be able to fund direct. There are so many calls on our funding we have to be extremely careful. We fund new burdens, if appropriate, but providing public toilets is not a new burden. It is a very old burden.

Q119 Anne Main: The east of England is currently undergoing a single issue revision on gypsy and traveller pitch provision, and part of that is because they wish to get certain outcomes for the ethnic minorities they see as being disadvantaged and having poor outcomes and poor health outcomes, and if a council proactively puts in extra provision they can apply for that to be fully funded by the council. You could argue, if you want good health outcomes and good social outcomes for certain groups of people, for instance, disabled people, elderly people, and an increasing elderly population, that they should also be able to apply for a particular set of funding to deliver those outcomes?

Baroness Andrews: It is important you have focused on outcomes because, of course, local government framework is now very much about outcomes, which is why it has changed both its format and its focus, but in relation to the sorts of issues you raise it would seem to me to be very much part of something the local authority should look at in terms of its local area agreement, in terms of its health outcomes and maybe its education outcomes for children—

Q120 Anne Main: That is talking about specific money that has been allocated to one group of people, and it just happens to be that one that is
very focused at the moment in the east of England, to deliver outcomes and there is money available to do that. If everybody, or the government, believes this is a good outcome, and local authorities have enormous pressures on their funding, why not put some money that can be specifically applied to deliver particular outcomes, maybe disability access in toilets, or whatever?

Baroness Andrews: I would argue that there are resources available to do that if, in fact, it is framed within those sorts of objectives. If a local authority has prioritised, for example, its health outcomes, because of the flexibility now on funding arrangements and with the removal of ring-fencing and so on, there ought to be resources which might be able to be used for this.

Q121 Anne Main: But that would be moving one pot to another. There is not extra money for this. This is an add-on that we are talking about here; let’s be honest. We have a very low, poor level of provision and we want to do more, so as a result local authorities are saying: “Where are we going to get this from?” And if you have not got your big stores to part-sponsor, or your big railway station in this area, where is this money going to come from? Only some other poor budget within a council?

Baroness Andrews: Well, I think there are ways. I do not want to repeat myself but if one looks at the sort of funding going into objectives like, for example, health priorities, you have said it is an example, health priorities, you have said it is an option, for example, so that is not an option for them, so the provision is effectively only available for one section of the community, if that is what it is. Are these issues you would expect local authorities to address in coming to a community and having an overall look at toilet provision in the areas?

Baroness Andrews: That is really important because there is no doubt that what will suit Westminster in terms of having to provide for its night-time economy is not going to be particularly useful in a market town with less going on, and that would be reflected in the nature of investment, for example, in attitudes towards charging and the balance of provision that is made. Westminster, for example, is expecting to make a small profit on its loos because it is able to charge because it knows that there are so many people who need to use them and so on, but every area is different.

Q122 Anne Main: So there is no extra money?

Baroness Andrews: No.

Q123 Mr Betts: The community toilet schemes seem to have attracted quite a lot of welcome publicity, but is there a sense in which local authorities might simply say: “Here is a solution to all our problems, it is nice and cheap, it does not cost us much money, we will get on with that and close our old provision down”?

Baroness Andrews: No, because I think one of the things we have tried to say throughout the guide is that every local area is different, and every local area has to find its own solutions. In some, and I take the point made by Anne Main, the partnership is less easy to facilitate and, therefore, the local authority has a very clear responsibility to make adequate provision, and in other areas there can be easier ways to find a mixed economy, shall we say, but I do not think community toilets are by any means an alternative or a way of shuffling off responsibility. I would be very surprised if this is what you hear tomorrow in Richmond. It is another way of putting responsibilities to match alongside each other; it is a way of expanding provision; it is a way of innovating so you do actually share the burden but, frankly, it also creates opportunity. In Richmond they pointed to the increased footfall in their businesses, for example, so it is very much in their interests. I keep coming back to the point that a lot of this is about proving benefit to local authorities, about making them see the benefit, not least in reduced costs of anti-social behaviour. Another thing that Richmond has found is that their anti-social behaviour (ASB) has dropped significantly in their new provision.2

Q124 Mr Betts: But there must be concerns and presumably you want local authorities to address these when looking at a scheme. First of all, some of the provisions, say, in shops may not be available later in the evening when a lot of the worst problems occur, and there may be people, for whatever reason, maybe older people, women, people from the Asian community, who do not like going into pubs, for example, so that is not an option for them, so the provision is effectively only available for one section of the community, if that is what it is. Are these issues you would expect local authorities to address? In coming to a community and having an overall look at toilet provision in the areas?

Baroness Andrews: That is really important because there is no doubt that what will suit Westminster in terms of having to provide for its night-time economy is not going to be particularly useful in a market town with less going on, and that would be reflected in the nature of investment, for example, in attitudes towards charging and the balance of provision that is made. Westminster, for example, is expecting to make a small profit on its loos because it is able to charge because it knows that there are so many people who need to use them and so on, but every area is different.

Q125 Mr Betts: In looking at a more comprehensive approach to provision, would you also encourage authorities to look at business improvement districts which incorporate some form of toilet provision within them as part of a package?

Baroness Andrews: I do, and there are a couple of examples where this has been done very successfully.

Q126 Mr Betts: Have you got information about those?

Baroness Andrews: I can certainly let you have information about those, yes. Of course, it is in the nature of a BID that businesses have discretion how they use that additional levy, but, again, because the evidence is that it adds to the attractiveness of an area and businesses and, therefore, people are more likely to go there and stay longer and so on, there is a real argument here for economic benefit. In fact, interestingly, one

2 Note by witness: There have been no incidents of ASB in premises associated with the scheme.
local authority used its LABGI fund, the Local Authority Business Growth Incentive, and put some of that money towards piloting a community toilet scheme, so that is another business opportunity. But if I may I will write to you about that and give you some examples.

Mr Betts: That would be helpful.

Q127 Chair: One of the issues raised by the BTA was that, to encourage businesses to take part in community toilet initiatives, maybe they could get business rate relief. Would the Government consider that?

Baroness Andrews: I am sorry to keep saying “No” to these specific ideas, but it is not something we favour and I do not think it is something that business would favour either. Once you start hypothecating bits of business rate relief then you are into a rather complex situation, so I am afraid I do not agree with Richard on that.

Q128 Chair: Some of the written evidence we have points to the fact that London Underground tube stations are very unlikely to have public toilets, I think there are a few but not very many, and where they have them they are often outside a station rather than inside, and obviously main line railway stations are better providers. Have you had conversations with the Department for Transport about improving toilet provision at transport hubs which are obviously places where people might need them?

Baroness Andrews: Yes.

Q129 Chair: And the Tube?

Baroness Andrews: I might need to be corrected on this but, to my knowledge, we have not had direct contact with London Underground but certainly in relation to stations we were in contact with the Department for Transport about the small grants that are available to improve station facilities. When you get into providers themselves and train operating companies and so on, however, you are into franchises and so on so we drew the line at discussing what was available, shall I say, in terms of what we knew could be accessed in relation to stations. We did not go into it in huge detail, however.

Q130 Mr Betts: Given the franchising rates are drawn up and government asked companies to tender on the basis of what they can provide and what they cannot provide, would it not be a good idea for your Department to make some representations to the Department for Transport that when they look at franchising in the future this issue will, at least, be addressed?

Baroness Andrews: I certainly take the point in the sense that one of the unique things about this guide was that we had cross-government support for its significance and usefulness, but certainly those conversations can go on, yes.

Q131 Mr Betts: There is obviously a major issue, not just in terms of provision but in terms of the type of provision and the provision for disabled people, and concern that sometimes authorities latch on to the Disability Discrimination Act and say: “This toilet does not comply and should be shut down for that reason”, when, of course, it does not apply to an existing toilet provision in that way. Has that issue come to you, and have you noticed any attempt by authorities to misuse the Disability Discrimination Act?

Baroness Andrews: It certainly was part of a discussion, I believe, that we had with our expert group while we were drawing up the guide, and it is absolutely unacceptable that the DDA should be used as a reason for closing public toilets, because it is perfectly clear from the Act that what is required is a reasonable adaptation and, therefore, that has to be addressed, but to make it an excuse is, as I say, not right at all.

Q132 Mr Betts: And should there be more encouragement—and how can you achieve that—to local authorities to ensure that they recognise that there is not a requirement to go around now and refurbish and bring up to disability standards every toilet, but that at least part of their strategy in the future should make sure that all our citizens have access in the future, and not just some?

Baroness Andrews: We drew attention to it in the guide fairly clearly, but what I can say is that the guide is not the end of the story. We are going forward with a toolkit which will give local authorities very simple and practical advice based on the Richmond experience of how to put in place a community toilet strategy. I did not really answer the question that Mr Cummings raised earlier about it sitting in a drawer. It will not sit in a drawer because we are going to follow it up with this toolkit and that gives us an opportunity again, because we are trying to do something practical there, to make sure that people understand the reasonable adaptation proposals, what is meant by that and what can be done, and that would give us an opportunity to reinforce that, I think.

Q133 Mr Betts: There is one stage further, however. We had some discussion at the last evidence session about Changing Places and very specialist provisions which, again, virtually anybody can use and which cater for people who would otherwise probably be stuck in the house or going on very short journeys and who will have their whole lives changed. What more can government do to really encourage this sort of provision? They ought to be across the country. I think there are about 50 now which means you have to go an awful long way to find one in many cases.

Baroness Andrews: Yes. It is a significant number of people, actually: 40,000 people, who are affected in that way. We have been working with the Changing Places campaign and have gone on
working with them to promote what is needed practically as well as the need for them, so if I may I will write to you about that as well.

Q134 Mr Betts: When you are writing to us would you give a little thought to the fact that, even if there is lots of government money around to run a comprehensive public toilet provision across the country, there might be a little to develop these very specialist toilets, which really do serve some of the most disadvantaged people in our community, and it might be a little bit that Government could do practically to help?

Baroness Andrews: Yes.

Q135 Chair: I thought Clive was going to ask for special money for Sheffield, but he was much more altruistic! Thank you very much indeed, Minister. Baroness Andrews: Not at all. Thank you very much for the opportunity.
Written evidence

Memorandum by the Normanton and Altofts Senior Citizens Association

Firstly a very sincere “thank you” for the opportunity of making a submission and offering observations on the very important topic of the provision of public toilets. Because of the alleged reserved nature of the British public, taboos sometimes surround the discussion and debates of such topics but there is a compelling need to remove its “hidden agenda” label.

A civilized, caring society should surely be concerned with the adequate provision of public toilets. Life experience teaches one that the absence of such provision causes embarrassment, painful difficulties and personal inconvenience (apologies for the corny pun).

Since we are an organisation concerned with the welfare of the elderly may we make a special plea for the concerns and problems of our age-group to be given particular consideration. Together with sight, hearing, memory and joint difficulties the unfortunate truth is that with increasing age the “plumbing” and ancillary services also diminish in effectiveness and reliability and therefore place an urgent priority on availability of public toilets.

It is very true that for many elderly individuals such simple every-day occurrences such as a shopping trip or a day out or a journey of any kind will require a sound knowledge of the likely public toilet provision. Kind carers, helpers and relatives will be aware of the issue but only bitter experience can genuinely register the anxiety and severe discomfort suffered by the victim. That this need for public toilets is so often overlooked is a sad stain on any community or authority that regards itself as caring and considerate.

We maintain therefore that an adequate provision of public toilets is an essential requirement of any caring society worthy of the name

Having stated the case for the elderly there is also a very real need to take into consideration the particular needs of the disabled—very often a sad complement to being old!! It should not be overlooked either, that as grandparents we are very often presented with the “joy” of locating toilet facilities for grandchildren.

Who should pay?

Ideally of course provision should be free! However since we are bombarded with news and publicity concerning the financial plight of local authorities and the many honourable claims on limited resources—most elderly folk would not object to a reasonable fee!!—say 10p—above 20p would be regarded as unreasonable!

Business provision of toilets is a delicate area

Without scare-mongering all kinds of difficulties can arise in a simple “walk off the street” context where a commercial transaction has not occurred. Security needs to be vigilant but not intrusive—toilet cisterns are favourite dumping spots for discarded shoplifting loot—insurance issues will arise—and the ugly spectre of hiding places for drug participants will come closer if too many business premises offer such a handy facility. It will also allow local authorities to “cop out” of responsibilities.

Opening hours

Locally the only public toilet closes at 3.30 p.m.—an absurd situation. The individual bladder functions usually on a 24 hour cycle and there is no programming individual device known to Man!! Perhaps 10 p.m. is a reasonable but grudging compromise.

Security

Ideally toilets should be staffed on a pragmatic basis. It is very necessary from both a health and aesthetic angle that toilets are very clean and odour free. Accept that supervision has a “cost” effect but otherwise many undesirable results will appear.

Gender balance

Sadly the ladies nearly always lose out!! There are places where usage is free for both genders. There are places where both genders pay. There are a minority and decreasing number of places where male usage is free—but not for ladies!!

Ladies complain about the discrimination and question its legality. Male members keep quiet! Ideal situation is that the service should be free for everybody.
Tourism

Normanton is not a tourist hot-spot. We get the occasional visitor from Huddersfield and Barnsley but the stay is very short-lived. No-one has had temerity or bravery to seek their views on the non-provision of an adequate public toilets service.

Again thank you for the opportunity of making comments on an important issue.

We wish to emphasize that the provision of sufficient and adequate public toilets, taking into account the needs of an ageing society, should be an essential feature of a fair minded society!!!

Memorandum by Birmingham Advisory Council for Older People

The shortage of public toilets in shopping areas is a real problem for older people who need to go frequently, and can stop them from being independent.

1. With people living longer and developing conditions where the frequent use of a toilet is a necessity, can make the difference between being independent or house bound.

2. Since the withdrawal of attendants and the lack of modernisation, toilets being securely locked at certain hours has led to the present crises.

3. Most people would be prepared to pay a nominal rate for a clean and secure toilet, incentives to shops to allow the public to use their toilets and it should be part of the planning process on new premises.

4. There should be accessibility to public toilets inline with shops opening and closing times.

5. If they are open toilets then they should be staffed. Possibly more Tardis automated toilets where you purchase a swipe card.

6. Where the public can use toilets in shops, equal balance. It is the lack of open toilets that means women are not being treated fairly.

7. Previously mentioned in item 3 reduce their council tax, claim the cost of building the toilets from city council.

8. On the Continent and in the United States of America, you can just walk into their shops and use their toilets. We in England need to be in line with them, it would certainly be better than having Tardises dotted all over the place.

Memorandum by The British Toilet Association

Appendices¹

Communities and Local Government Committee

Provision of Public Toilets Inquiry

1. BTA Background

1.1 The British Toilet Association was established in 1999, primarily in response to increasing requests to help save public toilets in particular areas from closure and also to give best practice advice on how to raise standards of existing public toilets to Local Authority providers.

1.2 The BTA promotes the annual Loo of the Year Awards scheme, introduced in 1987, and run independently since 1993. Some 20,000 public toilet facilities have been inspected since the start of the scheme and many Authorities use the scheme as an annual independent benchmarking audit of their facilities. Recommendations for improvements are offered to all entrants and competition for the Loo of the Year Awards “Premier League” of Local Authority providers intensifies each year. (www.loo.co.uk or Refer Appendix A).

1.3 The BTA is a campaigning body—not a Trade Association—with one major objective, namely, to promote higher standards of “away from home” toilet provision in all types of location and on behalf of all users.

1.4 The BTA currently has 160 members of whom 61 are Local Authorities. Refer Appendix B.

¹ Not printed.
1.5 The BTA is a Founder Member of The World Toilet Organisation and hosted the 2005 World Toilet Summit in Belfast—the first ever such Summit held in the West. The 300+ delegates who attended the Summit from thirty three different countries endorsed The Belfast Protocol. Refer Appendix C.

1.6 A total of 75 UK Local Authorities entered the 2007 Loo of the Year Awards, out of 468 down to District Council level. Refer Appendix D.

1.7 The BTA, together with the Loo of the Year Awards, promotes a Toilet Charter covering the basic requirements for a public toilet. Refer Appendix E.

1.8 Many Local Authorities continue to attach a high priority to their public toilet service and there are a significant number of existing public conveniences currently being refurbished as well as new facilities being constructed. There are many fine examples of best practice in operation in spite of the discretionary nature of the service.

1.9 The key issue is that too many Authorities have basically given up on public toilet provision and, without a clearer lead from Government, requiring an adequate level of provision—either directly or indirectly, further closures of existing LA public toilet facilities are inevitable.

1.10 The recently published Access to Public Toilets Guide, prepared by the CLG department, is very much welcomed as an acknowledgement that the issue of public toilet provision is a relevant one in a modern civilised society such as that pertaining in the UK.

1.11 The BTA fears however that, without a stronger Government lead on the issue, increasing numbers of Local Authorities will assume that society’s toileting needs can be wholly satisfied by other commercial premise providers.

1.12 The BTA believes that Local Authorities should be required to provide a front line flagship convenience, or Visitor Welcome Centre (Refer Appendix F) in every City, Town and key visitor area within their geographical control, as a starting point.

1.13 Local Authorities should, as a minimum, be required to prepare a toilet provision strategy for their area, to ensure adequate levels of toilet provision during the hours of primary need. This strategy could cover a range of options, including negotiated arrangements with other, existing commercial providers, as well as the opening up of other public building toilets for general public use—eg libraries, town halls etc.

1.14 This would allow some flexibility for both the providers and the users and ensure that, while Local Authorities may no longer need to be assumed to be the principal public toilet service providers, they should be required to be seen as the local public toilet service delivery body, accepting that satisfying people’s toileting needs is a front line municipal public service.

1.15 It should be emphasised that Local Authorities can and many already do, contract out their public toilet facilities to one of a number of specialist public toilet contractors, who provide a turnkey operation—often with financial benefits to the Authority involved.

2. THE NEED FOR PUBLIC TOILETS

2.1 Every member of every community and particularly visitors to each community, require to satisfy their toileting needs a number of times every day of their lives. These needs are required to be satisfied “away from home” for all of us when we go about our daily business.

2.2 While the work place is required by law to provide adequate sanitary facilities for employees, there are no legal requirements to provide toilets for customers or visitors—except where food and drink is to be consumed on the premises and even then, different rules seem to apply with different Local Authority areas.

2.3 Shopping centres are generally providing a good standard of toilet service for their visitors because they appreciate that, in order to maximise customer lengths of stay, toileting, as well as eating and drinking needs have to be satisfied.

2.4 Hotels, restaurants, pubs and cafes also provide customer toilets for similar reasons. Eating, drinking and toileting are key considerations for any hospitality establishment.

2.5 Britain led the way in public toilet provision in Victorian times, when concerns for public hygiene standards and street fouling were unacceptably high.

2.6 The BTA suggests that the full circle has been achieved and we should be as concerned today, at the start of the 21st Century, as people were 160+ years ago, about the levels of hygiene in public places and the problems associated with public urination and defecation.

2.7 Some of the attitudes and behaviour associated with toileting are not commensurate with a so-called civilised society such as that assumed to be pertaining in Britain today. This is more a behavioural issue as opposed to a cultural one.

2.8 Other important factors which impact significantly on today’s society are the increasing numbers of children with single parents, the ageing population and large numbers of people with a variety of special needs and not necessarily in a wheelchair.
2.9 A significant percentage of the 1500 entries received in the 2007 Loo of the Year Awards did not have a fully DDA compliant accessible toilet facility.

2.10 There are very few toilets in publicly accessible places dedicated for children’s use with appropriate child-sized sanitary equipment.

2.11 While there has been a significant increase in the numbers of (pull down) wall-mounted babychanging units—often in locked disabled toilets, to provide for unisex use, there are very few dedicated babychange facilities which cater for parent use as well. In other words, the parent or carer can change baby’s nappy but then has to access the ordinary ladies or gents to satisfy their own toileting needs. What then happens to baby? We need dedicated family friendly facilities to satisfy the toileting needs of family groups.

2.12 We see an increasing number of low level urinals for boys—often alongside adult urinals but with no privacy screening—but there are seldom low level washbasins to facilitate proper hand washing for children. This does not encourage proper hand hygiene in our younger members of society.

2.13 If we are to encourage inclusivity within our society we have to provide adequate toilet facilities for members of society with serious mental or physical impairment and whose carers need a height adjustable changing bed and a hoist to assist their toileting needs. We identified only forty of these Changing Places toilets throughout the UK in the 2007 Loo of the Year Awards.

2.14 The BTA does not support the RADAR key scheme used for the majority of disabled toilets, and, increasingly, in other types of toilet where the provider feels obliged to keep their facilities locked.

We feel it is something of an insult, not to say discriminatory, for a significant section of the population to have to possess or ask for a key in order to fulfil a basic human function.

Conversely, while disabled toilets might be accessible by a RADAR key out of hours, the other eighty five percent of the population are denied access to ordinary male or female facilities, once they are locked at dusk or at weekends.

We require toilets for all sections of the population when the need arises.

2.15 The ageing population in Britain requires not only proper facilities with enhanced fixtures and fittings (eg grab rails in cubicles) but also much better access to clean and safe public toilets.

2.16 Most members of society will have a special toileting need during their lifetime and toilet provision generally deserves, if not demands, a much higher level of priority, not just in the minds of the provider’s but also in the minds of regulators and enforcers.

2.17 The bottom line is that toilets are seen as cost liabilities and not as revenue generators in a profit driven world—hence the need for Government intervention / enforcement. There is nothing discretionary about needing to go to the toilet when away from home.

2.18 While the BTA supports the development of Community Toilet schemes, as one provision option, it is important to recognise that most participants in any such scheme only provide toilets designed and maintained specifically for their own particular customers.

3. **WHY PROVISION HAS DECLINED?**

3.1 The BTA believes that the majority of closures of public toilets in the last twenty years has been due to the discretionary nature of the service, coupled with the pressure on Local Authority finances.

3.2 Increasing levels of anti-social behaviour and particularly wanton vandalism have also exacerbated the problems surrounding public toilets.

3.3 The BTA also believes that the decline, over many years, in the use of toilet attendants, has been an important factor in accelerating the demise of the municipal public toilet. When we consider the significant sums of ratepayers money expended on public toilets over the years it is hard to justify the abandonment of these important public buildings to all and sundry. We wouldn’t leave our homes open for anyone to enter and abuse. Why do we allow it to happen with public toilets—ie public money?

3.4 There are, however, encouraging signs that toilet attendants are coming back. We all feel much safer in a park or public garden or a public toilet, if we know there is someone “in authority” looking after it and its customers.

3.5 Much of the decline in society’s confidence in public toilet provision is due to the fact that we are not sure what is going on inside the unattended public toilet facility. We therefore tend to avoid using public toilets and they become “hot spots” for other activities.

3.6 There have been many reported illegal substance overdose deaths in public toilets in recent years. Local Authorities feel that, to protect ordinary members of the public, as well as cleaning staff, they need to install sharps disposal boxes inside public toilets because so much drug taking occurs in the (normally unattended) public toilet. This further alarms the ordinary public toilet user who, quite naturally, prefers not to share space with people who use public toilets as a base for their drug habit.
3.7 Far better, in a modern, civilised society, to establish dedicated drug consumption rooms, properly managed and controlled. It is time to stop pretending on these matters and agree a better way forward. Toileting needs, as well as the needs of drug abusers, have to be managed more effectively by all parties.

3.8 Similarly, the use of public toilets for sex is a matter of great concern. Sexual activity in a public toilet is still a criminal offence and there needs to be a much higher, pro-active enforcement of the law, if public confidence in public toilets is to be restored. Here again, a managed building environment helps act as a deterrent for all anti-social activities but the person or people managing the facility require proper training on these issues and also adequate and regular support from the crime prevention and enforcement authorities. Public toilets are at the cutting edge of society and that is why the Loo of the Year Awards recognise the valuable roles played by toilet attendants, as well as mobile cleaning staff, in managing many of society’s anti-social issues. They are certainly not just toilet cleaners.

3.9 Public toilets cost significant sums of money to maintain. £25k—£40k per annum for an attended facility. This is often seen as a potential cost saving from a discretionary public service budget but the BTA argues that these costs have to be seen in a much wider context, to include the impact on local quality of life—particularly the health and life style of residents as well as the visitor economy and the reputation of the area both at home and abroad.

4. **Who Pays?**

4.1 Public toilets may still be free to use in many areas but certainly do not come cheap to staff, equip and maintain.

4.2 Nothing of quality is free in a modern world and someone has to pay for consistently high quality public toilet provision.

4.3 Costs have to be covered either by:

   — Government—the central taxpayer; or
   — Local Councils—the local Council taxpayer; or
   — The User—through entry charges; or
   — A combination of one or more of the above.

4.4 There is a strong (historical) case for arguing that Local Authorities should provide free public toilets since they are a front line public service, affecting a much wider sphere of influence within the local community.

4.5 Most people surveyed or questioned by the BTA over many years indicate a willingness to pay something towards their use of public toilets—provided that the experience is a clean and—as important—a safe one.

4.6 Charging for toilets is becoming increasingly “acceptable” to the majority of toilet users, although the use of coin operated turnstiles outside toilets on stations is not a pretty site, with visitors, often with luggage, having to find correct coins, get through the turnstiles and then go down stairs to access the toilets. They are not visitor or user friendly!

4.7 It would be far better for Government to insist that adequate free toilet provision has to be part of any agreement with train operating companies on all trains and stations and included in the cost of the ticket.

4.8 This also overcomes the problem associated with certain sections of society who would always refuse to pay to go to the toilet and simply urinate somewhere close by and hope they don’t get spotted on CCTV.

4.9 The simpler we can provide for this essential, everyday need the better.

4.10 The Government could also, at a stroke, relieve the pressure on inadequate public toilets by requiring all commercial premises (above a certain size) to provide not just toilets for employees but also toilets for customers / visitors.

4.11 The BTA believes that, if adequate toilet provision is to be secured, a partnership financial approach would be preferable, with Government contributing through business rate relief and Local Authorities also being obliged to draw up and agree a local area toilet provision strategy which could include partnerships with other existing commercial premises.

4.12 The Local Authority should be the (local) body tasked with ensuring an adequate toilet service delivery.

4.13 It would also be preferable, in the BTA’s view, for there to be a consistent policy throughout the UK, or at least England, regarding the charging of users. Many of the best LA public toilet providers currently do not charge for their public toilets. They consider the provision of public toilets a high priority public service.

4.14 If the Government was bold enough to request a visible £10 public toilet tax on every Council Tax bill, perhaps along with a £10 litter tax and a £10 graffiti tax, we believe this would help focus public attention on these three important areas of daily life in our communities and result in higher standards all round. We need a positive lead from Government. Local Authorities should not be allowed to abdicate their responsibilities so easily in respect of public toilet provision.
5. OPENING HOURS

5.1 Toilets need to be available for all types of user—young and old, abled and not so abled—when they are needed.

5.2 Lack of availability or uncertainty about finding a toilet, impacts significantly on people's lifestyle—particularly the more vulnerable members of society.

5.3 Public toilets are normally shut at dusk and often at weekends and are therefore not able to provide a public service—except where users (and abusers) possess a RADAR key to access the disabled facility—where one is provided.

5.4 Pubs and other commercial premises with easy public access, do provide toilets while they are open, which extends hours of availability to potential users.

5.5 Many commercial premises currently display signs saying "Toilets for Customer use only" indicating the management do not wish members of the public to assume they can enter their premises simply to use the toilet.

5.6 This emphasises the need to ensure that every local area Community Toilet Scheme is properly drawn up and formally implemented between the Local Authority and commercial providers. Monitoring the scheme also requires a dedicated Council employee to manage to best effect and keep the scheme up to date, if not continuously expanding, as local businesses come and go or change hands.

5.7 This is a Council “on-cost” and the BTA concern is that, if CT schemes become more widely established, they might not be properly managed, following the initial set up and high profile media launch in any particular area.

5.8 One solution is to ensure that all CTS non-Local Authority toilets are independently audited at least once a year to ensure the consistency of the quality of service provided. The BTA / LOYA scheme is able to support this initiative.

5.9 The other key issue is one of convenient access. Many public toilets remaining are in prime public locations with relatively good access and, often, adjacent convenient parking.

5.10 While the BTA supports the concept of the Community Toilet Scheme, the concern is that Councils will seize on these as an excuse to close further public toilets and so “save” more money from a discretionary public service budget.

5.11 CTS toilets are not so easily accessible—often at the back of cafes or pubs, are normally much smaller in the scale and variety of provision and should not be seen as a total substitute for the traditional Local Authority public convenience.

6. SECURITY

6.1 As previously indicated, public toilets have been left to look after themselves for too long—hence the general public concerns or “fear” associated with using an unattended facility.

6.2 We know that many Authorities use attendants in some or all of their public toilets and attendants are increasingly being used in other high profile locations, such as shopping centres, night clubs etc.

6.3 In today’s modern, 24 hour society, the BTA believes that all major centres of population should have at least one 24 hour Flagship Public Convenience, or Visitor Welcome Centre (Refer Appendix F).

6.4 With the (inevitable) introduction of charging for public toilets, the BTA believes that the days of the unattended and “free to all” public toilets are numbered.

6.5 The need to pay to enter a locked facility does provide some deterrence to the anti-social elements of society, although determined vandals find ways of wrecking anything that is not properly managed.

6.6 Residents’ pass cards could provide free use for local residents but also allow charging for visitors.

6.7 Many people, particularly the elderly, are frightened of using one of the automatic types of public toilet, fearing they may get locked in, or spray washed or exposed by an automatic door opening.

6.8 The more modern APC’s are much more user friendly with audio messaging and other reassuring features but some people prefer not to be seen entering a toilet cubicle in a public place—which is effectively what APC’s are.

6.9 The BTA believes there should be a mix of toilet provision in any area, as follows:

- One or more Visitor Welcome Centres with a range of facilities including adult changing, child toilets and age friendly toilets.

- Other (preferably staffed) Council provided public toilets in areas of busiest pedestrian traffic.

- Automatic public toilets in more rural or isolated areas—where CTS facilities are not practicable.

- Non-Council provided toilets located in commercial premises and formally promoted as part of a local Community Toilet Scheme, possibly with Council grant support towards cleaning and maintenance costs.
6.10 All public access toilets—both Council provided as well as those located in commercial partner premises, should be regularly monitored by Council or Public enforcement staff, to minimise anti-social behaviour and to be seen to be supporting provider management in their endeavours to maintain an acceptable public service.

7. THE GENDER BALANCE

7.1 Britain’s public toilets were established in an age when men walked, cycled or caught a bus to work and women stayed at home to raise the family.

7.2 This resulted in many more male facilities being provided than female.

7.3 While the balance in favour of women’s facilities is slowly changing, there are still too few female cubicles compared to men’s urinals and male cubicles.

7.4 Women take on average, twice as long to visit the toilet as men and the BTA recommends a ratio of provision of 2 female to 1 male facilities.

Most people compare cubicle numbers only but the male urinals have to be added to male cubicles to ascertain the total male provision.

Hence, where a toilet has three male urinals and two male cubicles—ie a total of five male facilities, the female toilet should have ten cubicles to achieve the 2:1 ratio.

7.5 The British Standard BS6465, is currently being updated to include the gender equality provision issues. The BTA is involved in this update.

7.6 An alternative solution to the imbalance of provision, particularly in busy establishments or at outside events, is to provide unisex facilities.

7.7 Although this is the norm at home, many people prefer not to use a unisex lavatory in a public place both on safety as well as hygiene grounds.

8. PROVISION BEYOND THE LOCAL AUTHORITY

8.1 We all tend to nip into a convenient pub or hotel or shopping centre to use the toilet—mainly because there is not a public convenience available nearby or, if there is, it is not fit for our purpose.

8.2 It is obvious therefore that we need to encourage all commercial premises with customer toilets to make them available to the general non-customer public.

8.3 One can understand the reluctance of many business providers to be used as a substitute for a failed or non-existent public toilet service. They work hard to attract money paying customers into their premises in order to succeed with their particular business.

8.4 If the Community Toilet Scheme is to become properly established across Britain, there needs to be a Government led policy which allows for everyone—providers and potential users to understand clearly the rules of engagement.

8.5 If private business providers are being asked to allow the public in to use their customer toilets, they would expect some financial encouragement to participate—either a contribution to their toilet consumable and cleaning costs and/or also some acknowledgment that they are providing a front line public service through some business rate relief.

8.6 A promotional benefit to their business could be the placing of directional finger signs, naming their business in the adjacent area (such as those being developed by Richmond Borough Council in London). However, the more successful the local CTS, the more prolific the finger signs become, which could impact on the local street scene environment.

8.7 The use of “SAT LAV” and other web based location maps could become the appropriate way to source a convenience toilet facility near to your current GPS position, assuming you are carrying a mobile phone.

9. TOURISM

9.1 First impressions of any location or area are normally made in the toilet (assuming one is found) by arriving visitors. These are the lasting impressions visitors tend to take home with them.

9.2 Tourism authorities receive more complaints about the state or lack of public toilet facilities than anything else.

9.3 The BTA was established in 1999 mainly as a result of residents, Councillors and visitors complaining about the poor public toilet service in Britain and their plea for the BTA to help save public toilets from closure.

9.4 Many friends and colleagues return from visits to foreign countries, praising the quality of public toilets visited.
9.5 Britain’s public toilets, once the envy of the civilised world, are now often the subject of ridicule or criticism, due to poor standards of management and/or provision.

9.6 Beijing have spent in excess of £25 million installing 3500 five star tourism toilets in time for the Beijing Olympics.

9.7 Westminster City Council’s 28 attended public toilets north of the Thames are used by over 15 million people a year. That’s more people than attend all of London’s Theatres in a year!

9.8 The South Bank, between Lambeth Bridge and the Tate Modern, has in excess of 14 million visitors each year. There are no public toilets provided by Lambeth Council!

9.9 Birmingham, Britain’s second City, has only a few automatic public conveniences throughout the city centre.

9.10 Liverpool, European City of Culture for 2008, has only two Council provided automatic public toilets.

9.11 Coach companies do not stop in tourist centres where the public toilets have been closed.

9.12 The Hotel that won the first Loo of the Year overall UK Award in 1987, doubled its turnover the following year.

9.13 Tim Martin, Chairman of pub chain J. D Wetherspoon, acknowledged that winning the 2001 Loo of the Year Awards Trophy contributed to a significant increase in turnover the following year.

9.14 The quality of public toilet provision in any area is a significant contributor to the overall impressions gained by visitors.

9.15 The theming of some high class restaurant and pub toilets is a sure way of encouraging customers to return and, through their social networks, tempting new customers to visit.

9.16 The new public toilets at Frinton-on-Sea in Essex, costing ratepayers in excess of £500,000, have already received considerable publicity—nationwide. The publicity—good and bad—has helped put Frinton-on-Sea on the map and should ensure a significant increase in the numbers of visitors to the area. They’ll know there is a decent public toilet nearby.

9.17 A number of old Victorian public toilets are tourist attractions in their own right. The Victorian toilets on Bute at Rothesay Pier were featured some years ago on the Jill Dando Holiday programme and have been visited by Prince Charles. Tourists travel out of their way to visit some of these British gems.

9.18 East Lothian—east of Edinburgh—have provided the best portfolio of public toilets throughout Britain for nearly twenty years.

9.19 Edinburgh and Cardiff’s public toilets, both capital cities, are considered by the BTA to be a national disgrace.

9.20 It is time for the UK Government to grasp the whole issue of public toilet provision and set out a clear agenda for change. It is the BTA’s considered opinion that Britain’s reputation at home and particularly abroad, is under some significant threat as a result of our poor public toilet service.

9.21 This reputation is only partly mitigated by the many providers who already acknowledge the shop window nature of their (public) toilets through winning Loo of the Year Awards each year.

9.22 The BTA believes that all “away from home” toilets, particularly toilets available for use by the public and visitors to Britain, should be subjected to an annual, independent quality audit and given a star grading, along the lines already operated by the annual Loo of the Year Awards scheme.

British Toilet Association

April 2008

Memorandum by the Joseph Rowntree Foundation

The JRF is one of the largest social policy research and development charities in the UK. For over a century we have been engaged with searching out the causes of social problems, investigating solutions and seeking to influence those who can make changes. JRF’s purpose is to search, demonstrate and influence, providing evidence, solutions and ideas that will help to overcome the causes of poverty, disadvantage and social evil.

Please find attached a brief submission based on the organisation’s research which relates to the issues of concern to your inquiry. In particular the JRF’s research on public spaces highlights concerns about the lack of public toilets in some areas and its wider impact in people’s perceptions and use of public spaces. Other areas covered refer to.

— the need for public toilets, relating to access to public spaces and the needs of older people and other groups.
the role of antisocial behaviour and image of public toilets and questions about drug consumption
— accessibility and opening hours.

BACKGROUND

The Joseph Rowntree Foundation is one of the largest social policy research and development charities in the UK. For over a century we have been engaged with searching out the causes of social problems, investigating solutions and seeking to influence those who can make changes. JRF’s purpose is to search, demonstrate and influence, providing evidence, solutions and ideas that will help to overcome the causes of poverty, disadvantage and social evil. This submission concentrates on our research evidence relating to the concerns of the enquiry regarding public toilets.

THE NEED FOR PUBLIC TOILETS

1. The JRF is aware that there are concerns about inadequate provision of public toilets from a wider research programme that the organisation carried out on the use of public spaces. While we have not looked at this issue in detail, it arose as a significant and recurring theme in the broader context of the availability of public amenities in different localities and the impact this has on people’s use of public spaces in several projects funded under JRF’s Public Spaces Programme.

2. Research on the contribution of local high streets to sustainable communities which included case studies and survey work in three local high streets outside town centres (in Tooting, Coventry and Sheffield) (Peter Jones et al, 2007) highlighted that residents and visitors expressed high levels of satisfaction with the range of local shops and other facilities and enjoyed the opportunities to meet friends on the high streets examined. However these advantages were offset by negative features particularly the dominance of road traffic, the poor appearance and condition of the streets and the lack of greenery, seating and public toilets.

3. Provision of public toilets was the area of highest dissatisfaction in terms of local amenities examined in the three sites, ranging from 62% of those surveyed in Tooting to 85% in Ball Hill, Coventry. Levels of dissatisfaction with the provision of public toilets were slightly higher among businesses than the public—70% in Tooting, 87% on London Road, Sheffield and 88% in Ball Hill, Coventry. However, the research did not determine how far business concerns related to their toilets being used by members of the public and it was not clear from other questions whether people were making connections between public toilets and wider concerns about antisocial behaviour.

4. The lack of toilets is notably a concern for specific groups of the population, in particular, older age groups commented on it in a study of markets across a number of areas (Watson, 2007) and it was also raised in a detailed study of public spaces in Aylesbury (Holland et al 2007).

ANTISOCIAL BEHAVIOUR, IMAGE

5. This wider work also suggests that some people, particularly older age groups associated some toilets with antisocial behaviour (Holland et al 2007).

6. Research supported by the JRF has shown that a significant proportion of drug users report injecting in public toilets. A survey of 301 needle and syringe exchange users found that 34% had injected at least once in a public toilet in the week prior to interview (Hunt et al., 2007).

7. An Independent Working Group on Drug Consumption Rooms concluded that this and other evidence argued for the piloting of Drug Consumption Rooms (DCRs) in the UK. Evidence from abroad has shown that the implementation of DCRs has been associated with significant declines in public injecting and related nuisance (Independent Working Group on Drug Consumption Rooms, 2006).

ACCESSIBILITY OF PUBLIC TOILETS

8. In central Aylesbury, shoppers and passers-by as well as researchers involved in the work and members of the public surveyed identified both the location and design of toilets as a major problem (Holland et al 2007). Accessibility was also a concern. In particular it was noted that the toilets at the bus station were often locked, others in the shopping mall were only accessible by stairs or a lift during shopping hours and the toilets at the town end of one of the town parks were not always open even during the daytime and had a “reputation” which meant that many people felt uncomfortable using them.

9. With the redevelopment of one of the town’s main squares, the public toilets were demolished and, particularly for the older people surveyed, this posed a considerable problem. Several commented that the introduction of water features precipitated a need to use toilets and the available public facilities were too far away for people with mobility problems. While people could have used local cafes, they were concerned about the associated need to spend money to access the facilities. The team suggested that “inadequate provision discriminates against some groups, notably older people, those with disabilities, children and carers and acts as a disincentive to frequenting certain parts of town”.


10. Notably in a dissemination event held to discuss the JRF’s research programme on public spaces in 2007, provision of public toilets also came up as an important issue in discussions with practitioners and professionals working across a range of disciplines on public space. Here people also raised concerns about older people and public toilets and the loss of toilets and the implications of this with an ageing population becoming more important.

REFERENCES

1. Peter Jones, Marion Roberts and Linda Morris, Rediscovering mixed use streets: the contribution of local high streets to sustainable communities, JRF/Policy Press, 2007.


I attach the summary findings from these projects. For the full reports please see the JRF website at www.jrf.org.uk.

 Memorandum by Preston Older People’s Forum

1. Everyone needs to use the toilet so it is self evident why they are necessary. Children and older people often need the facility more frequently and urgently.

2. Our feeling is that it should be a free service, but it would be a good idea if businesses that did not provide toilets made a contribution.

   All businesses benefit from people in the town or city spending their money.

3. Ideally toilets should be available at night but we realise there are issues security and vandalism. There should be adequate family toilets for parents with a child of the opposite sex. The safety of children is vital. Toilets tend to be tucked away meaning lifts, stairs and long walks. Can be difficult for older people.

4. It is probably unrealistic to have all public toilets staffed all the time but they should be inspected frequently. From personal experience automated are not always as good as one would expect.

5. The feeling amongst women is that men are better catered for. They never seem to need to queue!

6. Innovative schemes to encourage businesses to allow more usage of their toilets seems a good idea. Not sure how it would work out in practise.

7. It is essential that any area wanting to encourage tourism must have easily accessible, clean well maintained toilets. Signposting is also very important.

 Memorandum by Bristol Older People’s Forum and Bristol Women’s Forum

Some time ago the Government issued an edict that all public toilets should be made “disabled friendly”. In Bristol the then (Labour) administration decided that it would cost too much to up-date many of the premises, therefore it was determined to close down those that fell into this category. In some instances they were sold to private individuals who now use them for other purposes.

As a Forum we raised the matter regularly with the following Lib Dem administration and latterly the Labour one. The Bristol Women’s Forum has also been campaigning for improved toilet provision, and has asked to be associated with this letter.

We started out by telling them that it was not until one gets older that the necessity for the provision of good facilities becomes apparent! We have anecdotal evidence of elderly people being reluctant to leave home without knowledge of where they will be able to use a toilet. We added to this that mothers with children would also appreciate these facilities.

Not getting very far with these arguments we added the suggestion that tourists and people from outside the City (shoppers etc) would have a better impression of the City if such facilities were provided.

One of the suggestions from the Council was that they could encourage the owners of some suitable premises to make facilities available to members of the public. We thought that this would be a good idea, particularly as the Council itself owned many “suitable” premises around the City, (Libraries, Offices, etc)

2 Not printed.
and stated that we looked forward to signs stating “Public Toilets” appearing outside these buildings. The Council’s enthusiasm seemed to wane at this point. We have expressed our concern for postmen, bus crews and others working outdoors. When we were young there were toilets in many of our local parks, watched over by the park-keeper. These are now no longer employed and the toilets have been closed due to the ensuing vandalism.

Constantly we are told that there is no statutory requirement for Councils to provide public toilets. We argue that this may be so, but it doesn’t prevent the Council from providing them and improving the quality of life for its residents and visitors.

Regarding financing, in an ideal world the Council would provide these facilities, as it use to when we were young, and in some cases staffed. However, time has moved on, and although councils seem to find money for their pet projects we doubt that they would provide free toilets. We note that bus and rail stations charge 20p for use of their facilities, and councils should do the same.

Regarding security, if staffing is not possible, we are in the age of CCTV and feel that, properly maintained, such systems could be used to discourage vandals and other undesirable elements.

We would like to see a Government directive to ensure that local authorities are required to provide these basic facilities which would enable people to go out without the worry of where to “go”.

Memorandum by Nottingham City Council

FINALIST IN THE LOCAL GOVERNMENT COUNCIL WORKER OF THE YEAR AWARDS 2007

WINNER OF THE GUARDIAN PUBLIC SERVANT OF THE YEAR 2007

CREATING A NEW TYPE OF DISABLED TOILET IN NOTTINGHAM

— Martin identified a major barrier facing carers and staff. Using his experience, knowledge, networking skills, humour and enthusiasm he went on a mission.

The Issue

— “I travel 10 miles to shop in Nottingham with my 17 year old son who has profound multiple learning and physical disabilities. If he has a bowel movement that’s the end of my day. It’s back to the car and home”.

— People with profound and multiple learning disabilities and other severely disabled people, including those with head injuries or are quadriplegic cannot use standard disabled toilets.

— This restricts access for people with multiple disabilities and their carers to facilities, which are available to the wider population.

The Strategy

— Martin created a Team from across the Council and Health, which designed a new type of disabled toilet with a hoist and changing bench.

— Consultation took place with the Learning Disability Carers Forum and a “Test drive” was held to consult with carers and professional staff.

— Martin targeted the planning process for changes to the City Centre’s public toilets to highlight the issue.

The Outcome

— Nottingham’s “Changing Place Toilet” opened in July 2006 and has gained an Award at the British Toilet Association “Loo of the Year Awards”.

— The Project Team won the Community Care Award (Carers Category)
Carers comments

- “It's Brilliant. It allowed us to shop, have lunch and go to the Theatre as a family”.
- “It's made such a difference to our lives”.
- “We will be shopping in Nottingham now” (Mother from Leicester).
- “When I walked in, I cried, and gave the attendant a big hug. They need to know how important this is”.
- “Thank you for standing with us and speaking on our behalf”.

Recent developments

- Since setting up the City Centre toilet we now have 3 changing places toilets in the City which are welcomed by carers who can now access the community as a family and without fear.
- The Communities and Local Government recent Strategic Guide to better quality public toilets highlights the need for Changing Places toilets (March 2008)
- The Office of Disability Issues recently highlighted Nottingham Changing Places toilet as an example of good practice in implementing the Disability Equality Duty.
- The Consortium are now working with the British Standard people to revise BS 8300 which relates to public toilets to ensure this is part of future provision.
- Numerous towns and cities are now including this as part of their toilet provision.
  - It’s made such a difference to our lives”.
  - “We spent the day in Nottingham as a family”.

Memorandum by the Merton Older People’s Housing Forum

I write in response to the invitation in the Press Release of 20 March 2008. Members of the above Forum have considered the issues that the Committee intends to address. Their responses are summarised below.

1. The need for public toilets—public spaces

(Wheelchair, mobility scooter accessibility assumed under current legislation).
- Every town and shopping centre (Access should be independent of purchase of goods/services.).
- Parks and play areas.
- Train stations, bus terminals and other transport interchanges, and banks, building societies, post offices, etc., ie wherever public have to queue or wait, sometimes for long periods.
- provision on allotments, as more women and families are now involved.

2. The need for public toilets—social

2.1 Social care

- to prevent self-imposed isolation, for fear of embarrassment, by older people and those with bladder, bowel and stomach problems. (See also 2 below.)
- for the benefit of families; outings with the children invariably include a child’s sudden demand for use of a toilet.

2.2 Community harmony

- the ability to walk in an environment free from human urine and faeces —particularly a problem in town centres at the weekend after public houses and bars have closed.
- to avoid the embarrassment of seeing men and children particularly relieving themselves in public.
- to avoid the fear of a stranger knocking at one’s door, asking to use one’s toilet, and not knowing whether this is a real “emergency” or a distraction burglary initiative.

2.3 There is a lack of general knowledge about the RADAR key and “Just in Time” initiatives.

- There are real Public Health and Health & Safety issues in the present lack of provision (ie spread of diseases, pushchair and buggy inaccessibility, non-slip surfaces—to prevent falls, especially by elderly or disabled—not provided in shop, etc facilities.).
3. The Need for Public Toilets—Particular
   - Older People—losing voluntary control of muscles. (See also below.).
   - Those of any age with urinary problems, bladder infections, incontinence and/or prostate problems, or stomach upsets.
   - Pregnant women—a growing foetus presses on the bladder.
   - Young children—small bladders, still not in full voluntary control of muscles.
   - Young people who have been drinking heavily—this often results in vomiting, and alcohol is a diuretic.
   - Those working on allotments (See para 1 above).

4. The Need for Public Toilets—Opening Hours
   - 24 hours every day, where automated or a pissette (eg 4-compartmented “milk bottle container” type, as currently in use in Amsterdam and Bristol)
   - 8am to 8pm where manned or at transport interchanges.
   - Parks and commercial premises—during opening hours.

5. Why Provision has Declined—the Role of Anti-social Behaviour such as Vandalism and Drug-taking, the Image of Public Toilets (including Cleanliness), and the Cost of Upkeep
   - Provision has declined because of the cost to (a) Local Authorities of maintenance and repair of damage caused by a small minority of individuals, and (b) to the Police to patrol for abuse of the premises. Those authorities have reacted by walking away from the problem, citing the permissive, rather than mandatory nature of the legislation. The Committee is asked to point out that anti-social behaviour is to be tackled head-on. Local Authorities are not to use this as an excuse to slide out of their public health responsibilities.
   - The poor image follows from lack of maintenance, etc. Where toilet provision is maintained, it has a good image.
   - See para 5 below on cost of upkeep.

6. Who pays: Should Local Authorities Provide Free Toilets; Should the Public Pay; Should Local Business Contribute?
   - Council provision should be mandatory, but not necessarily free.
   - The public could pay between 20p and 50p per individual (but see below), given the relative cost to average income of 1p for women’s toilets in the past.
   - There could be provision for purchase of tokens for lesser cost to families and the disabled.
   - Businesses should contribute in kind. (See also 8 below.).

7. “Security—Should Toilets be Staffed, Unstaffed, Automated?”
   - Yes to all suggestions—“horses for courses”, depending on the particular environment.

8. The Gender Balance—Are Men and Women being Fairly Served by Current Provision?
   - No, but under-provision for women, and men with problems detailed in 1st 2 bullet points of para 3 above could be addressed by making all toilets unisex.

9. Provision Beyond the Local Authority—Innovative Schemes to Encourage Shops, Cafes, Pubs and Other Businesses to Provide Toilets to More than Their Paying Customers?
   - Continue/expand current initiatives if the Local Authority can afford this.
   - Alter planning regulations to allow Local Authorities to mandate provision of public toilets in new developments and at bus interchanges and train stations.
   - Mandate a “Just in Time”-type initiative, especially in banks, building societies, post offices, etc where public have to queue, sometimes for long periods.
10. Tourism—Does Public Toilet Provision Play a Part in the Attractiveness of Our Towns and Cities?

— YES, YES, YES! Westminster City Council has some excellent examples of how this can be done.

Memorandum by Help the Aged

Help the Aged is an international charity fighting to free disadvantaged older people from poverty, isolation and neglect. Our vision is of a future where older people are free from the disadvantages of poverty, isolation and neglect, so they can live with dignity as valued, respected and involved members of society. Our mission is to secure and uphold the rights of disadvantaged older people in the UK and around the world. Working with them, we will research their needs, campaign for changes in policy, and provide services to alleviate hardship today and prevent deprivation tomorrow.

Research and Evidence

Help the Aged (HtA) provides much of this response from two key pieces of HtA research:

— Nowhere to go: an survey 1000 older people on their views on public toilet provision in their local area in August 2006.

— Incontinence and Older People: is there a link to social isolation? Hta-commissioned qualitative interviews with 20 older people with incontinence.

Summary: Why Provision of Public Toilets is Vital for Older People

1. As we age, we are more likely to need to use the toilet frequently and often due to conditions such as incontinence, urgency and prostate cancer.

2. Older people say they do not find it easy to find public toilets or they are not open when they are needed.

3. The closure of public toilets can cause or exacerbate isolation and contribute to ill-health.

4. Many older people see a decline in the quality of the public toilets which do remain open. Older people want accessible, well-designed toilets with adequate number of cubicles, hand washing and disposal facilities which are well maintained.

5. HtA is a sponsor of the Loo of the Year Awards and has influenced the inclusion of age-friendly criteria which are used in the judging of what constitutes a “good” toilet.

What Help the Aged Calls For

— The creation of a national mapping of public toilet facilities to highlight where there are gaps in provision and work to improve standards.

— The provision of accessible and well designed toilets with adequate number of cubicles, hand washing and disposal facilities which are cleaned regularly and are well maintained.

— Hospitals trust to provide a high standard of toilets and toilet facilities on wards and to involve older people in monitoring standards.

Response to Inquiry Questions—Additional Detail

1. The need for public toilets

We are more likely to suffer from conditions such as incontinence, urgency and prostrate problems as we age. It is estimated that urinary incontinence affects around 6 million people in the UK, more than half are over 65 and the majority are women. They rely on the availability of public toilets so they can go out without fear of accidents. Many say public toilets have become more important to them as they aged and developed health problems such as prostate problems or urgency.

We are also more likely to be living with one or several disabilities as we age. There will also be those who do not consider themselves disabled but for whom even slight changes in the built environment would be of enormous benefit for example hand rails or raised toilet seats.

3 Nowhere to go: public toilet provision in the UK from: http://policy.helptheaged.org.uk/healthyageing
4 Incontinence and Older People: is there a link to social isolation? from: http://policy.helptheaged.org.uk/healthyageing
Many older people say that using the toilet should be a private experience and do not want to ask someone for a key or access because their need is urgent; public toilets should be provided, should be accessible and free or inexpensive to use. However, certain schemes such as that run by RADAR are perceived to have uses.

Lack of provision:

1.1 Increases isolation and reduces quality of life: In Nowhere to go, 52% of respondents agreed that the lack of public toilets in their area stopped them from going out as often as they would like.

1.2 Causes humiliation: We have stories of older people carrying jugs or jars so that they can pass water if there is no public toilet available. Many people “plan” trips around the availability of public toilets.

1.3 Increase health risks: If people feel they cannot leave their homes, they can’t keep physically active. Some older people say they ration what they drink when going out so they won’t need to use a public toilet; this can exacerbate health problems including urinary tract infections. Being socially isolated may lead to depression.

2. The image of public toilets

2.1 Cleanliness: Hundreds of people informed us that public toilets can be hugely off-putting if they are dirty, smell or feel unsafe. 74% said they are frequently disturbed by the lack of cleanliness of their local public toilets. Cleanliness, good lighting and security are important.

2.2 Promoting good toilets: HtA has successfully negotiated the inclusion of age-friendly criteria in the judging criteria for Loo of the Year Awards (LOYA) to influence best practice of public toilet provision. These criteria are based on the views and opinions collated by Help the Aged from research and small focus groups; issues such as lighting, safety and large locks. The Charity is also sponsoring a national award for the best “age-friendly” toilet.5

2.3 More public toilets: Evidence from the Spotlight Survey 20076 found that of the people who said they did not lead as full and active a life as they would like, 11% said they would be more active if there were more public toilets.

3. Who pays?

A large proportion of those surveyed said they would be happy to pay a nominal amount to have public toilets staffed, clean and in a good state of repair.

4. Opening hours and accessibility

4.1 Access: A number of people felt that using the toilet should be private and anonymous; they didn’t feel comfortable with having to ask to use the facility or to go into a pub for example, to explain their need was urgent. Cards scheme such as “Just can’t wait” was useful for those who carried the card but many older people do not consider themselves incontinent so don’t take part.

4.2 National Key Scheme (NKS): Offers independent access to disabled people to around 7,000 locked public toilets around the country.

4.3 Opening hours: Respondents said they did not find it easy to find a public toilet and 78% said that public toilets are not open when needed.

5. Security and Attendants

Having toilets staffed by an attendant was a popular suggestion. 79% said that safety concerns make public toilets unappealing to use.

6. Who should provide?

Attitudes vary to the provision of public toilets by other than local authorities. While 84% of respondents felt that shops and businesses should make more effort to provide toilet facilities for the public to use, others felt this potentially compromised their anonymity, dignity and privacy. Too often new shopping developments are built without any consideration for toilet facilities. Transport systems that include toilet facilities are also needed.

5 Loo of the Year Awards. For more information, visit www.loo.co.uk
6 The Spotlight Survey 2007 ordered from Help the Aged publishing on 020 7239 1946.
The scheme operated by the London Borough of Richmond was popular with some people because signs advertised the business's toilets, some toilets had disabled access and there were business staff about making it feel safe. Many people felt very strongly that there should be a duty placed on local authorities to provide adequate public toilets for the community.

7. Dignity and Behind Closed Doors: Using the toilet in private

The aim of this work is to raise awareness that people, whatever their age and physical ability, should be able to choose to use the toilet in private in all care settings including hospitals. There are many reported instances of poor and undignified care of older people when it comes to toilets; being given a bed pan rather than being taken to the toilet and curtains not being drawn around someone using the commode.

The campaign emphasises the importance of the environment, as well as care practices. It provides commissioners, chief executives and inspectors with a measure of good practice and clinical governance. It has produced a number of resources to support local people and practitioners to improve the quality of toilet facilities on wards.

Memorandum by The Chartered Institution of Wastes Management

The Chartered Institution of Wastes Management (CIWM) is the professional body which represents around 7,300 waste management professionals, predominantly in the UK but also overseas. The CIWM sets the professional standards for individuals working in the waste management industry and has various grades of membership determined by education, qualification and experience.

Executive Summary

The Chartered Institution of Wastes Management (CIWM) welcomes this opportunity to present evidence for an important examination of the Provision of Public Toilets. The majority of public toilets in the UK are provided by cleansing or waste management section of Local authorities. They are responsible for the provision, maintenance and cleansing of public toilets therefore the responsibility of a number of our CIWM members. In preparing this evidence the Institution has consulted with expert members in this sector of the industry, which include Raymond Martine and Steve Robinson, as well as other organisations and individuals.

CIWM would be pleased to provide any further evidence, either written or verbal that the committee might require.

Question 1: The Need

We all use the lavatory several times each day as we go about our normal lives.

The need exists, whether we are at work or play, shopping, school or college, on holiday, visiting new places, travelling over distance or perhaps just out walking for exercise.

The majority of society still prefers to use an enclosed lavatory with flushing water and we all understand the increasing need to stop the spread of disease, for example MRSA or C-di, by washing and drying our hands directly afterwards. Street urination does unfortunately exist in our society today and it can be linked directly to the lack of serviceable public facilities. The provision and hygiene of public toilet facilities needs to be monitored and managed by competent individuals.

There can be no doubt whatsoever about the overwhelming need for public toilet facilities with the town and cities across our country. Below are some of the most important issues that we believe should be addressed by those charged with the responsibility of provision of toilets.

Normal/Reasonable Provision for men/women (anyone) needing a toilet visit during the normal day—and also in the evening when we take our leisure time. Unfortunately the ratio of Male to Female provision is not proportionate and needs adjustment.

Families and small children—the safety and health of our families and children must be paramount in our minds when it comes to providing these facilities. Children who need to visit these facilities could get seriously hurt or killed if we do not stop all the anti social behaviour that is occurring in these places.

The Elderly have a growing need for public toilets as the distance and time between visits varies so greatly and the urgency of need can be extremely awkward and embarrassing for our senior citizens.

7 Behind Closed Doors is a dignity campaign led by the British Geriatric Society, Help the Aged and other organisations to improve standards of toilets on hospitals wards. www.bgs.org.uk/campaigns/dignity.htm
Health issues and the Health of the Nation is of significant importance when it comes to public toilet provision. Many of our residents suffer from a range of conditions that may require them to visit the toilet several times a hour/day.

Accessibility Understanding the scope and range of disabilities that exist today and making a respectable provision to allow residents with any form of disability to have full mobility into our society.

Disability issues

There are people within the community who suffer from medical conditions and certain other disabilities, which increases their need for toilet usage when away from home.

Examples include sufferers from Chrons disease and certain other diseases including continency conditions

Local residents and day visitors have always been a major boost to the economic lives of our towns and cities. More and more residents appear to prefer taking short break holidays within the UK. Whilst “away from home” we all rely greatly on the public toilet facilities provided by the local authority or a private landowner.

Shopping with many towns and cities becoming pedestrian zones and with governments green agenda to cut car emissions—people have to spend considerably longer periods on buses / trains and subsequently in town/city centres. They will proportionally need to use the toilet more whilst on these visits and if we don’t have acceptable facilities available they will not use the town centres to shop—a major economic impact to regeneration.

Going to the Toilet is still a basic Human Need a basic Human Right.

Question 2: Why Provision has Declined

Most indicators within the industry point to a decline because of the lack of legislation management and funding for this provision.

The provision of Public Toilets is a non- statutory service for Local authorities, and with competing demands for finance, many local authorities simply chose to spend money on what they consider “essential” services- ie statutory services.

As Public toilets are thus pushed further down the political agenda, the management of them in many cases is reduced or in some cases almost totally ignored. In these circumstances it is not surprising that many public toilets have become the haunts of anti-social behaviour.

...funding has also meant a serious decline in the standards of hygiene and cleanliness experienced in these toilets. In many locations where access is available—the levels of cleanliness and hygiene are extremely low. No soap, No drying, No hot water to wash with, Urinals blocked and smelling. Toilets dirty and in many cases out of service, offensive graffiti on walls and doors and many units have very slippy floor areas that could cause injury.

Operators of modern shopping centres and stores understand the economic significance of toilets—these businesses put additional efforts into providing, good quality facilities for their customers. If customers are happy and satiated they will remain in that location—subsequently spending additional monies at that location. Local authorities need to understand as part of their dual roles of economic development and town planning how the availability and standard of toilet provision affects shopping habits of consumers.

The importance of adequate high standard of public toilets and their contribution to good Public Health should not be underestimated. Local authority Environmental Health departments together with local health authorities should work together to promote the benefits of such facilities as a means of preventing the transmission or development of a range of diseases and conditions.

Disability Discrimination

The Disability Discrimination Acts require local authorities (amongst others) to adapt public toilets to meet the accessibility needs of disabled users.

Many authorities have used this requirement as a mechanism to close toilets altogether arguing that provision of an updated facility is likely to be prohibitively expensive and therefore no other option exists. The effect of this “double whammy” is to remove a needed facility form the general populous as a whole, but more significantly to remove a facility (which in some cases disabled users used with difficulty) from the disabled members of the community. In other words—provision is worst than before the DDA legislation was passed!
QUESTION 3: WHO PAY

The era of “free” toilets is fast coming to an end!

The main reasons for this thinking is:
- Anti-Social behaviour.
- Cost of materials.
- Cost of Labour.
- Cost of refurbishment or replacement.
- Cost of repair and maintenance.

In many cities around the UK residents and visitors have readily accepted the introduction of pay toilets—providing the facilities are maintained to an acceptable standard.

These units can be automatic or partial/full time staffed and the revenue generated is used to facilitate this type of unit.

The introduction of turnstiles or paddle entry tends to keep out the anti-social element and averts indiscriminate loitering in these premises. The incident rate is greatly reduced and almost eradicated in all these facilities where staff is present during opening hours.

Working studies show that most members of the public, when asked, were happy to pay for a clean fully serviced toilet facility in the knowledge that they would find a range of facilities and feel in a secure environment. A charge of 10p or 20p is an acceptable admission fee in most current operations.

QUESTION 4: OPENING HOURS

This question can only be answered through localised agreement. Hours are extremely dependant on location, local events, seasonal expectations, travel distances, traffic flows and necessity.

Automated units are obviously 24 hour—subject to seasonal opening times.

Staffed units are subject to local businesses hours and events occurring. The needs of users late into the evening and night must be considered.

The Governments enthusiasm for a “24hr economy” reflecting more closely the lifestyle of other European countries means that far more people are out and about late into the night when compared with a few years ago. Clearly these people will have needs for access to toilet facilities. The alternative remains urination and fouling of streets and public places. As Disabled persons form part of the community as a whole, the particular needs of the disabled for out of hours toilet provision must not be overlooked.

QUESTION 5: SECURITY

The rise in anti-social behaviour, involving toilets, can be linked directly to the lack of supervision and the remoteness of the site. Often these toilet facilities in remote locations are opened at 7:00am—quickly cleaned (but not monitored for effectiveness) and then left all day unsupervised. An operative may return after 4.00pm and lock the toilets without any further check on standards and condition.

Damage caused or observed may/may not be reported for some time. Will the replacement part get ordered?—perhaps not until a quantity of that particular part is required—so the toilet/toilets might be out of service for some considerable time resulting in loss of amenity.

Unmanned toilets may begin to suffer from minor vandalism. If this goes unchecked or restrained, as is likely the case in unmanned premises, continuing decline is likely. It is not difficult to see how this can escalate into incidences of major damage; this spiral of decline is witnessed all over the UK.

A unit that was staffed would not be allowed to fall into disrepair—items broken are typically ordered the same day and replaced within 3 x working days. Vandalism is deterred because of their presence and rubbish & debris is not allowed to build up. The unit is cleaned and maintained regularly across the day and it becomes an asset in the area.

Residents, visitors, children young mothers with babies all feel considerably safer entering and using these types of facilities because staff is on hand. Surveys conducted have shown positively that a majority of users are willing to pay a small amount, as indicated, to have this type of facility available.

QUESTION 6: THE GENDER BALANCE

Surveys by the British Toilet Association and the Toilet Association of Ireland reveal that the ratio of male to female toilet facilities is disproportionate.

Studies show that in main shopping areas female visitors out number males by almost 3 to 1 and yet provision is at best on a 50-50 basis. Evidence of this can be clearly seen in shopping centres where queues outside the female toilets are a regular sight. During seasonal high traffic periods such as Christmas it is almost impossible to get to into the female facilities and even harder to find a clean unit.
The British Toilet Association and Toilet Association of Ireland recommendations are for 1 x toilet: 1100 Males and for 1 x toilet: 500 Females—approximately twice as many toilets for females. In many European countries the provision of individual cubicles has addressed this issue making all toilets fit for all users.

**Question 7: Provision beyond Local Authorities**

The Local Authorities are historically the main providers of Public Toilet facilities. Local councils are best positioned to deliver local services and are well equipped to deliver the essential requirements of regular maintenance, regular supervision and regular and thorough cleansing.

A growing number of Private contractors have been delivering toilet services to the public for many years now. Companies like Danfo, Interpublic and Healthmatic are experts at installing, servicing and maintaining these types of facilities and they work closely with the BTA & TAI to help drive the campaign.

Some private companies offer services to provide facilities for local authorities including provision of facility, maintenance and cleaning or a mixture of these services.

Examples include the following:

- “Danfo”—Blackpool Borough Council 922 toilets.
- “Interpublic”—West Wiltshire DC (9 toilets).
- “Healthmatic”—Belfast City Council (6 toilets).

The operation of Community toilet schemes is not a new idea. Most recently the success of the scheme operated by the London Borough of Richmond has received media attention but similar schemes have operated successfully elsewhere for some time. Providing that management and control issues can be properly addressed there is no reason to believe that community toilet schemes cannot be a worthwhile addition to local facilities.

As an adjunct to the main provision by local authorities these schemes provide a useful and valued service. It is important, however, that local authorities do not see such schemes as a way of relinquishing their own responsibilities in meeting the needs of their communities.

**Question 8: Tourism**

The UK & Ireland relies heavily on the Millions of overseas visitors and Tourists to thousands of heritage sites and points of local interest. Yet we do not readily accept our responsibility as a nation to provide decent Public Access Toilets for this transient population. We fail to offer them basic human comfort and a place to freshen up after a long arduous journey.

A recent Omnibus survey carried out by the Tourist Board asked visitors their Best and worst experiences whilst visiting this country. 82% of responses said that the WORST experience they had when visiting this country was—the state of our Public Toilets. In all cases they cited:

- Lack of provision of facilities.
- Lack of proper washing and drying Facilities.
- Smell.
- Wet floors.
- Dirt, debris and litter.

In summary there feelings could be best expresses as lovely places, lovely people, lovely food and accommodation—lousy Toilets!

As the UK prepares to host the 2012 Olympics the thought of this country inviting millions of overseas visitors to come and stay for several weeks in our towns and cities, walk our rivers and canals, play in our parks and gardens, visit our heritage sites and places of interest—with the uncertainty of being able to access decent Public Toilet facilities is both unthinkable and unacceptable.

Consideration of providing a range of temporary portable toilets at series of localised sites should be resisted. What is needed is an infrastructure that provides for toilet facilities that are of benefit to the wider community in the continuum.

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**Memorandum by the Inconvenience Committee of Blue Badge Professional Tourist Guides**

Please find attached the written submission of the Inconvenience Committee of Blue Badge Professional Tourist Guides. The “Blue Badge” is the highest level of professional tourist guide qualification and guides holding it work in all parts of the UK, with the greatest number working in London. The Inconvenience Committee was formed in 2005 in response to increasing concern by Blue Badge guides at the lack of appropriately sited and free public toilets, when guiding a group on foot or by coach. The members of the Committee represent the two leading organisations for guiding, the Association of Professional Tourist Guides and the Guild of Registered Tourist Guides. The majority of Blue Badge guides work independently...
but serve on committees with other representatives of work in tourism, eg Visit Britain and coach operators. Through our guiding work, we have first hand experience of the problems encountered by tourists needing to use public toilets.

In addition to my part time guiding work, I am an independent public health consultant (GMC registration no: 1735730 Specialist register for public health medicine), with particular experience of the public health aspects of water and sanitation and hold an honorary academic appointment at the London School of Hygiene and Tropical Medicine.

Dr R Stanwell-Smith
Chair, Inconvenience Committee of Blue Badge Guides

INTRODUCTION

There has been a growing concern over recent years amongst the UK’s Blue Badge Tourist Guides over the provision of public toilet facilities. The problem is particularly acute in London, which as a global centre for tourism draws in millions of visitors each year from the domestic and overseas markets.

In response to these concerns, Blue Badge Tourist Guides formed an “Inconvenience Committee” to document both problems and progress. The committee has provided evidence to the London Assembly Inquiry into Public Toilets (Report, March 2006), and has campaigned successfully for Unite (the UK’s largest trade union), to include provision of free public toilets as part of their policy. However the committee remain concerned that despite some progress in ideas, the importance of public toilets to UK tourism continues to be at best neglected and, at worst, of no concern, at either UK national or local government levels. Our response to the current call for evidence is detailed below, using the reference headings of the Inquiry.

1. The need for public toilets—access to public spaces, needs of older people, disabled people, children and families

Walking, cycling and visiting parks etc. is increasingly recognised as an important way of improving community health. With an ageing population, access to public toilets is even more essential. Yet many parks and open spaces have poor toilet facilities or lack them altogether—open spaces in London are particularly badly served and demonstrate the lack of a coherent policy for public toilets:

— No suitable public toilets in the public areas of More London/Potters Field/ Hays Galleria. Just a single pay toilet for each gender in More London!
— Only one [shabby but free] public toilet (in St James’s Park) in the vicinity of Buckingham Palace for visitors to the Guard Change.
— Insufficient toilets in Trafalgar Square and with limited opening time provision.
— General lack of sufficient toilets for women [and children].
— Need for disabled toilets should not lead to closure or replacement of other public toilets.
— Limited opening hours makes difficulty for people who walk or cycle to or from work.

2. Why provision has declined

a. The main reasons are the lack of legislation and planning strategy. Increasing legislation for other services has allowed the budgets for public conveniences to be plundered and reduced.

b. Vandalism, drug-taking & other anti-social behaviours are often cited as a reason for closure or restricted hours—but without measures being taken to counteract these threats, although there is ample research and empirical evidence that much of the abuse can be prevented—plus innovative design eg vandal proof toilets.

c. Loss of civic pride in the great achievements of British sanitation: plus it no longer seems to be popular (not respectable enough?) for wealthy benefactors to see public toilet provision as an important charitable contribution to the community (Dick Whittington famously bequeathed a public toilet to Londoners; more recent benefactors, such as George Bernard Shaw, were proud to be recognised as helping to fund or be associated with provision of public toilet facilities).

d. Neglected by architects (although recent RIBA award to a public toilet in Gravesend and award-winning loos in Cambridge are encouraging signs).
3. Who pays: should local authorities provide free toilets; should the public pay; should local business contribute?

a. Public toilets should in general be free at the point of use: apart from issues of equality of access for all citizens and visitors, it cannot be assumed that all those with need to use them will have the appropriate small change. This particularly applies to foreign visitors: the pattern of tourism now includes groups making “flying visits” to the UK of a day or so.

b. It would appear that some people do not mind paying for toilets if they are clean and safe, but pay toilets should be restricted to commercial areas and not to “tourist destination” areas such as Parliament Square in London or centres of major tourist destination. The lack of free toilets around Parliament Square is one of the most persistent trying problems encountered by tourist guides.

c. There should be free public toilets at all main rail stations and most central tube stations in London: it is disgraceful that there are charges at most of these, plus turnstiles (illegal under the ignored Turnstile Act). Ticket prices are high so why can’t this simple service be free? Also, the difficult-to-negotiate toilets at rail stations such as Paddington and Victoria make a very poor welcome to London.

d. Options for paying for toilets include:
   - Contribution from local businesses, especially those benefiting from tourism and visitors, such as hotels, shops and restaurants.
   - Increase in the revenue that can be retained from business rates in main tourist destination areas eg Westminster, ring fenced to pay for public toilet provision.
   - A “toilet card” purchasable at tourist centres that would provide access to charging public toilets—probably only feasible when public toilet design has been more standardised. . .
   - A standard levy on the Oyster card used in London, that would allow the user free entry into toilets eg in tube stations.
   - Condition of trading licence to pay levy for public toilets in all public areas and shopping centres.
   - Local authority contribution to provide toilets in local parks.
   - Linked businesses eg refreshment booths that generate the income needed to finance the toilets; machines selling appropriate products inside toilets.
   - Advertisements in and outside toilets.
   - Corporate sponsorship of particular “high profile” toilets—possibility of tax incentives?

4. Opening hours and other accessibility issues

a. There is a particular shortage of toilets in the early hours (when cafés are not yet open) or after business hours—eg early evening.

b. Accessibility is an issue, but the unintended consequence of the Disability legislation, in encouraging local authorities to close or sell off their facilities, should be urgently addressed. Most of those seeking to use public toilets are not in wheel chairs and can manage steps with appropriate rails etc—therefore the provision of facilities for wheelchair users should not be used as an excuse to provide no other facilities.

5. Security—should toilets be staffed, unstaffed, automated?

Any unstaffed toilet becomes unpleasant in a very short time—a depressing fact (how about including appropriate toilet use on the primary school curriculum?). Automated toilets become frankly dangerous when something goes wrong. Staffing, regular cleaning and replacement of toilet paper, soap etc is therefore essential.

6. The gender balance—are men and women being fairly served by current provision?

a. The answer is of course no—in any group of tourists, the ladies’ loo rapidly builds up a long queue.

b. Public toilets should include twice as many cubicles for women.

7. Provision beyond the local authority—innovative schemes to encourage shops, cafes, pubs and other businesses to provide toilets to more than paying customers

This currently favoured idea has huge drawbacks—

a. It is only feasible for individuals or very small groups.

b. Who wants to pay to eat in a café, only to find a long queue for the loo formed by non-customers?

c. The hygiene of pub and café loos often leaves much to be desired—with greater use, they will be even worse.
d. It does not answer the need of tourist groups.

e. It is extremely unlikely to be taken up in highly frequented tourist areas:
   — Businesses in tourist areas (e.g., Westminster) often display notices saying their toilets are only for customers.
   — Very few establishments have appropriately large public toilets.

f. There is nothing wrong in encouraging this idea in shopping areas etc, but not if it is seen as an alternative to well designed public toilets.

8. Tourism—does public toilet provision play a part in the attractiveness of our towns and cities?

   Yes of course, but the design of toilets could be examined to make them a feature rather than a smelly eyesore e.g with design competitions and specific initiatives to improve the public toilets in parks and open spaces, as well as at tourist destinations. We support the excellent points made by VisitBritain on this subject and would also add the following points:

   a. Tourists ALWAYS remember problems with toilets.

      Examples:
      — Toilets at coach parks often close at 5pm but for some parts of the country this may be the only place where a coach can stop—and local cafés and pubs can be hostile to the arrival of a large group looking for a toilet.
      — Destinations like Westminster Abbey, with no public toilets available to their paying visitors, frequently cause problems for tour groups. A relaxing and enjoyable visit to a tourist attraction often means ensuring that members of the group have a chance to visit a public toilet first.

   b. Public toilets are not just about loos—they provide hand washing and nappy changing facilities, for example: this helps to maintain good hygiene and safe eating on the move.

   c. Street urination and other fouling is undoubtedly on the increase—not the image we want to promote for tourism and well placed public toilets can help to stop this [as well as ensuring some are open in night hours]. The public toilet needs of the homeless and the very poor also need to be addressed if street fouling is to be reduced.

   d. The increasing concern about protecting the environment provides an opportunity to design “eco-loos” that use rainwater for flushing etc.

   e. Civic pride in public toilets needs to be re-generated and appropriately funded.

   f. Tourists come into all the groups for which there may be particular concern: eg elderly; disabled; families with children; people with chronic urinary or bowel ill health.

   g. Tourism is not just about coach parties: walking tours account for an increasing proportion of foreign and in-country tourism. And people on walks need public toilets, just as those in large coach groups.

   h. The two most important tourism-strategic areas for free public toilets in London are Parliament Square (near Westminster Abbey) and St James Park/Green Park (near Buckingham Palace).
INTRODUCTION AND THE ROLE OF CENTRAL GOVERNMENT

4. The Government recognises the importance of public toilets to local communities, and that people value being able to access suitably equipped, clean, and well-stocked public toilets when they are away from home. This is why we set out strategic guidance for local authorities and their partners on public toilet provision in “Improving Public Access to Better Quality Toilets”,\(^8\) which we published earlier this year. This looked at the current situation on the number and quality of public toilets provided by local authorities; stressed the importance of public toilet access for all people, and for certain groups in particular; highlighted the positive contribution that better access to good quality toilet provision can have across a range of public policy areas; and showed how local authorities, working with local stakeholders and communities, can help to improve access by using a mix of approaches adapted to the needs of different people, in different places, at different times of the day.

5. The development of the Strategic Guide was very much a partnership effort, and Communities and Local Government drew on the advice and experience of a number of local authorities, including the London Borough of Camden, Westminster City Council, Nottingham City Council, and Wychavon District Council, and other national organisations with an interest in public toilet provision, including the British Toilet Association, Help the Aged, ENCAMS,\(^9\) Association of Town Centre Management, Chartered Institution of Wastes Management, Visit Britain, Association of Chief Police Officers and the Disability Rights Commission. These organisations took the view that central Government could help to address public concerns by making it easier for local authorities to take positive action to improve public access to toilets, and by highlighting the good progress that some councils had already achieved. This was the aim of the Strategic Guide.

6. To complement the Strategic Guide, further work is under way to develop a more detailed toolkit, which should help to spread some of the innovative approaches to improving access to toilets that some local authorities have already adopted (see paragraph 30).

WIDER GOVERNMENT INTEREST IN PUBLIC TOILETS

7. Communities and Local Government led the development of the Strategic Guide because public access to toilets has a significant impact on the quality of public life, public spaces and levels of satisfaction with where people live. But it also incorporated contributions from across central Government, reflecting the range of departments with an interest in public toilet provision; Health; Culture, Media and Sport; Transport; Children Schools and Families; Work and Pensions; and Business, Enterprise and Regulatory Reform. The positive endorsements from other departmental Ministers highlight the importance they attach to good quality public toilets in delivering their own policies and programmes.

8. The Department of Health has legislative responsibility for public toilet provision in that section 87 of the Public Health Act 1936 gives local authorities a power to provide public conveniences, but no duty to do so. Communities and Local Government is responsible for building regulations and standards, and Annex B of the Strategic Guide summarises the provisions relating to public toilet design and provision.

TAKING ACTION AT LOCAL LEVEL

9. We emphasised in the Strategic Guide our belief that the best way to address issues impacting on local communities is through enabling and empowering local authorities to take action: local Councils, in consultation with other service providers, stakeholders and communities, are evidently best placed to assess local needs and to determine what actions should be prioritised. This is as true for public toilet provision as it is for the wide range of other local public services. The Strategic Guide highlights examples where local authorities have taken the initiative to improve public toilet access, or where communities have raised the issue locally and brought about a change of approach.

10. This approach forms the basis of the relationship between central and local government, as set out in the Central-Local Concordat, published by Communities and Local Government on 12 December 2007, which states that Councils have “the right to address the priorities of their communities as expressed through local elections and to lead the delivery of public services in their area and shape its future without unnecessary direction or control”.

It sits at the heart of the Local Government White Paper in terms of:

— the new performance framework for local authorities, with performance against Local Area Agreements (LAAs) forming the basis for triggering intervention by central Government;
— the National Improvement and Efficiency Strategy published by Communities and Local Government in January 2008,\(^10\) which sets out a new relationship between central and local government, based on devolution and coordination of delivery support, with a reduction in inspection and regulation at the centre; and

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\(^8\) Referred to in this memorandum as “the Strategic Guide”.

\(^9\) “ENCAMS”, which stands for Environmental Campaigns, is an environmental charity, partly funded by Government. The majority of their campaigning is around litter, of which the Keep Britain Tidy campaign is best known.

\(^10\) This document can be found at www.communities.gov.uk/publications/localgovernment/efficiency
the Community Empowerment Action Plan\textsuperscript{11} and forthcoming empowerment white paper, taking forward the Government’s agenda for giving communities more influence over local decisions.

\textbf{Public Toilet Provision—The Evidence}

11. No absolute conclusions can be drawn from existing data on public toilets, because it has not been collected on a consistent basis and does not cover all types of toilet to which the public have access. The data that exists—see paragraph 12 below—does not capture the extent to which people routinely use non-local authority toilets that are available to the public in public buildings, shops and shopping areas, and other businesses. There is some evidence to suggest that this type of usage is quite high,\textsuperscript{12} and may be increasing in some areas where local authorities are making significant progress in improving public access to toilets through a range of approaches, as highlighted in the Strategic Guide.

12. The main data sources for toilets that the public may access are:

- The Ordnance Survey Points of Interest database. This identifies around 9,800 public toilets in England in 2007. These are public toilets that are visible from outside, so do not include public toilets inside buildings such as train stations or shopping centres.
- Valuation Office Agency (VOA) data. This shows a total of 4,423 toilets, but this is based on buildings assessed for rateable value and therefore does not include toilets in department stores, libraries, and sports centres that the public routinely access, disabled toilets that are exempt from rating, or toilets in pubs, restaurants, and cafes that are often freely used by non-paying customers. This data shows a fall in provision of 987 toilets between 2000 (5,410) and 2008 (4,423); and
- Audit Commission compiled statistics (until 2000) on public toilets provided by English local authorities. These indicated that the number of local authority public toilets fell from 6,916 to 6,391 between 1994 and 2000. On the other hand, toilets with facilities for disabled people increased during this period (by 16\% \text{from} 3,054 \text{to} 3,533), as did toilets with baby change facilities (by 63\% \text{from} 734 \text{to} 1,199).

\textbf{The Need for Public Toilets}

13. Section 1 of the Strategic Guide highlights the strong case for good quality provision of public toilets in towns, cities, and rural areas. We believe that good quality provision available in the right places at the right time is important:

- especially for those people who have a greater reliance on “away-from-home” toilet facilities, such as disabled people, people with particular health problems, older people, pregnant women, and families with young children;
- in helping to reduce street fouling and in enhancing the quality of our towns and cities, making them more attractive to local people and residents, and improving the trading environment for local businesses;
- as a vital element in catering for the needs of tourists, contributing to their sense of destination and encouraging return visits; and
- in promoting a range of policy priorities ranging from social inclusion to sustainable transport.

\textbf{Why has Provision Declined?}

14. As noted in paragraph 11, it is hard to draw conclusions from the available data though we recognise that there is public concern about the issue. This was explored during our discussions on the Strategic Guide. Members of the Steering Group agreed that the decline in the number and quality of public toilets had two main causes: high maintenance costs coupled with the legal barrier preventing local authorities from raising revenue through charging, and the generally ad hoc and unstructured arrangements for sharing emerging good practice and innovative approaches.

15. Government has responded to these issues by amending section 87(3)(c) of the Public Health Act 1936 to allow local authorities to charge for public toilets including urinals, and by following up the Strategic Guide with a toolkit for areas wishing to adopt the community toilet scheme approach and to explore the SatLav initiative in more detail.


\textsuperscript{12} A straw poll conducted as part of the public consultation for the London Assembly Health and Public Services Committee’s investigation into public toilets in London (2006) revealed that only 11\% of Londoners use public toilets, whereas 64\% regularly use toilets in shopping centres, pubs and cafes.
16. We would also like to take this opportunity to comment on the impact of the Disability Discrimination Act in 1995 (DDA) on public toilet provision. The DDA has helped to increase the number of toilets with facilities for disabled people (see above), but some reports suggest that the DDA may have been used as an excuse for closing toilets that were not “DDA compliant” (eg underground “Victorian” toilets). However, this is a misinterpretation of what the Act requires. The DDA recognises that there is a balance to be struck between the requirements of disabled people and the interests of the service provider. Therefore, service providers are only required to make adjustments that are reasonable given all the circumstances of the particular case. Factors such as the cost of the adjustment, its practicability and the extent of the service provider’s financial and other resources may be taken into account in determining what is reasonable. If it is not reasonable, in all the circumstances of the case, to make an adjustment to enable disabled people to use a service, then that adjustment does not have to be made, but neither does the Act require that the service be closed to other members of the public.

WHO SHOULD PAY?

17. Providing good quality public toilets costs money. The Strategic Guide illustrated ways in which local authorities and their partners can generate resources for public toilets, including the use of planning obligations, advertising and leasing, and Business Improvement District levy funding. In addition, central funding from the Department for Transport’s Access for All Small Scheme Funding is helping to make access improvements to toilets in several areas, by providing around £7.5 million per year, on a match funded basis, until 2015. Train operators, local authorities and others can bid for this funding.

18. The Government confirmed in the Strategic Guide that it had responded to local authorities’ representations by amending section 87(3)(c) of the Public Health Act 1936 to allow local authorities to charge for public toilets including urinals. This amendment came into effect on 6 April 2008, as part of the Sex Discrimination (Amendment of Legislation) Regulations 2008. In practice, charging will only be viable in some areas—such as town and city centres, tourist hot spots, and other places of high demand—and the decision on whether to charge should take into account the views of local stakeholders and communities.

19. Charging for public toilets is something that people are already familiar with in main line railway stations, some shopping precincts, and automated public toilets. 70% of people responding to an ENCAMS survey in 2006 indicated that they would be willing to pay to use a good quality toilet, with 30% willing to pay up to 20 pence. On the other hand, letters received by Ministers suggest that many people believe public toilets should be free to use.

OPENING HOURS AND OTHER ACCESSIBILITY ISSUES

Security—should toilets be staffed, un-staffed, or automated?

20. Communities and Local Government’s Guide on “How to manage town centres” (published in March 2005) highlighted that the growth of the 24 hour economy risks increasing street fouling incidents unless public toilet provision is able to respond to people’s changing needs at all times of the day and night. This reinforces the need for a mixed approach to public toilet provision—but one that is determined by local councils and their partners based on their knowledge of their area.

21. Community toilet schemes enable access to a range of provision from early morning through to late at night with the facilities provided suited to different time of day—e.g toilets with baby-change in shops during the day, complemented by toilets in pubs and clubs late at night, supplemented by “pop-up” urinals in areas of especially heavy demand on Friday and Saturday nights. Since community toilet schemes normally provide access to facilities in buildings with on-site staff such as shops and cafes, the toilets tend to be better maintained and less liable to vandalism or inappropriate use.

22. As part of a mixed approach, there is a role for both staffed and un-staffed toilets, and also automated toilets. The legal change allowing local authorities to charge for their toilets could unlock an income stream that may be used to pay for an attendant. Attendants can play a role beyond keeping toilets clean and well-stocked: they can also collect the fee from users (and provide change), assist people with special access needs, and deter vandalism and inappropriate use.

23. Automated toilets, such as the self-contained “super loo” often associated with busy high streets, offer some advantages when used in combination with other forms of provision. Generally they are fully accessible, with RADAR key access, and are less vulnerable to vandalism; they are self-cleaning after use; and in exchange for commercial advertising can offer, in certain circumstances, a cost-neutral option for the local authority.

13 For example quoted in “An urgent need: the state of London’s public toilets” the London Assembly Health and Public Services Committee’s investigation into public toilets in London (2006).
14 “How to…manage town centres” (March 2005) can be ordered at: www.communities.gov.uk/publications/citiesandregions/how
15 RADAR—the Royal Association for Disability and Rehabilitation—operates a National Key Scheme which offers independent access to disabled people to around 7,000 locked public toilets nationally.
24. A range of publications and case studies are available on approaches to designing-out crime and anti-social behaviour in and around public toilets. Some of these are brought together in the ENCAMS “Knowledge Bank” and other material referred to in Annex C of the Strategic Guide.

THE GENDER BALANCE—ARE MEN AND WOMEN BEING FAIRLY SERVED BY CURRENT PROVISION?

25. We included evidence in Section 2 of the Strategic Guide (under “Consequence”, page 21) which suggested that public toilet provision is weighted towards men.

26. British Standard (BS) 6465 Part 1 2006—the “Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances”—sets out recommendations for the level of provision by gender. This is currently under review and will be revised to redress the gender balance in provision in line with the Gender Equality Act. Part G (Hygiene) of the Building Regulations, which covers the provision of sanitary facilities in new buildings, is also under review. Our intention is that, subject to public consultation, the revised Part G and British Standard should cross-refer on the issue of gender-balanced provision.

PROVISION BEYOND THE LOCAL AUTHORITY—INNOVATIVE APPROACHES

27. A range of innovative approaches are highlighted in the Strategic Guide. These relate to the use that local authorities can make of planning strategies and regulations such as Section 106 agreements, and the use of leasing conditions.

28. The Strategic Guide particularly highlights the community toilet scheme approach. This shows how local partners can share responsibility for improving public toilet provision in an area for the benefit of all. The scheme in Richmond upon Thames (Annex D of the Strategic Guide) highlights that significant improvements in the number and quality of toilets with local public access can be achieved at a lower cost than alternative modes of provision, and without levying a charge from the public. It also mentions Westminster’s “SatLav” initiative, which using the latest technological developments allows members of the public to access details of council-run and leased toilets and other provision such as those in high street stores, including Debenhams, House of Frazer and Marks and Spencer, via their mobile phone.

29. Communities and Local Government is working with the environmental charity ENCAMS and the relevant local authorities to develop a short toolkit which should help and encourage other local authorities interested in adopting these approaches. The toolkit should be available in June.

TOURISM—DOES PUBLIC TOILET PROVISION PLAY A PART IN THE ATTRACTIVENESS OF OUR TOWNS AND CITIES?

30. Public toilet provision is an important issue for areas relying on a tourism income. Visitors choose their destinations, carefully based on the extent to which their needs are met, from previous experience and on feedback from other visitors. Being able to access a toilet when needed helps to provide a strong and positive impression of an area, which in turn helps secure repeat trade and sustainable economic development. Further details are provided in Section 1 of the Strategic Guide (“Attracting visitors”).

Supplementary memorandum by the Department for Communities and Local Government

Thank you for inviting me to present oral evidence to the Committee regarding its inquiry into public toilet provision. This offered a valuable opportunity to set out again why the Government believes that good quality public toilets are important, and the positive steps that we are taking with local authorities and other local stakeholders to improve provision.

I promised to follow up by providing further details on the following issues that we discussed:

1. Why are certain cafes and large coffee shop chains not required to provide toilets for their customers?
2. Local Authority Business Growth Incentives (LABGI)—how has this been used to fund public toilets?

I deal with each of these in turn below. I also include a short note on what the Department for Transport are doing to improve toilet provision at train stations—this was also an issue of interest to the Committee.

16 ENCAMS “Knowledge Bank” is a series of CD ROM toolkits, designed to help land managers tackle a variety of issues including anti-social behaviour in and around public toilets.
Why are certain cafes and large coffee shop chains not required to provide toilets for their customers?

Section 20 of the Local Government (Miscellaneous Provisions) Act 1976 gives local authorities a power although they can require toilets to be provided and maintained for public use in a wide range of premises—ie any place providing entertainment, exhibitions or sporting events, and places serving food and drink for consumption on the premises. This is a discretionary power which may be used where a lack of customer toilets causes a problem either on the premises or nearby. But the exercise of the power is contestable, and a local authority needs to be able to show that its use is reasonable in all the circumstances.

Local authorities normally use the British Standards guidance on sanitary installations to determine the appropriate number of customer toilets when considering premises licence applications. In addition the Health, Safety and Welfare at Work Regulations 1992 can be used to require toilet provision for staff.

We believe that local authorities are best placed to make these judgements, taking into account the specifics of each case and the British Standards guidance. The Strategic Guide aimed to ensure that local authorities are aware that they hold this power, and use it appropriately as local circumstances dictate.

Local Authority Business Growth Incentives (LABGI)—how has this been used to fund public toilets?

LABGI provides an incentive for local authorities to promote economic growth in their area by allowing them to retain a share of increases in revenue derived from business rates. It is for local authorities to decide how their reward is spent.

In May 2008, Hertsmere Borough Council decided to use £40,000 LABGI funding to pilot a community toilet scheme in Borehamwood for 12 months, starting this summer. The report to the Executive Committee recommending the approach referred to CLG’s Strategic Guide, which highlighted the potential benefits of the community toilet scheme approach. This shows that the Guide is already influencing the thinking of local authorities.

The Strategic Guide also refers to the Croydon Business Improvement District which, in partnership with the Whitgift Shopping Centre and National Car Parks renovated, and now maintains, two public toilets in the town centre that had previously been closed for some years.

Changing Places campaign

We are pleased to be working with the Changing Places campaign on the appropriate design of toilet facilities for severely disabled adults. These needs were already partly addressed in the 2004 Edition of the Advisory Document of Part M (Access to and use of buildings) of the Building Regulations included a new clause (5.6) on the desirability of including separate facilities in large developments for baby changing and an enlarged unisex toilet incorporating some suitable facilities for severely disabled adults.

Since then, CLG officials have been considering with the Changing Places consortium how policy might further develop. We are working with the British Standards Institute on the latest update of “BS8300 Design of Buildings and their approaches to meet the needs of disabled people—Code of practice”, a revised draft of which was issued for public comment at the end of May this year.

The proposed revisions to BS8300 include, for the first time, detailed technical guidance on the design of Changing Places facilities. This will provide a strong platform for considering possible further changes to Part M, as well as providing technical guidance for planning authorities and developers wishing to include facilities in future developments. We do not propose dedicated funding for this particular type of provision, but the Guide highlighted some of the options that may be used to support provision of Changing Places toilets. Consultation closes on 31 July and the review should be completed by the end of the year.

We are also aware that the disabled drivers mapping portal17, available via the Direct.gov website, lists amongst other things accessible public toilets in 115 towns and cities across the UK including the location of Changing Places facilities. So far, details of 21 such facilities are available and work is ongoing to include details of more than 20 locations over the coming weeks.

Public toilets at train stations

We have made good progress in ensuring that colleagues at the Department for Transport are aware of the importance of good public toilet provision. Rosie Winterton, Minister of State for Transport, endorsed the Strategic Guide with the following words:

“'The ready availability of public toilets is an important issue for everyone using public transport. The Department for Transport is particularly keen to ensure that toilets at train stations and on trains and aeroplanes are available and accessible to disabled passengers. I therefore welcome this Guide which supports and supplements the work that we are doing to help transport operators and local authorities make access improvements that really matter.’

17 This can be accessed at: www.direct.gov.uk/en/DisabledPeople/MotoringAndTransport/Bluebadgescheme/DG_10038295
And the Guide also highlighted DfT’s “Access for All Small Scheme Funding”, which has helped to improve accessible toilet facilities at over 40 locations.

Under the franchising arrangements, franchisees are expected to maintain onboard provision of toilets where appropriate and to maintain existing facilities at stations where they are the Station Facility Owner. The Rail White Paper ‘Delivering a Sustainable Railway’ (July 2007) earmarked £150 million to modernise 150 stations across the country which will focus on medium-sized stations that are run down or lack basic facilities and addresses any area that the railway has neglected for too long, which might include public toilets, although it does not explicitly say so.

**Memorandum by the Changing Places Consortium**

**SUMMARY**

- Standard accessible (disabled) toilets do not meet the needs of thousands of disabled people who need assistance to use the toilet.
- A lack of suitable accessible facilities puts people’s health at risk and leaves them socially excluded.
- The solution is public Changing Places toilets, which provide a height-adjustable adult-sized changing bench, a hoist and plenty of space.
- Many thousands of people living in the UK today need Changing Places toilets, including 40,000 with profound and multiple learning disabilities.
- Current levels of provision of Changing Places toilets in the UK are woefully small.
- Changing Places toilets change lives.
- Public Changing Places toilets urgently need to be provided in all big public places.

**INTRODUCTION**

The Changing Places Consortium is a group of organisations working to support the rights of people with profound and multiple learning disabilities to access their community. The Changing Places Consortium is campaigning for Changing Places toilets to be installed in big public places.

The members of the consortium are: Centre for Accessible Environments, Mencap, PAMIS, Nottingham City Council, Dumfries & Galloway Council, Valuing People Support Team and the Scottish Government.

The Changing Places Consortium welcomes the opportunity to respond to this inquiry. Our response will concentrate on the need for public toilets in relation to meeting the access needs of profoundly disabled people and their families.

**RESPONSE**

1. **Standard accessible (disabled) toilets do not meet the needs of thousands of disabled people who need assistance to use the toilet**

   Thousands of disabled people need support from one or two carers to use the toilet or to have their continence pad changed. This means that they need a height-adjustable adult-sized changing bench where a carer can safely change their continence pad. They need a hoist so they can be helped to transfer safely from their wheelchair to the toilet or changing bench. They need a peninsular toilet so they can be supported by a carer on either side. And they need a facility which is big enough for them, their wheelchair when they are not in it and up to two carers.

   Standard accessible toilets do not provide changing benches or hoists. Most are too small to accommodate more than one person.

2. **A lack of suitable accessible facilities puts people’s health at risk and leaves them socially excluded**

   Without suitable accessible public toilets, many disabled people and their families are only able to make short trips or are simply forced to stay at home.

   Others have to risk their health and safety by changing a disabled person on a public toilet floor. This is dangerous, unhygienic and undignified.

   It is now accepted and expected that everyone has a right to live in the community, to move around within it and to access all its facilities. Government policy promotes the idea of “community participation” and “active citizenship”, but for some disabled people the lack of a fully accessible toilet is denying them this right.
3. The solution is public Changing Places toilets

Changing Places toilets are different to standard disabled toilets. They provide:

— The right equipment:
  — a height-adjustable adult-sized changing bench; and
  — a tracking hoist system, or mobile hoist if this is not possible.

— Enough space:
  — adequate space in the changing area for the disabled person and up to two carers;
  — a centrally placed toilet with room either side for the carers; and
  — a screen or curtain to allow the disabled person and carer some privacy.

— A safe and clean environment:
  — wide tear off paper roll to cover the bench;
  — a large waste bin for disposable pads; and
  — a non-slip floor.

Changing Places toilets should be provided in addition to standard accessible (disabled) toilets.

4. Demand for Changing Places toilets

Many thousands of people living in the UK today need Changing Places toilets. The UK is home to approximately 40,000 people with profound and multiple learning disabilities, the majority of whom need Changing Places toilets. Their families and carers also need Changing Places toilets so they can go out in the community with their son or daughter, other family members and friends.

Many other people also have similar needs. For example, we know that in the UK the number of people who would benefit from a Changing Places toilet include approximately:

— 24,000 people with a spinal injury.
— 20,000 people with muscular dystrophy.
— 8,500 people with multiple sclerosis.
— 2,000 people with an acquired brain injury.

And the number of people with complex disabilities is growing—we are all living longer, meaning many more people are likely to need access to a Changing Places toilet in the future.

5. Current levels of provision of Changing Places toilets in the UK

There are currently approximately 50 public Changing Places toilets in the UK. These are in a range of venues including shopping centres, leisure complexes and city centres. Full details can be found at www.changing-places.org/where.asp

Several of the Changing Places toilets are provided in public toilet blocks, including Market Square in Nottingham, Briar Way in Skegness, the Windmill Gardens in Dundee and Victoria Embankment Gardens in Westminster.

A number of local authorities have recognised and embraced the need to provide Changing Places toilets, including Nottingham City Council, Westminster City Council and Bradford Metropolitan District Council.

But the number of Changing Places toilets in the UK is woefully inadequate and falls far short of meeting the needs of the most severely disabled people and their families in the UK.

6. Changing Places toilets change lives

A mother from Loughborough and her two daughters Elin and Lowri were over the moon when they recently spent a girls’ day out in Nottingham City Centre. Like many other families they went shopping and had lunch in a café, followed by an afternoon at the theatre. This may not sound like an unusual story, but for mum Bethan and her family it is the first time in years that this has been possible, thanks to Nottingham City Council’s decision to install a Changing Places toilet.
Lowri has profound and multiple learning disabilities due to Rett syndrome. She is a wheelchair user with no independent mobility and needs complete 24-hour support with all aspects of her care. Lowri wears continence pads which need to be changed in a Changing Places toilet, like the one in Nottingham. The facility provides a height adjustable changing bench where Lowri can be comfortably laid down, a hoist to allow her to be lifted from her wheelchair on to the bed, and plenty of space.

“We used the Changing places toilet on Saturday and it was brilliant!” Bethan enthuses. “Lowri was very comfortable when we used the changing bench and the whole place was spotless. I was able to take Elin and Lowri shopping for school clothes in the morning, have lunch and then go straight on to the theatre, just like anyone else would have done.”

As Bethan explains, this is a far cry from the family’s usual experiences:

“Without Changing Places toilets it is a nightmare. We try to plan our days around being home for mealtimes because Lowri needs to go to the toilet, meaning we can only spend a few hours away from home. We have a large mat which we carry around in case we have to change her when we are out. We put this down on the floor of ‘disabled’ loos and just muddle through—we have countless experiences at eye level of disgusting toilet floors.”

Bethan’s family, like many thousands of other families in the UK, is now desperately hoping that other councils and businesses will begin to provide Changing Places toilets.

7. Conclusion

Public Changing Places toilets urgently need to be provided in all big public places to allow disabled people and their families full access to their communities as citizens, tourists and workers.

The Government should encourage local authorities to lead by example, by providing Changing Places toilets in their communities.

Memorandum by VisitBritain

SUMMARY

— It would be sadly ironic if visitors with many pounds to spend were dissuaded from our destinations for want of “spending a penny”.
— Tourism is one of the largest industries in the UK, worth approximately £85 billion.
— Britain has some of the best publicly accessible toilet facilities in the world and VisitBritain is proud to support such initiatives as “Loo of the Year”. This is not to say that there are enough quality toilets or that all of Britain’s publicly accessible toilets are of world-envied class.
— Tourists want a destination that has thought of their needs before they arrive. The vast majority use previous experience to decide whether or not to visit again. They are equally inclined to listen to the experience of friends and relatives. A Sense of Destination that meets a visitor’s needs is vital for repeat trade and sustainable economic development. VisitBritain is delighted that CLG included Sense of Destination as a consideration for the Strategic Guide.
— 80% of the UK visitor economy is from domestic tourism. This highlights the cultural expectations for “traditional” toilet standards of the vast majority of visitors.
— Almost two thirds of tourists to/within England obtain information about their destination in England from PREVIOUS EXPERIENCE (63%) (good—I’ll go again, bad—I’m never going back), ADVICE FROM FRIENDS AND RELATIVES (61%) (good—you’ll love it!, bad—it’s awful don’t go!) and the INTERNET (48%).
— VisitBritain’s Quality schemes—including the Visitor Attraction Quality Assessment Scheme, and our Accessibility Scheme, include robust standards for toilet facilities. VisitBritain also supports the “Loo of the Year” Awards to drive up standards and reward excellence.
— Those groups most likely to need access to toilets (those with children, those over 55) are also the groups most inclined to take both holidays and short breaks in the UK.
— There are few examples of public toilets as a tourist attraction in their own right, though coach parties in New Zealand regularly stop off at the exceptional Gillies Street toilets in Kawakawa.
— The expansion in festival tourism across the country has made temporary provision a particularly burning issue. It has also produced issues of gender equality. Mobile urinals (such as those used on a regular basis in Soho) are designed for male use. “Portakabin” style toilets (such as can currently be seen at London Euston railways station) do, however, offer an opportunity for temporary, roomy and separate toilet provision.
— The needs of inbound (international) visitors, particularly to regional cities, must also clearly also be considered. With increasing numbers visiting regional cities there is an increasing base of people with first-hand experience with which to form judgements about the desirability of making repeat visits AND office advice to other potential visitors from abroad. Around HALF of inbound visits are by lone travellers. Around a THIRD are with.

— Repeat visitors are bigger spenders in the UK. In 2004, average spend per visit was around £80 higher for repeaters compared with first timers. First impressions really do count: in terms of both repeat trade and increased spend.

— Our preference is for toilets to be free at the point of use. VisitBritain would particularly like the Committee to note some schemes in areas where the private sector turnover/profit incentives for a greater customer base are harnessed by the local authority to ensure free toilet provision.

1. ABOUT VISITBRITAIN

1.1 VisitBritain is a Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport and responsible for marketing Britain worldwide and for developing England’s visitor economy. Our mission is to build the value of tourism by creating world class destination brands and marketing campaigns and also build partnerships with—and provide insights to—other organisations which have a stake in British tourism. VisitBritain’s Chief Executive chairs the “Welcome to Britain Group”—a collaboration of public-facing private sector stakeholders and public sector agencies—to improve the visitor experience.

1.2 VisitBritain promotes Britain internationally and England domestically to the British. England is also marketed in four European countries (Germany, France, the Netherlands and Eire) where England is a particularly strong brand. We are responsible for both the visitbritain.com and enjoyengland.com visitor-oriented websites and jointly fund the Britain and London Visitor Centre (BLVC) in Lower Regent Street, London.

1.3 There are an estimated 1.4 million jobs in tourism in the UK as a whole, some 5% of all people in employment. Tourism is one of the largest industries in the UK, worth approximately £85 billion.

1.4 VisitBritain is grateful for the opportunity to contribute to this important inquiry. Indeed, VisitBritain was represented on the CLG Publicly Accessible Toilets Steering Group that produced the Strategic Guide.

1.5 There are key issues in the visitor economy that VisitBritain would wish to be borne in mind and we endorse close consideration of the Blue Badge Guide Inconvenience Committee’s submission.

2. INTRODUCTION

2.1 Despite widely varying cultural expectations across the world, we feel confident to say that Britain has some of the best publicly accessible toilet facilities in the world and VisitBritain is proud to support such initiatives as “Loo of the Year”. Our own cultural expectations, as UK consumers who visit domestic destinations, are informed by a long history of a particular style of public toilet provision within the British Isles. (Indeed, this was a culture British settlers took with them to the colonized territories of the former British Empire. The late Victorian public toilets in the Queen Victoria Building in George Street, Sydney, for example, would not look out of place in any major British city.) Frankly, it is not expected in these destinations that one will have to squat. It is not expected that toilet cubicles will have an absence of doors. In other parts of the world, however, the cultural expectation—and the existing provision—is precisely the opposite.

2.2 This is not to say that there are enough quality toilets or that all of Britain’s publicly accessible toilets are of world-envied class. In February 2007, for example, Bloomberg.com carried a somewhat sensationalist headline that “Londoners Squirm as Public Toilets Grow Scarce; New Loo is $10”18. This is hardly helpful publicity.

2.3 Tourists to a destination are not usually resident in that destination. Visitors generally have less knowledge of an area. They require more signposts. They can’t simply pop home/into work/their well-known local for the loo. They want a destination that has thought of their needs before they arrive. The vast majority use previous experience/impressions to decide whether or not to visit again. They are equally inclined to listen to the experience of friends and relatives. Sense of Place—or Sense of Destination—that meets a visitor’s needs is vital for repeat trade and sustainable economic development. We might say that where Sense of Place promotes “liveability”, Sense of Destination promotes “visitability”. Accessibility to a toilet is an absolutely fundamental need of any visitor—whether domestic (UK residents) or inbound (non-UK residents, incl British citizens based abroad). VisitBritain is delighted that CLG included Sense of Destination as a consideration for the Strategic Guide.

2.4 The UK visitor economy was worth £85 billion in 2005, 80% of which was from domestic tourism. This is an important point as it highlights the “Anglo-Saxon” cultural expectations for “traditional” toilet standards of the vast majority of visitors.

2.5 Until the late 18th Century, with the notable exception of some early experiments, such as Sir John Harington’s ultimately unique flush toilet and water reservoir of 1596 at Richmond Palace, toilets in England took the form of privies, close stools (commodes) and chamber pots. In their book, “Toilets of the World”, (London: Merrell 2006), Morna E Gregory and Sian James note:

“It was not until 1775 that the flush toilet reappeared, patented again in England by Alexander Cummings. Society was finally ready to embrace this avant-garde invention. Early water-closets (WCs) had their share of growing pains, but they were constantly being improved. Although the Victorians were faced with serious sewage disposal problems, this was an era when ornately decorated toilet bowls flourished as status symbols.

From Britain the flush toilet spread, albeit slowly, to the colonial countries, and was eventually adopted with varying degrees of prevalence elsewhere in the world. There have been no great changes since the late nineteenth century, except in bowl design, cistern shapes and the quantity of water used. The market now offers shredder toilets, compactor toilets, toilets made of gold, self-cleaning toilets with built-in spray jets and blow-dryers.”


3. Reaching Domestic Consumers

3.1 As part of research into the English visitor economy VisitBritain has found the following insights into UK-resident visitors to destinations in England:

3.1.1 Deciding, planning & booking patterns

Almost two thirds of visitors to/within England obtain information about their destination in England from PREVIOUS EXPERIENCE (63%) while ADVICE FROM FRIENDS AND RELATIVES (61%) and the INTERNET (48%) are also strong influences:

<table>
<thead>
<tr>
<th>Sources of information when choosing a holiday destination in England</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Experience</td>
<td>63</td>
</tr>
<tr>
<td>Advice from friends and relatives</td>
<td>61</td>
</tr>
<tr>
<td>Internet</td>
<td>48</td>
</tr>
<tr>
<td>Tourism brochures</td>
<td>24</td>
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<tr>
<td>Travel agents</td>
<td>23</td>
</tr>
<tr>
<td>Articles in newspapers/magazines</td>
<td>14</td>
</tr>
<tr>
<td>Travel books</td>
<td>13</td>
</tr>
<tr>
<td>Accommodation guides</td>
<td>10</td>
</tr>
<tr>
<td>Advertisements in newspapers/magazines</td>
<td>8</td>
</tr>
<tr>
<td>Television/radio programmes</td>
<td>7</td>
</tr>
<tr>
<td>Items in the post</td>
<td>7</td>
</tr>
<tr>
<td>Television/radio advertisements</td>
<td>3</td>
</tr>
<tr>
<td>Tourist Board stand at shows</td>
<td>3</td>
</tr>
</tbody>
</table>

3.1.2 Online Environment

— 14.3 million (57%) of UK households had internet access in 2006.
— Nearly eight of 10 connections to the internet are now via broadband.
— 60% of the UK adult population have accessed the internet in the past three months, with 79% of these people making some kind of purchase.
— 71% of people searched for information about travel and accommodation within the last three months with 51% of adults making a purchase.

(Source: Office of National Statistics 2007)

19 VisitBritain’s statutory remit is to market Britain to the World and to develop the domestic visitor economy in England (which is done under the enjoyEngland brand)—our remit is therefore sometimes dubbed “marketing Britain to the World and England to the British”.

3.1.3 As with destination, so with accommodation within the destination

The marked importance of previous experience and/or the advice of friends/relatives as sources of information are also evident in consumer choices over accommodation:

<table>
<thead>
<tr>
<th>Sources of information used to choose accommodation in England</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Experience</td>
<td>62</td>
</tr>
<tr>
<td>Advice from friends and relatives</td>
<td>57</td>
</tr>
<tr>
<td>Internet</td>
<td>53</td>
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<tr>
<td>Tourism brochures</td>
<td>28</td>
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<tr>
<td>Accommodation guides</td>
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<tr>
<td>Tourist Information Centres</td>
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<td>Travel books</td>
<td>10</td>
</tr>
<tr>
<td>Articles in newspapers/magazines</td>
<td>10</td>
</tr>
<tr>
<td>Roadside B&amp;B, hotel or camping signs</td>
<td>8</td>
</tr>
<tr>
<td>Advertisements in newspapers/magazines</td>
<td>8</td>
</tr>
<tr>
<td>Television/radio programmes</td>
<td>6</td>
</tr>
<tr>
<td>Tourist Board stands at shows</td>
<td>3</td>
</tr>
<tr>
<td>Television/radio advertisements</td>
<td>3</td>
</tr>
</tbody>
</table>

3.1.4 Quality Schemes

Research by enjoyEngland has shown that over three quarters of consumers (77%) believe QUALITY SCHEMES are important when choosing accommodation. There is high awareness of the enjoyEngland quality marque (the Quality Rose) relating to enjoyEngland quality assessment schemes. VisitBritain’s Quality schemes—including the Visitor Attraction Quality Assessment Scheme, and our Accessibility Scheme, include robust standards for toilet facilities. VisitBritain also supports the “Loo of the Year” Awards to drive up standards and reward excellence.

(Source: enjoyEngland Brand Tracking Study 2007)

4. Holidays and Breaks

4.1 We know from a 2005 survey by Changing Lives N-Vision (Future Foundation) that those in the 35–54 age group are the most inclined to go on holiday and/or take short breaks abroad AND the most likely to go on holiday and/or take short breaks in the UK. This may be due to family commitments (“take the kids away”), greater wealth and the desire to escape from work-place environment/surroundings during leisure time. They are better able to take more than one holiday each year. Of the remaining age groups, we know that those in the 55+ age group are more likely than those in the 16–34 age group to take both holidays and short breaks in the UK, while the 16–34 age group is more likely to take short breaks and/or holidays abroad.

4.2 ie Those groups most likely to need access to toilets (those with children, those over 55) are also the groups most inclined to take both holidays and short breaks in the UK. They choose destinations in England based on personal experience (good—I’ll go again, bad—I’m never going back); advice from friends (good—you’ll love it!, bad—it’s awful don’t go!) and the internet (destination guides, eg enjoyengland.com, advisory sites such as TripAdvisor).

4.3 Significantly, they are more likely to be influenced by previous experience or the advice of friends over choice of destination than choice of accommodation within the destination. Place-shaping and “sense of destination” are therefore crucial. Access to clean, quality toilet provision is just as much a part of any destination’s brand as it is part of, say, a pub’s reputation (“I hate that pub, the toilets stink”).

4.4 There are few examples of public toilets as a tourist attraction in their own right. However, it is worth noting that coach parties in New Zealand regularly stop off at the exceptional Gillies Street toilets in Kawakawa. As Morna Gregory and Sian James note:

“The world-renowned Austrian artist and architect Friedenreich Hundertwasser (1928–2000) designed and oversaw the construction of these delightfully eccentric public toilets, situated on the main street of this small town. The toilets attract busloads of curious visitors. Perhaps these are the only toilets that are a tourist attraction not so much for their obvious purpose as for their unique design. Congruity is forgotten here as colourful curves meet unlikely combinations of tiles of all dimensions. The toilets are lit naturally through an odd array of coloured bottles cemented into the wall. The public toilets that put Kawakawa on the map were Hundertwasser’s final creation.”

4.5 The use of glass bottles in the public realm brings to mind Sidney Little’s iconic 1930s “Bottle Alley” in Hastings. The Committee will be familiar with that destination from its recent Inquiry into Coastal Towns. In that Inquiry, the Committee championed efforts to reinvigorate coastal tourism. In Hastings, two initiatives are particularly noteworthy: the use of s215 of the 1990 Town and Country Planning Act to enforce building maintenance and restoration (thus enhancing the appeal to visitors of that destination year round); and the establishing and expansion of the Hastings Seafood and Wine Festival (thus filling guest accommodation in the resort in the third weekend in September and attracting a predicted 40,000 attendees in 2008—up from 15,000 in 2006). These initiatives will add pressure for publicly accessible toilets in Hastings both permanently and temporarily.

4.6 The expansion in festival tourism across the country has made temporary provision a particularly burning issue. It has also produced issues of gender equality. Mobile urinals (such as those used on a regular basis in Soho) are designed for male use. “Portaloos” can be uninviting, especially where they are for the use of both those men with little regard for lifting the toilet seat and women expecting certain levels of cleanliness. “Portakabin” style toilets (such as can currently be seen at London Euston railways station) do, however, offer an opportunity for temporary, roomy and separate toilet provision.

5. Sustainable Tourism—Rural and Urban Respondents

5.1 Sustainable communities and economic development are key to the liveability agenda. Sustainability (environmental, cultural and economic) is also increasingly important in destination choices. There is anecdotal evidence that holiday options at home are important to the increasing numbers of people who have concerns over their carbon footprint (and few off-setting options). However, by and large, it is the marked improvement in the domestic visitor product, especially in post-industrial urban centres such as central Birmingham, Manchester, Liverpool, Bristol and Sheffield (pedestrianisation/improved public realm, cultural and retail schemes for example) that has improved the prospects for domestic tourism. Local Government, Freeholders, Consortia, Business Improvement Districts, etc have all contributed to this success. Notably, uniform national standards (in parks, Green Flags; on beaches, Blue Flags; in accommodation, star-ratings) have been fundamental to improving the aspirations of destinations and the quality of the visitor experience.

5.2 In early 2007, enjoyEngland commissioned research to investigate consumers’ understanding of sustainable tourism and their attitudes to it (in particular, sustainable attractions and accommodation). Qualitative research was undertaken in London, Manchester and Birmingham. These groups were made up of individuals at various life stages and differing socio-economic groups. Additionally, in-depth interviews were conducted in rural locations in Devon and Yorkshire to explore if there were any differences between rural and urban respondents.

5.3 In fact, no significant differences were found between the views of rural and urban respondents, however rural respondents did display a heightened sensitivity towards local environment quality and also seem to be very conscious—even protective—about maintaining and/or preserving local traditions and ensuring tourist facilities/buildings (which would include toilet blocks) blend in with the local environment. Bad architecture in toilets can undermine a destination’s appeal. Conversely, as is seen in the Kawakawa example, innovative architecture can enhance it. It is worth noting that the new Plastik Architects-designed public toilet block in Gravesend has been short-listed for the “Best New Building in Britain” award by the Royal Institute of British Architects: a new iconic functional building for a destination VisitBritain has recently heavily marketed in North America for the ancestral and Founding Fathers tourism market (Princess Pocahontas is buried in Gravesend).

6. The International Visitor to Britain

6.1 According to the latest ONS International Passenger Survey (IPS), 2007 saw:

— 32,745,000 inbound visits to Britain (provisional).
— £16.66 billion spent by inbound visitors to Britain (provisional).
— £494 spent on average on each inbound visit to Britain (provisional).
— 8.0 days as the average length of an inbound visit to Britain (provisional).

6.2 Inbound visitors to Britain currently overwhelmingly favour city destinations and overwhelmingly London at that. There has been no change in the top five destinations within Britain from 2000–05. (NB more detailed information is available for 2005 than the current headline stats for 2006.)

6.3 International visits to London reached a record 13,893,000 in 2005. From 2000–05, visits to Edinburgh increased by 25% to 1,134,000; Manchester increased by 47% to 824,000; Birmingham by 40% and Glasgow by 59%. Great Regional Cities are starting to close the gap with London as the expanding inbound “City Break” market takes off. Nottingham—another traditional tourist spot (Robin Hood/Sheriff of Nottingham being famous worldwide) saw inbound visits increase by 48%.
6.4 Liverpool, European Capital of Culture 2008, particularly leapt up the table of Britain’s top towns, more than doubling (131%) inbound visits in the first five years of the twenty-first century.

<table>
<thead>
<tr>
<th></th>
<th>2005 (000)</th>
<th>2004 (000)</th>
<th>% +/−</th>
<th>2000 (000)</th>
<th>% +/−</th>
</tr>
</thead>
<tbody>
<tr>
<td>London</td>
<td>13,893</td>
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<td>13,150</td>
<td>+ 6</td>
</tr>
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<td>940</td>
<td>+ 21</td>
<td>910</td>
<td>+ 25</td>
</tr>
<tr>
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<td>824</td>
<td>770</td>
<td>+ 7</td>
<td>560</td>
<td>+ 47</td>
</tr>
<tr>
<td>Birmingham</td>
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6.5 Therefore the needs of inbound visitors, particularly to regional cities, must clearly also be considered. With increasing numbers visiting regional cities there is an increasing base of people with first-hand experience with which to form judgements about the desirability of making repeat visits AND office advice to other potential visitors from abroad. Around HALF of inbound visits are by lone travellers. Around a THIRD are with partners, families or friends.

7. Short Breaks/City Breaks

7.1 The European Travel Commission predicts that the trend towards City/Weekend Breaks will continue, leading to a shortening of the longer main holiday in favour of more short ones. We already see that trend in the International Passenger Survey where market growth continues to come from one to three night visits. Short break visitors spend an average of £133 per day.

8. Repeat Visitors

8.1 In 2004 we analysed the difference between the spending of first timers and repeat visitors. Repeat visitors are bigger spenders in the UK. In 2004, average spend per visit was around £80 higher for repeaters compared with first timers. This is a real, substantial difference and can not be explained by differences in length of stay (they are similar) or any differential demographic make-up of visitors. Repeat visitors also show a tendency towards more even regional spread than first-timers. People who come here and love it appear to be not only more inclined to come again, but to venture further round the country and be more willing to spend money on us! First impressions really do count: in terms of both repeat trade and increased spend.

8.2 Short break visitors have less opportunity to get to know a city. Clearly signposted, accessible, safe and clean toilets will be an important part of the overall experience of a welcoming, legible and accessible destination in the growing and lucrative short break and repeat visitor markets.

9. The Britain Brand and Local Identities

9.1 According to the GMI/Anholt Nation Brands Index20, the UK has consistently been the world’s Number 1 Nation Brand. It is a Government Objective, through the Public Diplomacy section of the FCO, to keep it so. Unfortunately, the UK has recently been overtaken in the top slot by Germany. Germany very effectively utilised its hosting of the 2006 World Cup to improve its image abroad. We feel that 2012 offers similar opportunities for Britain. Of course, it is the Olympic Games and Paralympic Games and this should serve as a reminder of accessibility issues for all. As the Committee will note from the CLG Strategic Guide, it is possible to have new street level toilets with disabled access next to traditional underground toilets, as in Hampstead, London Borough of Camden.

20 http://www.nationbrandindex.com/
9.2 Brands are formed from value judgements on a whole plethora of factors. Within the Nation Brands Index, one of the factors is perceptions as a tourist destination. Britain ranks 5th on that attribute. On the attribute “rich in built heritage” Britain is only 7th in the league. Improving the perception of these areas is therefore important if we are to capitalize on our overall rating as the World’s Number 1 Nation Brand. Toilets are a part—however small—of both of these factors.

9.3 The Victorians clearly understood the contribution toilets make to the municipal landscape and invested in having the best, most luxurious public toilets possible (to the extent, in one case, of having goldfish in the glass fronted cistern to prove how clean the water was). We also still see Victorian and Edwardian vernacular and mock-Tudor public toilets dotted around the country that were designed to fit in with the local brand identity.

10. Charges

10.1 Our preference is for free toilets; however we do understand the pressures on local authority budgets. We would point out that the cost of not having public toilets is likely to be not having an optimised visitor economy. In times past, of course, local authorities built public toilets on a grand scale to impress visitors. Those visitors then spent money in the destination and the local authority felt the effect in increased business rates. Under current financial arrangements we understand that the most popular tourism destination in Britain, the City of Westminster, receives just six% of the business rates its Council collects and that increasing visitor numbers would not increase the level of rates received. This change to the incentives for local authorities to encourage visitors with free services needs to be borne in mind, particularly in light of the £300,000 cost of the public toilets in Gravesend mentioned above in paragraph 5.3.

10.2 VisitBritain would like the Committee to note some schemes of which we are aware in seaside destinations where the private sector turnover/profit incentives for a greater customer base are harnessed by the local authority. We are aware that in:

- Boscombe Chine Gardens, Borough of Bournemouth, there is an agreement between owners of a café on the site and the Borough Council Parks Department for the previously shut public toilets to be reopened and managed by the private sector concern as part of that café’s efforts to increase its customer base.
- Eastbourne Seafront, formerly unused and derelict windshelters owned by Eastbourne Council are leased to private sector hospitality concerns that agree to provide toilet facilities for both customers and non-customers.
- Eastern Esplanade, Thorpe Bay, Borough of Southend-on-Sea, the “Ocean Beach” bistro was formerly a public toilet block that Southend Council had closed as a result of financial constraints. The block reopened as the bistro in 2006 with an arrangement that the toilets be available for public use.

11. Conclusion

11.1 The visitor economy is vital to sustainable, post-industrial economic development. Visitors need sign-posted, accessible toilets that are clean, safe, well-designed and preferably free and complementary to the local style of architecture. All this adds to a Sense of Destination for visitors. First impressions count, and first-hand experience is the most important source of information when considering a visit to a borough, town or city. The advice of others—friends and family—is the second most important source of information. Repeat visitor familiar with a destination appear to spend more money than first time visitors. Action on the ground to improve the tourism offer is key.

11.2 It would be sadly ironic if visitors with many pounds to spend were dissuaded from our destinations for want of “spending a penny”.

Memorandum by ENCAMS

ENCAMS Response

ENCAMS is pleased to submit evidence to the Communities and Local Government Committee inquiry into the provision of public toilets. We welcome the opportunity that this provides to demonstrate public toilets are an important service. They create town and city centres where people want to spend their time. Unfortunately, public toilets are also costly to maintain and bring up to standard. They are also targets for anti-social behaviour. ENCAMS believes that provision should be fair across all groups based on their need, and while we appreciate that this is difficult to achieve it should not be an excuse to close toilets down. Rather local authorities can show leadership by preparing strategies and innovative schemes such as charging, community toilet schemes, private sector partnerships and audits.
ABOUT ENCAMS

ENCAMS is an independent, registered charity that works with major land owners and private sector bodies to bring about sustained improvements in the quality of local environments. We also campaign directly to the public and are probably best known for our Keep Britain Tidy campaign that has been running for over 50 years and aims to get people to stop dropping litter.

Over the past seven years the remit of ENCAMS has widened so that we are now much more than just an anti-litter charity. We tackle a broader range of issues including graffiti, fly-tipping, community safety, dog fouling, neighbour noise and nuisance vehicles. In addition to our campaigns, we also run a number of programmes and award schemes for those individuals and agencies involved in managing land. These include the Cleaner Safer Greener Network, Eco-Schools and Blue Flag. We are also responsible for the single, most definitive survey of the state of cleanliness in England: the Local Environmental Quality Survey of England.

ENCAMS receives grant-in-aid from Defra, whilst additional income is obtained through other government departments and external funding sources.

1. The need for public toilets—access to public spaces, the needs of older people, disabled people, children and families?

— Public toilets are important. People need to access toilets when away from home and their closure, lack of availability or generally poor standards can be a cause for concern among would be users. On the other hand, if well-planned, designed, maintained, clearly signposted and available when people want to use them, toilets can contribute to local economies by creating town and city centres where people want to spend their time and consequently their money.

— In a survey carried out by ENCAMS to gauge opinion on public toilet services, 84% of respondents wanted more provision. This percentage was even higher within certain age groups with 88% of 16–24 year olds and 91% of 55–64 year olds stating there should be more provision.

— Not only do the public want more toilets they want the facilities to be of a good standard. Research carried out on behalf of the National Consumer Council indicated that almost all of the 2,000 people surveyed wanted their local council to make sure public toilets reached a high standard.

— Planning for inclusive public places with services that are accessible to everybody must include toilet facilities. At the moment, toilets are normally managed by local authority Street Service Teams and seldom considered as part of urban design. Local authorities should produce a toilet provision strategy that all departments including Planning, Maintenance and Regeneration must follow.

— Toilets should be placed in key areas such as town centres, parks and leisure areas, tourist spots, along main routes into towns and cities and strategic spots in suburban areas. Toilets should be located so that they fit in with the way public places are used both economically and socially.

— As government tries to encourage more people to use public transport or cycle, toilet provision is declining, making sustainable travel difficult. ENCAMS believes that toilets must be available at transport interchanges and at key points along main access routes so that people travelling on public transport, cycling or walking have facilities available to them.

— A survey carried out by ENCAMS found that 38% of women will choose not to visit an area or spend less time there if toilet provision is inadequate. This is because of all groups women are most likely to be accompanied by young children and elderly relatives who have a greater need for toilet facilities.

— The same conclusion can also be made in respect of disabled people who are even more restricted in where they can spend their time depending on the facilities available. There are over 10 million disabled people in Britain with over one third of people over 50 registered as disabled. This is a large group with an annual spending power of around £80 billion, making a considerable impact on the economy.

— Baby change units are almost always found in female toilets and ENCAMS would like to see more in male toilets or the provision of family rooms so that men with young children have facilities available to them.

— Change facilities are often designed for babies, older children and adults with disabilities may also require them.

2. Why provision has declined—the role of anti-social behaviour such as vandalism and drug taking, the image of public toilets (including cleanliness), and the cost of upkeep

— Over the past decade there has been a steady decline in local authority provision of public toilets. In some places they are totally missing. Free toilets at major railway stations have largely disappeared.
ENCAMS believes there are at least two reasons for the closure of public toilets: (i) the cost of bringing toilets up to standards set out in the Disability and Discrimination Act 1995 and (ii) the nuisance and damage caused by anti-social behaviour.

The Disability Discrimination Act was intended to improve access for disabled people. However, some local authorities are using it as an excuse to close down existing public toilets that do not meet the standards set out in the Act.

ENCAMS believes that this attitude goes against the spirit of the law and compounds the problem for those with disabilities, allowing even fewer choices about how they spend their time in the community. The Act was intended to give disabled people the same access to services that people without a disability enjoy and take for granted. It was not intended to reduce the level of service for everybody.

ENCAMS would like to see guidance produced to stop local authorities from closing facilities because they do not meet requirements for the Disability Discrimination Act. There should be an obligation on local authorities to upgrade facilities to the standards set out in the Disability Discrimination Act and not close facilities because of it.

Public toilets are often the target of vandalism and anti-social behaviour and because of this are seen as a problem by local authorities rather than a benefit to the community.

There are several forms of anti-social behaviour which particularly affect public toilets such as graffiti and vandalism, drug use, homelessness and importuning. In an attempt to solve these issues local authorities will close down or restrict opening times.

3. Who pays: should local authorities provide free toilets, should the public pay; should local business contribute?

Toilets that are clean and well-kept are popular and heavily used despite charges being made for them. However, local authorities should consider that some people are unhappy paying for toilets. In a survey conducted by ENCAMS, 36% of respondents said they would not pay to use a public toilet. Of the remaining respondents, most said they would not pay more than 20 pence.

ENCAMS recognises that charging a fee for toilets may be the only way to ensure that there is a decent standard of provision but would like to see a proportion of public toilets in key areas that are available free of charge.

ENCAMS supports the repealing of the statutory prohibition on charging for the use of urinals contained in the Sex Discrimination Act (Amendment) Regulations, which come into force in 2008. Local authorities should be able to charge for toilet provision but the fee must apply to all who use the facilities. This will create new scope for incentives for better provision.

Working in partnership with local businesses and transport operators could significantly improve the number of available facilities.

Local authorities should also open up toilet facilities in public buildings such as libraries, museums and town halls.

Local authorities may also be able to leverage funding from planning notice 107 to fund the build and maintenance of public toilets.

Private investment could be used to fund toilets or, more radically, toilet provision could be made a condition of planning permission for new developments.

4. Opening hours and other accessibility issues

Local authorities should assess provision by carrying out audits. These audits should be aimed primarily at improving facilities and not to justify closure.

If there are toilets beyond repair or no longer used, there should be a public consultation before they are closed or demolished. Public toilets should only be closed if there is a clear case that the facility is no longer viable and that the community is in favour of closure.

5. Security—should toilets be staffed, un-staffed, automated?

As outlined above, ENCAMS believes that local authorities should use audits to assess what level of service they provide in order to improve services. Whether a toilet should be staffed, un-staffed or automated is likely to depend on its own unique location and usage, and therefore the decision is best made at the local level.
6. The gender balance—are men and women being unfairly served by current provision?

— Research shows that more women than men are out and about shopping and spending time in the community. A survey carried out to support the revision of the British Standard for public toilet provision highlights that at any one time women outnumber men 70:30 in shopping centres and this ratio can go as high as 90:10 in some places. Yet male toilets often outnumber female toilets by 2:1.

— ENCAMS would like to see a fairer ratio. The British Toilet Association suggests there should be twice as many facilities for women as for men, one cubicle per 550 females and one cubicle or urinal per 1,100 males.

— Where urinals have been installed specifically to target late night street fouling it should not divert resources away from general toilet provision that would benefit both men and women.

— Not all biases are in favour of men though. Baby change units are almost always found in female toilets and ENCAMS would like to see more of these in male toilets or the provision of family rooms so that men with young children have facilities available to them.

7. Provision beyond the local authority—innovative schemes to encourage shops, cafes, pubs and other businesses to provide toilets to more than paying customers

— While the number of local authority public toilets are declining, they are being replaced to some degree by commercial provision in town and city centres. Department stores such as John Lewis, Debenhams and larger Marks & Spencer have free toilet access. As they usually have lifts there is wheelchair access too. Fast food outlets such as McDonalds and Burger King are also plentiful and have toilets, although they frown upon non-patrons using them. Generally speaking, the privately provided toilets are cleaner and safer than the old local authority toilets used to be.

— ENCAMS believes that if local authorities worked in partnership with private businesses and transport operators it could significantly improve the number of available facilities. There are already innovative schemes in place in some areas such as the community toilet scheme in Richmond. Local authorities could also consider private provision of modular toilets. Opening up toilet facilities in public buildings such as libraries, museums, town halls could also increase the number of facilities available.

— Some businesses see good toilet facilities as an asset. If they bring people off the street into their store simply to use the toilet they are more likely to buy from their shop. Others may need to be convinced as they will only see the overhead costs associated with running the facilities.

— If local authorities viewed public toilets as an asset to their town or district far fewer toilets would be closed down and there would be a much higher standard of provision. Rather than seeing them as a nuisance, public toilets should be viewed as a valuable addition to an area that will attract more people for longer periods and improve the local economy and appeal of an area.

8. Tourism—does public toilet provision play a part in the attractiveness of our towns and cities?

— Toilet provision can play a part in the attractiveness of towns and cities and other popular tourist destinations too. Research carried out by ENCAMS found that over 60% of visitors considered the availability of public toilets as an important factor when deciding on a beach to visit. Toilets were given the highest rating of all the facilities and were felt to be an important factor regardless of the length of stay. Toilet provision was so important for some (14%) that they researched beaches first to see what provision there was.

— The experience of ENCAMS team of surveyors is that principal seaside resorts such as Blackpool, Bournemouth, Bridlington, Brighton, Scarborough and Torbay are well-provisioned when it comes to public toilets. In fact, the Blue Flag award scheme that ENCAMS administers in England on behalf of FEE (Foundation for Environmental Education) requires adequate toilet provision and we survey toilets as part of the assessment for this award. Blue Flag is an international award scheme that recognises beaches that have achieved the highest quality in beach management, water quality, safety and environmental education. In 2007, England celebrated 20 years of Blue Flag with 85 awards. The number of awarded has risen steadily since 2000, when there were just 24 awards. The 2008 awards are scheduled to be announced towards the end of May 2008.

9. Environmental impact of toilets

— ENCAMS would like the Committee to consider as part of this inquiry the environmental impact of public toilets. Specifically, newly purchased toilets should not flush more than 6 litres per flush or if older toilets are in use they must be fitted with water saving devices where possible. Dripping taps and leaky toilets must not be allowed and an action plan must be in place for checking visible leaks. Finally, public toilets must have a waste bin.
Ev 62  Communities and Local Government Committee: Evidence

REFERENCES


ii Public toilets—the need for compulsory provision—Dr Clara Greed.

iii To find out whether people are discouraged from visiting places that do not have adequate provision, ENCAMS conducted an omnibus questionnaire in June 2006. 32% of respondents said they would adjust the time they spend away from home according to what toilet provisions there were and women are more likely to adjust the time spent away from home than men (38% compared to 26%). Toilet Knowledge bank—ENCAMS www.encams.org.


vi A telephone omnibus questionnaire polled 527 people. When asked how much they’d be willing to pay to use a public toilet, almost a third of people (30%) said they would not pay. More men would be unwilling to pay (34%) than women (26%). A quarter of people (25%) would only be willing to pay up to 10p to use a public toilet. Almost a third of people would pay between 11–20p to use a toilet and 10% would pay between 21–50p. Only 6% of people would be willing to pay over 50p to use a public toilet. Toilet Knowledge bank—ENCAMS www.encams.org.

vii Public toilets—the need for compulsory provision—Dr Clara Greed

viii Figures released by The British Toilet Association—http://www.britloos.co.uk/

ix The community toilet scheme in Richmond Surrey has 20 local businesses signed up to the scheme which involves them opening up their toilet provision to the general public. The scheme has been running for over a year and has proved very successful. There are more businesses joining up all the time. http://www.richmond.gov.uk/pressoffice/business_pride/community_toilet_scheme.htm.

x Beach and Surrounding Area Segmentation 2005 www.encams.org.


Memorandum by the City of London Corporation (the Office of the City Remembrancer)

INTRODUCTION

1. The City of London Corporation welcomes this opportunity to contribute to the Select Committee’s inquiry. The provision of public conveniences is an issue that has become more pressing in the City in recent years with the growth of the night time economy, an increased working population and the increase in tourism. At present there are seven staffed public conveniences in the Square Mile open at peak times during the day and nine automated public conveniences (APCs), which are open 24 hours a day. Four of the APCs are accessible by disabled users. The City Corporation aims to provide and maintain a high standard of cleanliness and service at all of its conveniences.

DEMAND FOR PUBLIC TOILETS

2. The City Corporation aims to make suitable provision of public conveniences across the Square Mile to meet the needs of workers and residents and also the increasing numbers of visitors who come to the City as tourists, as shoppers, or for an evening out. Each user is likely to have differing needs in terms of location and opening hours and gender also affects the issue. In the City’s experience demand is greater for male facilities.

3. The City Corporation has, from time-to-time reviewed service provision to cater for changes in demand as they arise. This has resulted in changes to opening hours of staffed facilities and revised provision in relation to the number of APCs. Despite these reviews there is, however, a real issue at night time with the Cleansing Service experiencing high levels of anti-social behaviour in public areas including vomiting, urinating and defecating which give rise to associated clean up costs. The worrying increase in this behaviour can, at least in part, be attributed to changes in licensing laws which have prompted a more active night-time economy in the Square Mile but increases in the City’s working population and, more generally, in visitor numbers are also contributing factors.
4. In light of the increased demand the City Corporation has recently committed to undertake a further review of service provision to explore how best to address the increased demand and seek to identify where viable efficiencies can be achieved. In order to understand better the needs of the user, the review will identify different user types by their needs and this information will be used to inform planning for future facilities in terms of location and opening hours. This will include consideration of shopping centres, transient workers such as taxi drivers, market traders, location of clubs and premises with late night liquor licenses etc.

5. The study will also include a review of existing facilities. Data on usage across the period of opening is currently kept for all APCs and staffed public conveniences and this will be revisited to ensure facilities are most appropriately located and to avoid any unnecessary duplication. Given the reluctance by some people to walk any significant distance to a public convenience, exact choice of location is essential and this data will provide a comprehensive picture of potential demand for service by time of day or night.

6. It is likely that existing resources, even with some further minor changes in deployment, will be unable to meet demand. There have been significant developments in the design of public conveniences and it is hoped that the City may be able to benefit from these advances. These include innovative automated urinals (such as “Urilifts”) which are sunk into the ground to be flush with existing ground surface when not in use. These are then electronically raised and returned as and when the facility is needed. This style of toilet offers a high level of aesthetic value leaving the streetscene clear and uncluttered but costly and installation requires locations free of sunken piping or cabling. New approaches also include the temporary portable open style urinals used now by some authorities and which can be stored when not in use. These present passers-by with a rear view of those using the facility but could be used to deal with periods of high demand in certain locations.

7. The City also intends to investigate the feasibility of a “Community Toilet Scheme” in which shops and/or businesses are recompensed by the local authority for making their toilets available for public use. Whilst this approach may not assist in meeting demand associated with the night time economy, it could assist in meeting increased demand during the day and could serve to engender a greater community spirit. The City Corporation is also exploring possibilities of including public convenience provision in plans for s106 (“planning gain”) monies in relation to new commercial developments.

Staffed Facilities

8. The City’s staffed conveniences, for which there is no charge at present, are placed in areas where there is the greatest footfall—for example near major attractions such as the Tower of London. There are clear advantages to such facilities when compared with those that are unmanned. The presence of an attendant can serve to deter anti-social behaviour in the toilets, provide security for the building and also give a sense of security to individuals using the facility. At first glance, the addition of staff costs would suggest that these facilities are more expensive to run than unmanned facilities. In the City’s experience, however, the costs of staffing are on the whole outweighed by the benefit of reduced costs in dealing with the effects of vandalism and other examples of anti-social behaviour. There are nevertheless some costs which apply regardless of whether a facility is manned. The nature of buildings in the City in which conveniences are situated means that there are often quite high maintenance costs relating to the fabric of the building.

Anti Social Behaviour

9. The provision of facilities for the increased numbers or responsible users in the City has been the main driver for the review of services. Much of the anti-social behaviour, especially urination, is however a result of drunken or irresponsible behaviour following the growth in the night time economy. Urination in the City has been identified as a persistent problem by the community at neighbourhood panel meetings and residential meetings. The Cleansing Service has already started to collate information on sites of repeated anti-social behaviour in order to target action on those areas. The City Police are currently giving some consideration to how best to tackle the problem although they advise that they have at present limited powers in relation to those caught urinating in public. The City is working through its existing Safer City Partnership to review the legislation available to develop a more effective strategy for anti-social behaviour hot spots. Reducing alcohol related anti-social behaviour is a priority area identified by the Safer City Partnership for the next three years.

Public Information

10. Public information on the location of facilities is essential in order to maximise awareness of them and encourage their use. Locations are already shown on signage, on the City of London website with maps are available upon request. Locations are also clearly highlighted on literature associated with major events such as the London Marathon and Lord Mayor’s Show. As part of a campaign to increase awareness, the City intends to investigate further options including making maps detailing the location of facilities more readily available in the City Corporation’s buildings and the option of using reception/leaflet display areas of business with high usage, including Network Rail and London Underground stations. Some authorities
are now exploring “text-a-loo” publicity whereby mobile phone users simply text the local authority and receive back details of the nearest facility. This approach has recently been introduced in City of Westminster and the success of the scheme will be monitored by the City Corporation.

May 2008

Memorandum by the Older and Wiser Merton Seniors’ Forum

Public Toilet provision should be seen as a basic Human Right. Provision of public toilet facilities is vital for community harmony and cohesion, essential for comfort, hygiene and a sense of wellbeing to all. However, to older people, lack of, or poor access to toilet facilities can lead to difficulties in venturing out. This reduces personal freedom and dignity. To many, social exclusion becomes a reality.

Toilet provision is not just essential in town centres but also in recreational areas such as parks, open spaces and allotments. The use of such areas is of course vital to the wider health agenda.

Local authorities should have ring fenced financial resources from Central Government to provide public toilets, particularly in main town centres and tourist areas. Provision by the local authority would give a sense of ownership and responsibility to the community and the upkeep of these facilities a matter of pride and concern. Public toilet provision should be obligatory in any town centre regeneration, park re-planning and major bus, rail or underground redevelopment. Adequate toilet provision encourages people into town centres and to tourist attractions. People use business and services within those areas, perhaps a small levy paid by businesses to local authorities could be investigated as they are the beneficiaries of this increased trade.

Sponsored toilet provision (as with roundabouts) as a means of advertising could be discussed with local businesses.

“Spend a penny” has become part of our language, the majority of people would be willing to pay 20p–50p for the use of a clean, well maintained toilet, if provided by the local authority.

Dialogue with local community, residents groups would perhaps be the best way of deciding opening hours. Town centre provision would need longer opening hours than in parks etc.

Public toilets should be accessible to all, wheelchairs, walking frames and push chairs must be accommodated.

Disabled toilets should be made available to a much wider range of people.

Information on Radar keys should be readily available in GP surgeries, hospitals, pharmacies, libraries, local authorities and voluntary organisations.

In the short term, Local Authority Environmental Departments should map all toilet provision, this to be available to all but particularly in the first instance to those entitled to a Radar key.

Security of public toilets should be multi faceted. Main town centre toilets should perhaps be staffed with evidence that police and community support officers are on ready call. There could be limited use of CCTV. Use of extremely sturdy equipment (refer to Continental toilet provision) should be used. Use of new technologies and CCTV could be of value in un-staffed facilities. Fully automated toilets, much used in other countries could provide provision more readily than purpose built toilet blocks.

There needs to be investment into research and development of vandal proof/longlife/user friendly/affordable/toilet provision. This would encourage commercial interest.

Society has moved on considerably and is used to unisex provision in a number of services, (eg hairdressers) and more so in the leisure industry (mixed changing rooms). This should be encouraged in toilet provision, shared provision is the accepted form in the home. This would serve to alleviate queuing experienced by women, the need of men to use other than a urinal, this could also have a “softening” effect and reduce both the perception and reality of toilets being used for both drug and sex offences. However, the use of the French idea of “pissoirs” as an added service should not be discounted.

All businesses including banks and building societies should be encouraged to offer toilet provision. Adequate toilet provision would encourage people into town centres and this must increase business opportunities and profits. Toilet provision should be available as “goodwill” and without need of purchase. However, small businesses may need to levy a small charge for toilet upkeep and cleanliness.

This should be seen as a major Partnership issue between local government and local business. A local award system (best loo) highlighted in the local press, local government, media etc could add to prestige and profitability of local businesses. There has to be pressure on local businesses to recognize that they have responsibilities to the community from whom they get their custom. It should be an accepted part of any planning permission given by local government to commercial enterprises that have visiting customers. Building contractors, road maintenance contractors and transport providers should be obliged to provide adequate portable toilets to their staff.
Areas that are of general tourist interest or host occasional tourist attractions eg sporting events, flower shows, see large numbers of extra people. These visitors generate extra trade adding greatly to the local economy. This bonus to local business should be recognised and some of this regenerated into the community for both toilet provision and the general enhancement of the area. Large numbers of extra people in an area should not be to the detriment of the health and environment of the host community. Promoters of “Events” should be obliged to provide portable toilets in an area around the venue, particularly along the routes to transport points. Local inhabitants should not suffer detrimental effects to their environment. Tourism is a major economic factor in this country, those who gain financially, including transport providers should be obliged to add to the facilities that are of vital importance to the general ambience and health of the country.

Public toilet provision should certainly be the long lasting legacy to London from the 2012 Olympics.

Memorandum by Over 50s Forum Wigan Branch

I would like to submit some comments from our group the Over 50s Forum Wigan Borough as you can see we all have differing points of view but we all agree there is a woeful lack of public toilets throughout the land. As older people we have been given the opportunity and freedom to travel on some public transport but one of our major concerns is the provision of clean toilets in these “new unexplored regions” where we will spend our money!—Clean accessible toilets could be the selling point of certain areas!—are the councils aware of this?

— Willing to pay for staffed toilets this would cut out vandalism etc.
— Would pay if the toilets had new technology ie; seats disinfected after each use.
— Do not agree to pay—this should be paid for through local or national government.
— People on low income could not afford to pay this would be an extra expense curtailing their trips away from home.
— Women in the past have always paid—with locks on the doors.
— Car driver—“I need to know where the toilet is before parking the car”—toilet signs should be visible throughout the towns/areas.
— Shops and businesses should be given incentives to provide for the general public qualified by older persons’/disabled /mothers with young children usage.
— Mandatory—A certain number of accessible toilets in each town/area (country parks/rural areas etc;) as a percentage of the population.
— Longer opening hours—particularly in summertime.
— Our borough has undergone many commercial changes (new shopping arcade etc;) New pleasant toilets throughout the borough would bring in more visitors.

Our council website states that we have three manned toilets—does not mention any others. We are the second largest borough in the Greater Manchester area.

Memorandum by the British Resorts and Destinations Association

Introduction

1. The British Resorts and Destinations Association (BRADA) represents the tourism interests of over 60 local authorities, all of which include one or more significant resort town and/or rural destinations within their boundaries. The common thread is that for better or worse, the visitor economy is one of, if not the most important, social and economic drivers in their geographic area of responsibility. We also have five tourist board members and 11 commercial associate members. This response has been written primarily from the local authority viewpoint.

Background Context

2. What outwardly appears to be a simple task: of providing public toilets is, in practice, fraught with pragmatic, invariably locally contentious, problems; problems that can have significant implications for the image, reputation and, thus, arguable, impact directly upon the economy of the area involved. Broadly, the more day and staying visitors, whether local or from further afield, any area caters for, the greater the demand for access to toilets is likely to be and, by implication, the bigger the associated issues and problems of providing and maintaining them.
3. These peaks of “visitor demand” may be temporary, for example in the case of occasional shows, markets or similar events. They may also be virtually permanent, albeit with major seasonal and/or daily peaks and troughs. For example, those associated with the ebbs and flows within popular leisure or holiday destinations, or those seen in the popular retail or leisure quarters of towns and cities. There are also now invariably marked variations within even the same or adjacent 24-hour periods. For example, markedly differing demands between that generated by the typical daytime and typical night-time economy, or between demands of a weekday as opposed to that at a weekend. What is more, these patterns of peaks and troughs will vary dramatically between different towns and different destinations, including within those towns that lie in the same administrative area. Occasional, predictable peaks can, and probably should, be catered for using temporary, portable facilities, funded from within any event budget. Everything else has to be catered for by permanent public or private provision or, as is often the case, by an ad hoc combination of both.

4. We would contend that public provision is contentious because it is a complex, relatively capital and revenue intensive process, that is not a statutory duty and thus is not formally allocated, ring fenced funding within Formula Grant. All authorities (in England), of course, receive funding for non-statutory services under the Other Service Block within the Formula Grant; a catch all for everything from parks and gardens, through leisure to tourism services, public toilet provision and much else besides. On the whole, the Other Service Block grant is viewed as being insufficient to cover the full range of “other purposes”. Indeed, some authorities claim that money from this already inadequate block regularly ends up subsidising holes in the statutory service grants.

5. Whatever the truth of these arguments, the public seldom realises that the provision is technically “unfunded”, seeing it as the local authority’s duty to provide the service and their right to receive it. This perception has implications for public expectation and for key sub issues, for example, the public’s attitude towards charging regimes; “don’t we already pay for this?”

6. When it starts to become apparent to locals that provision is an additional draw on scarce local, discretionary resources, this too can cause difficulties. Individuals, who expect adequate provision when they visit other destinations, begin to begrudge the cost of providing the same service “at home” for the benefit of others. It is a not uncommon attitudinal problem affecting many aspects of the tourism and visitor economies; we are all welcome visitors wherever we go; they on the other hand are still all unwelcome tourists when they visit us on our home turf.

7. Because provision has long been discretionary, it has tended to be routinely under funded. Indeed, many working in the area point to decades of under investment as being the root cause of the problems of poor quality or the inadequate nature or scale of provision now. Certainly, in situations where radical savings have had to be made at short notice, for example in response to capping, the provision of public toilets has been one of those services that has been dramatically curtailed, or sometimes even abandoned. The question of whether to curtail or abandoning provision routinely surfaces in authorities across the UK and in circumstance of far lesser crisis than a capping order. If money is tight a proportionately greater burden falls to discretionary services and to services that are less directly ascribed to local users. Given an environment where few local authorities do not struggle to make budgets balance, the provision of public toilets and other non-essential services, will always be under a degree of financial threat. It is, therefore, hardly surprising that such a capital and revenue intense service sometimes becomes subject to a, “mend and make do for now”, attitude.

8. Cost and access to adequate sustained funding is undoubtedly the central issue in the provision of public toilets, but it is no longer, just a simple cash equation. Because public toilet provision is not a statutory duty the nature, style and type of provision in place now varies greatly from authority to authority and in some instances within authorities, where, through boundary changes, markedly different historic infrastructure and approaches have had to be cobbled together. What is provided now, how it is run, age of structures, historic levels of maintenance and so on all influences, both the current provision, and what could and should be realistically done with more adequate resources, ie a simple injection of much needed cash will help but it would not now bring provision up to a uniformly high standard across England, or the UK, overnight. Unless of course it was an unrealistically generous injection, something we have largely ruled out.

9. In internal debates about the provision of public toilets that we have had, one area seems to be routinely ignored (politely avoided!) and that is other human factor. We appear willing to discuss wilful misuse, including vandalism, drug usage, other criminal activity and even a wide range of sexual activities in public toilets. The inference is that these are the acts of a minority, largely outside the understanding and control of us the majority. This somehow makes these acceptable topics for debate. However, there is a marked reluctance to acknowledge the fact that when a toilet is dirty it is not simply because someone, or, more particularly, the anonymous “system”, has failed to clean it over a prolonged period. Often, in reality, one person has made it dirty by accident or by design and then has done little or nothing to correct it. Having now studied the issues, it becomes clear that a sizeable proportion of the public have fairly poor toilet habits and/or little or no respect for others that might follow them.

10. Unless we acknowledge that many individuals do not use public (and presumably private) toilets “properly”, then we will routinely underestimate the true nature, scale, means needed and, thus, the cost of maintaining public toilets in a good clean state, for the use of the rest of us that do. Then add to this the
cost of wilful damage and routine wear and tear, often in old outdated facilities, and you have a significant maintenance bill (physical maintenance as opposed to cleaning). New state of the art facilities can deal with some of the routine maintenance and normal cleaning costs, but it still cannot easily address the human factor. For clarity, if for example someone wishes to urinate up the wall, or all over the pan, smear faeces on the wall or leave used sanitary products and rubbish of all types sitting on the cubical floor or on the fittings and fixtures, then they will, and they regularly do. No amount of technology or innovation can tackle this, just plain old fashioned, constantly active, labour intensive supervision and cleaning.

11. New state of the art facilities can tackle some of the problems of the maintenance associated with older facilities (multitudes of different fittings and spares, exposed pipes, vast areas of breakable tiling, etc.). They are calculated to design out opportunities for vandalism, yet the cost of any residual maintenance needed, can still be prohibitive. For example, the replacement of a damaged modern automated electric lock can cost in the order of £1,000, as compared to perhaps a few tens of pounds for an old-fashioned door bolt or door handle. Trained technicians now service modern state of the art loos, not the toilet cleaner or some jobbing local maintenance men. Thus, while volume of work might decrease, the cost of that undertaken may rise out of all reasonable proportion.

THE NEED FOR PUBLIC TOILETS

12. There is undoubtedly a need to provide access to toilets in those places where people routinely find themselves outside their home or work environment for any length of time. If I am at home, or in my place of work, or at someone else’s home or place of work I can usually accesses a toilet. If I am in many types of leisure facility (restaurant, bar, cinema) or in certain retail shops (department stores), I can also usually access a toilet. However, if I am out and about on the streets for some time there may be an issue, particularly if the place is unfamiliar and I do not necessarily know which shop, bar or other venue can facilitate me. In broad terms the issue of access to toilets is more of an issue for much younger and older people who perhaps, for obvious reasons, cannot wait or cannot easily walk as far or as quickly to find facilities as others might. Traditionally the solution has been to provide and clearly signpost, strategically placed public conveniences.

13. In terms of tourism and the visitor economy, the provision has been particularly important for two major reasons. Firstly, as indicated above, genuine visitors are less likely to know what the non-public provision is and where to access it. Secondly, to be a visitor to anywhere involves travel and, for many, by nature, a journey of any reasonable length both starts and ends with a visit to the toilet. Only trains and the occasional coach have built-in toilet facilities. As a consequence, transport nodes, including stations and car parks, very often have strategically placed public facilities. In rural areas the failure to provide facilities in popular official and unofficial parking areas can lead to public health issues, as the absence of facilities does not necessarily act to counter the natural demand. If you are in the travel business, or are reliant on it to provide potential customers, then by default you are also in the business of trying to ensure that your customers can access publicly available toilets.

14. In terms of popular UK destinations both the young family and the older (35 plus) markets are key segments. Road transport and, in particular, the car, acts as the delivery, a national average of 80% plus, (often actually nearer 95% plus in many destinations), of all domestic day and staying visitors. Therefore, in most traditional destinations, the failure to provide adequate toilet facilities, particularly at key strategic points and parking areas, would be to ignore a basic requirement of their core customer base. Notwithstanding the logical economic argument, several authorities, both resort based and otherwise, still struggle to find the resources needed to properly meet known demand at every location where it is seemingly justified.

DECLINING PROVISION

15. The historic provision of public toilets grew out of public health issues and was, for a considerable period of time, the provision of public toilets, along with things like bathhouses, sewers and drinking water, was a major social function of local government. Times have changed, as have the pressures and duties on local authorities. What was an essential service is now a desirable, non-statutory function that competes for finite resources. How local authorities function and the cost of directly employed and/or contract services has also changed significantly. Labour is no longer a cheap asset. The base and on-costs of employing a low skilled toilet attendant are prohibitive, as are other labour costs. For example, the cost of fitting a toilet seat now significantly outweighs the cost of the seat itself. Add to this the increasing cost of utilities, other general revenue costs and the capital cost of refurbishing or building new facilities and you get a sense that, whilst still a major public undertaking, it is not one which the wider public sector policy agenda has properly addressed.

16. In many towns the provision has been scaled down. Some of that scaling down may be sensible readjustment, some of it may not as there are difficult balances to be achieved. In one typical example six Victorian facilities, some with upwards of a dozen cubicles in each of the ladies and gentlemen’s sections, have been replaced by just two sets of three unisex cubicles on two sites. i.e six down to two sites and 60–80 cubicles down to 12 unisex facilities, an apparently significant reduction in both volume and coverage (other
mid 50’s and 60’s blocks also remain and have been refurbished). However, the chronically neglected Victorian toilets belonged to a different age and were created and catered for different volumes of usage in a very different society.

17. Each new unit of three cubicles at around £120,000 represents a significant investment. These manually serviced, automated units compared with an estimated capital cost of £120,000 for just one totally self-servicing cubicle. Given budget constraints, it was not deemed practical or publicly acceptable to replace 80 cubicles on six sites with just four cubicles spread over two to four sites. These indicative costs (costs can be much higher depending on a combination of factors) may go some way to explaining the many difficult choices local authorities have to make when deciding what future route to take.

18. The variation in costs are so significant and there are so many other inherent issues involved that it is not simply a case of trying to purchase the best that money can apparently buy. In the case cited above, even if they had been able to afford sufficient self-cleaning (a misconception since there is still a significant degree of cleaning/maintenance) cubicles, other toilets in the resort, all outlying facilities and those in other towns in the borough would still have needed traditional servicing. There was no prospect of replacing the borough’s entire stock with very expensive fully automated cubicles and, thus, very limited pan-borough service savings to made from introducing fully automated provision in only one town, albeit the major resort in a much larger urban and rural district.

19. While much of the new provision is on a smaller scale than that it replaces, there are many instances of the total withdrawal of facilities. Typically, the major strategically placed facilities will be replaced or updated with a lower capacity, more manageable facility, while many peripheral facilities will be closed altogether. Often vandalism, drug and sexual misuses will be cited as reasons for closing smaller, more isolated blocks and, while there is a logic to it and it is a major factor, other considerations including cost v the volume of usage are undoubtedly equally significant. If large, well used facilities can be replaced by, say, three unisex cubicles at an affordable (?) £120,000 capital cost, then at very best, a much smaller, less well used facility can be replaced by one cubicle. However, this will be at a less justifiable pro rata cost of say £40,000 (or again £120,000 for a fully automated unit). In addition, critical revenue costs like travel to and from remote sites, opening and closing them, repairing and servicing, all largely remain in place. Misuse is a symptom of the difficulties of providing public toilets, it is exacerbated by reduced supervision in remote sites but it is not the sole cause in a decline in provision, despite it often being cited as such.

Misuse

20. This is not to say that misuse does not cause major problems or adds to the cost of providing public toilets. Misuse of new and older facilities ranges from deliberate vandalism, drug and sexual activity through trading in stolen goods, to using toilets as dry, relatively warm, cheap and secure temporary shelter or even accommodation for the night. Traditional style toilet blocks provide a sheltered, dry area where individuals or groups cannot easily be observed and where there is a reasonably legitimate excuse for almost anyone to go. Unless they are permanently manned by the right quality of staff, they provide an ideal public environment for abuse, from mindless vandalism to criminal activity. Even when manned tradition style toilet blocks still offer the seclusion and sanctuary of the closed cubicle.

21. Modern, unisex, direct off-street access cubicles are designed to remove some of the problems created by the “toilet block”. However, these modern cubicles themselves are not immune to abuse of all types. Risking being seen to enter or leave a cubicle alone or with others might discourage some individual but by no means all, particularly when in reality the risk of being seen and then someone doing something about it is actually very low. Accessible (disabled) loos being particularly popular as, apparently, the extra space provided allows for larger gatherings, including their use for small private parties (!) and other liaisons. The problem of accessible toilets is now greater because many are no longer accessed using the Radar key system, but are open to everyone paying the standard fee. Closing old facilities down and designing as many of the problems out of new facilities clearly helps reduce misuse but it does not remove the problem entirely.

Who Pays

22. Currently public toilets are paid for by the local authority and, arguably, largely out of the local charge payer contributions. There is no specific allowance made in the Central Government grant in recognition of business rates, or for the local community or visitors usage. In effect, the local community pays and that, as alluded to earlier, can cause problems, particularly in areas with high non-residential visitor numbers. Often the suggested solution is to charge the public, who use the facilities. However, charging for these facilities is a complex matter. There is public resistance to charging, particularly if the facilities are not then in pristine condition. In older facilities payment tends to go hand in glove with the provision of attendants, which serves only to add significantly to the running costs. Most new fully or semi-automated cubicles are charged for. The typical charge is now 20p which in no way represents the true pro rata cost of using old or new facilities. Indeed, in many circumstances, the cost of collecting, transporting, counting, banking and accounting for the sum consumes much of the average of 20p. In reality, the charge is often levied only as a minor discouragement to those who would wish to misuse the facility. In reality, the
level of charge needed to pay, or at least significantly contribute to the running and administrative costs, would have to be several times more (£1/£2 plus?). Many feel that would be pushing the cost well above what the public would deem acceptable for a service that many already believe should be free.

23. To illustrate the cost issue, one major popular resort destination now provides 72 units at 32 locations. The current annual contract cost is £1.1 million, or £5.5 million since the contract started in 2003. Over the same five year period approximately 1.25 million visits have been made to the facilities, each charged at 20p, generating an approximate gross income of £250,000. Given that this amount has been gathered over five years, in 20p pieces, from 72 different unit, at 32 location the income, net of administrative and other charges, is likely to be significantly less. A gross revenue of £0.25 million against an actual expenditure of £5.5 million puts the provision of toilets firmly in the bracket of a public service rather than a commercial activity.

24. Although only an approximation, and thus a potentially dangerous yardstick, in this particular council’s case each visit has cost around £4.40 and thus, allowing for net costs, they would probably have needed to charge £5.50, or more, simply to have broken even. As charges rise the dynamics of fixed cost and flexible revenues change dramatically. So even this ridiculously high figure probably illustrates little more than the fact that you cannot reasonably expect to charge anything like a true commercial rate, or indeed expect much more than to recover a token contribution toward it.

25. If local government struggle to fund public toilet provision and the public are reluctant to pay a commercial rate then there is only one other obvious course of action. That is to seek payment from local business on the basis that it is their customers and, thus, their business that will directly or indirectly benefit from the service provided. This is a plausible argument, but totally flawed. How would such a system work, particularly if it were not compulsory (a new local tax)? Does the undertaker pay as much as the butcher or the clothing shop? Is the publican, who already provides facilities for his own customers, exempt? Moreover, these businesses would argue that they already pay via business rates, it is not their fault that Central Government choose not to allocate or ring fence any of that money returned via the Formula Grant to local government for the provision of local conveniences.

26. To our mind, the solution lies with Central Government who should be defining the minimal levels of provision and allocating local authorities an amount based on local population, business rate income and, critically, visitor numbers. If local government then chose not to spend that allocation on the provision, then they would have to justify that decision to the local electorate. Where the additional funds would come from or what other service would have to have its funding allocation reduced in order to allow it, is not an issue we feel competent to address. We do, however, believe that the level of provision is so variable, disjointed and potentially neglected that any funding would need to be genuinely additional. Simply allocating an amount for public toilet provision, whilst clawing the funding back in some other area of local government spending, would not be an effective solution.

Security

27. There is little doubt that the best service and provision is provided by well maintained, staffed toilets, where the staff display a personal pride in the service provided. Bearing in mind that toilet duties are generally regarded as a low skill, low paid activity that pride in their work is not always a given. Staffing and good staffing are not necessarily the same thing and in a Local Government environment, finding, training, retaining and maintaining excellence in toilet cleaning and attendant staff can be difficult. Good staff are highly prized yet are difficult to adequately reward. Unmanned facilities need to be visited. Most are opened and closed and are visited for cleaning purposes on a set rota that reflects location and usage. The logistics of opening and closing facilities at a stated time are complex and the cost of mobile cleaning, whether in-house or contracted out are considerable.

28. In some circumstances the staff who man toilets do not wish to have the responsibility for collecting and handling cash, or their employers have reservations. In unmanned facilities charging can simply encourage theft with the resulting cost of replacement locks far outweighing the revenue opportunities. Higher charges to cover true costs would simply increase the temptation in remote, unmanned locations and may encourage theft from less remote facilities. Semi automated facilities in public places are less of a temptation target for vandalism and for theft. Nonetheless, what some individuals will try and get away with in the dead of night, or under the influence of drugs or drink, even in a town centre, at any time of day, are quite remarkable.

29. Fully automated, self opening, self closing, self cleaning self fault reporting cubicles do have some revenue cost advantages, however, at typically three times the initial capital cost per unit they would need to have. Both automated and fully automated systems are designed to discourage misuse and vandalism, just as the presence of a good attendant should do. The difference is that if there is misuse and damage the attendant can do something more than just report it when it inevitably happens. On balance attended services are deemed to be the best solution, however, there is a significant cost issue, particularly if a facility is open for more than a standard 37 hour, five day week. In many cases we are not talking about an attendant but attendants and a service with administrative support capable of providing shift, sickness and holiday cover etc.
30. Modern life styles also mean significant changes. Resorts and rural destination are visited 365 days a year, pubs and clubs can open 24 hours a day, seven days a week, shops now keep longer hours and are all open on Sundays. This has spread the demand and changed the nature of it. As a consequence, longer opening, or 24-hour services are needed with all the associated baggage of maintenance, cleaning and security. Arguably, self-maintaining, fully automated cubicles are the way forward but, for all the reasons stated earlier, it is not that simple as they are by no means the sole solution to maintenance and other cost issues.

**Gender Balance**

31. Traditionally, the gender balance of public conveniences has been poor relative to gender related use issues. Male toilets require fewer cubicles and, on the whole, urinals are quicker to use and, potentially, need less maintenance, cleaning and few consumables. Modern toilet blocks try to address the usage issue by providing significantly larger female facilities with more cubicles, while new off the street unisex cubicle provision effectively removes the issue entirely. That said, many females apparently find public unisex toilets less savoury than the single sex equivalent, an issue made worse by allegedly poor or negligent use by standing males users.

**Private Sector Provision**

32. Many businesses provide toilets for customers, the definition of customer varying from those simply browsing in, say, a department store, to those paying customers in a café. Those businesses that provide a toilet have no issue with their use by paying customers. The issue comes with non-paying customers and, more particularly, with non-paying customers who have no intention of doing anything else other than to use the facilities. Seeking payment in private facilities is generally deemed even less acceptable than in the public environment, as many customers will have indirectly paid via the purchase of other goods or services. A café owner is likely to have more cause for complaint than the department store owner, if someone comes in off the street to use the toilet for free; in the latter case they may at least browse which is part of the marketing ethos of the department store.

33. Anecdotal evidence suggests that shop owners are reasonably content for their facilities to be used to support good local public provision, but far less content where public provision is poor or, in particular, is getting poorer or has been withdrawn altogether. Again, most businesses view public toilet provision as the duty of the local authority. There is also an issue over who precisely in the private sector bears the brunt of servicing the demand. Most provision is made by catering premises and the odd larger departmental stores, but not by other retailers and/or other general service providers. Why should it be reasonable to demand to use the customer toilet in a café but not, say, the (staff) toilets in every high street retailer, the estate agents or the local solicitor’s office? There is a real issue of fairness and sharing the burden.

34. A number of innovative schemes have been tried where those who already provide facilities for customers are compensated by the public authority for allowing genuine public access. For example, a pub may be given a grant for promoting and allowing free public access to its toilets. In general it seems to be a sensible solution to providing provision in certain circumstances, without the need to provide expensive publicly funded infrastructure. We believe that the specific circumstances are more likely to be in smaller towns and remoter areas with relatively limited measurable demand. We may be wrong. How the system would be managed and widely employed, say, in a Blackpool or Bournemouth currently escapes us. We also have some concern about quality control, liability and other pragmatic issues.

35. Less innovative, but probably of greater utility is the use of planning gain to ensure that new publicly accessible facilities are provided and, preferably, run at no cost to the local authority. In practice it is not necessarily as simple a process as it sounds. Providing facilities and providing service in the right place that are easily accessed and which are managed and well run over time are not necessarily the same things.

36. Beyond specifically funding private sector provision there are perhaps only two other ways forward. The first is radical and probably unworkable; that is the withdrawal of most, if not all, public provision. The continental model is often cited as proving that the private sector can provide much of the toilet provision. Although plausible it is based largely on a chicken and egg scenario. The public sector in many European countries has limited or no tradition of providing the service, therefore, the private sector, for good commercial reason, has learnt to do so. Feeling obliged to buy something in order to use the loo is not a situation we British would necessarily be comfortable with. The other route is by simple partnership negotiation. If local business can be convinced that better provision is needed but in reality local funding cannot support it, then some more enlightened businesses may be willing to help out by offering their services. There are several examples of such local schemes in operation. Unfortunately such agreements are usually hard won and then tend not to be that enduring.
Public Toilets and Tourism

37. As already indicated, the provision of good quality, well maintained and serviced, safe toilets is an essential in any town that relies to any degree on visitors from the locality or further afield. Most visitors will start their visit and end it with a trip to the loo. If they can not find one, or the public facility they do find is of poor quality, then that is what their first and their last memory of the place will be. Local Government’s role in place making has recently been recognised as key function. To our minds, excellence in public toilet provision is a critical factor in what makes a place. Nice places are worth visiting and once visited the quality of the experience, including public toilets, will influence the decision to return, whether that is for few hours at the shops, a meal or night out, or whether it is for a day trip or a longer break or holiday.

A Solution

38. We believe that the provision of decent public toilets is such a significant factor in building and maintaining tourism and the visitor economy that local authorities should receive funding to assist then raise current standards and then maintain them. This could be achieved in England (and similarly elsewhere in the UK) by making specific provision within the Formula Grant for the provision of public toilets for visitors, rather than simply making an unspecified provision for them in the Other Services Block. In order to ensure that any addition grant made did not simply displace existing spending the allocation would need to be linked to historic and current spending and be based on known, robust day and staying visitor numbers. Any grant would have to be at least matched by existing spending. There would also probably need to be relative weighting, based on the difference between the resident population, for whom the authority should provide something, and visitors from outside for whom this assistance would be specifically given. If devised correctly a heavily visited town or rural area with a small resident population would be compensated relatively better than, say, a comparative destination, with a large resident population, that was equally well visited.

39. We acknowledge that there are perceived problems with allocating overnight and, in particular, day visitor figures down to the local level and that, therefore, more work (ongoing?) would be needed in order to ensure that the visitor numbers used were fit for purpose. We also acknowledge that the theory of producing a fair an equitable formula for allocating funding is rather different from achieving it in practice. Notwithstanding these practical difficulties, we do still feel that this is an area where progress still could and should be made. The Association and various member authorities would be only too pleased to try and help DCLG develop this idea further.

40. In pulling this response together we struggled to access hard and fast figures, some of which are viewed as being commercially sensitive. Had we realised these difficulties we may have sought factual comment from our members much earlier. We are continuing to seek more detailed costing and indicative figures, ranging from the average cost of providing attendant cover by the day, week and year, to typical maintenance cost, by unit, by toilet block and more indicative detail on the cost of refurbishment and replacement. That information may be available in the coming few months and could be submitted as supplementary written evidence, or presented at an oral evidence session, if the Committee wished to receive it.

Conclusion

41. We have tried to give a frank overview of the complexities of providing public toilets. Seen in relative isolation it is a fairly simple issue, which warrants fairly simple solutions. Indeed, if we were starting afresh with a clean slate, it might well be far simpler. Unfortunately those at the coalface, are victims of the past, historic provision, the ad hoc local solutions that have evolved to cope and, in most cases, a protracted period of under investment, in what is oddly still a non-statutory function of local government. No solution is going to make radical change overnight, nor is there much prospect of quickly dragging extraordinarily different provision, in different places, up to a uniformly excellent standard across England or the UK as a whole. Nonetheless, there is still every reason to make major progress and, in England (and similarly elsewhere in the UK) we believe the solution lies in making specific provision in the Formula Grant for day and staying visitors.

Supplementary memorandum by BRADA

Introduction

1. Following on from my oral evidence session on 2 June 2008, I am writing to submit additional written evidence for consideration by the CLG Select Committee. Comment covers:

- Some of the questions asked of earlier witnesses on the day.
- The additional CIPFA figures requested by the committee, with comments.
— Pertinent additional observations made by colleagues in the Association who have since read the original written submission made on their behalf.

**Comment on Other Oral Questions**

2. Provision for the profoundly disabled. Although I would personally be keen to see additional provision made in key destinations, I would be concerned about compulsion. If we experience problems of all types providing standard and accessible toilets now, what would the impact be of adding to that burden? In particular, I suspect that the additional equipment and the large space provided would make such provision a target for misuse, especially if it were to be provided as a typical public on-street facility. To my mind, this provision should be provided but, largely, as part of a public/private sector partnership within new or refurbished developments. These type of facilities tend to offer a higher degree of security and supervision and, in my view, the commercial imperative is more likely to exist if I provide it they and their families, friends and others are more likely to come and spend in my shopping/leisure facility. The fact that some of the larger, out of town retail developments were cited as providing such facility reinforces my view.

3. Perhaps the ethos of going beyond what has now become standard, accessible provision, needs to be built into the planning processes and into public/private sector working practices? Thinking about building such facilities into a Bluewater is one thing. Getting the same vision to apply to smaller developments in Cities, Towns and smaller communities across England (UK) will need some proactive encouragement.

4. Street Fouling. The perceived linkage between the lack of late night provision and late night fouling in the streets is plausible but, probably, seriously flawed. Just because there are toilets made available, does not mean that drunken males will use them. Female street fouling is by no means unheard of although, for the time being, at least, is socially less acceptable among females and, thus, less likely to occur.

5. If there is a lively night time economy, then public toilets do need to be provided, but there also needs to be high profile, effective enforcement of any appropriate controls. The two must go hand in hand if you are to reduce current street fouling. In my view, it would take a cultural change to eliminate it entirely, probably involving a reduction in drunkenness and the development of greater respect, for authority and for the sensibilities of others. Perhaps these are issues that go way beyond the scope of this inquiry but they remain issues which do fall firmly within the remit of Central Government and DCLG within it.

6. The thought that pubs and clubs should be encouraged to allow individuals to come off the street at night simply to use toilet facilities is again plausible. Unfortunately, it ignores the fact that many establishments have to apply restricted access control for other valid reasons (including licensing conditions). The drunk who might otherwise urinate in the street may not be the type of person that you would particularly wish to invite into your premises late at night. To do so, simply so they can use your toilet, seems to be stretching the bounds of probability.

7. Larger cubicles. Comment was made about the need to enlarge existing and, in particular, new style toilet cubicles for use by the elderly and other groups. As far as we are aware, one of the key design principles employed to limit the abuse of modern toilets is to restrict the size. The principle is simple, if you cannot swing a cat, then you cannot easily swing anything else that might cause structural damage. Nor is it easy to camp out with all your worldly goods in tow, or easy to indulge in activities of any kind with others in the limited space provided. One major problem cited with the new, accessible (disabled) on-street toilets is that they do offer that additional space and are increasingly open to all users for all or much of the day. Thus, they are now frequently selected for misuse in preference to the standard cubicle units. If lack of space is a discouragement for the elderly then perhaps more elderly customers should be encouraged to make use of accessible toilets, rather than viewing them as a facility specifically for the “disabled”. Again, perhaps this is cultural change, but one, perhaps, more easily achieved than changing public attitudes to alcohol usage?

**Cost of Provision**

8. I promised to provide some of the additional financial information that I have recently accessed. In my written evidence, I made an estimate based on one resort’s figures that a break-even charge of between £4.40 and £5.50 a visit might be needed. I made the point that it does not really matter much if it is £3, £4, £5 or even £10. The reality is that, anything much more than a few tens of pence, a pound perhaps, is likely to be unacceptable to the public and change the dynamics of usage to such a degree that the base calculations would become almost meaningless.

9. The attached CIPFA out turn figure for 2006–07 gives the latest full year costs for public toilet provision in England. Previous year’s figures are broadly in the same order and can also be accessed via the Local Government Association’s website. The figures give a reasonably clear picture of expenditure, revenue and typical capital costs. The latter do tend to vary. The table also usefully allows comparisons with other local government service costs, for example, it struck me that local authorities in England would appear to spend roughly 10 times more on library provision than they did on public toilets in 2006–07. This is not to suggest those public libraries or public toilets warrant any more or any less spent on them, it just helps put the current spending in a wider context.
10. Looking at line 227 column 9, we see a total expenditure (net of income) of £99.382 million and at column 6, a total income of £4.617 million. Conveniently, this allows us to say that the expenditure (less income) is about £100m and income £4.5 million or that broadly that current income is a meagre 4.5% of expenditure. This means income across England would need to be increased 24 fold in order to reach break-even.

11. On that basis, the average 20p payment would need to be £4.80 nationally, much in the mid range of my written evidence estimates. Accepting the slightly suspect mathematics and, rather more importantly, the complex financial dynamics involved, the figure of £4.80 -(£4.40 to £5.50) remains a useful indicator of the scale of increase needed to turn a £100 million a year publicly funded activity into a self-sustaining service.

12. Doubling or trebling the current 20p average is not going to make that much difference to the income stream relative to expenditure, but it would make a considerable difference to public attitudes, long before the cost started to truly contribute to the level needed to significantly enhance the service. We also ignore at our peril the fact that, if the current service is enhanced (expanded), the associated costs of providing it are also going to increase, thus, we will never easily break the cycle of current under investment by tweaking the public charging regime alone.

ADDITIONAL OBSERVATIONS FROM COLLEAGUES

13. Most of the improvements made in recent years have been achieved by providing fewer, but better, facilities, often at existing sites. This has enhanced the perception that provision is contracting, because, in terms of units/blocks/cubicles, providing better has resulted in a smaller number of cubicles/urinals at each site.

14. New toilet facilities are expensive to provide and then expensive to run. It’s a fallacy to believe that new equals cheaper on a unit for unit basis. The penalty paid for making improvements within existing budgets has been far fewer, very often unisex, facilities. At best, the price of providing fewer, better facilities will be broadly in line with previous expenditure, often it may be more. This means that the public’s demand for more, better toilets made available and maintained 24/7 cannot ever reasonably be fulfilled under current funding arrangements.

15. One colleague in support of our comments on the additional cost of maintaining new facilities cited a staggering bill of £10,000 to replace the door unit on a modern on-street cubicle. Clearly, that is likely to be an extreme case, however, it neatly illustrates that efforts to design out vandalism and reduce routine maintenance costs are not necessarily without significant, alternative cost, elsewhere within the system. Typically a £10,000 bill would still fall outside the cover of a local authority’s insurance excess, as indeed would almost all routine damage done to old or new public toilet provision. Vandalism of public toilets falls as a direct cost to the council, it is not an insured “victimless crime” as many of the perpetrators and some of the public might assume.

16. Self-cleaning cubicles, although seemingly the answer to the problem of providing clean facilities 24 hours a day, are not always the answer. Colleagues stress that they are not suitable for use in busy locations; the cleaning cycle is simply too long. The problem of length of the cleaning cycles is exacerbated by their high unit cost (typically three to four times higher per unit). Few authorities, if any, can afford to deploy self cleaning units in the quantity needed to compensate for slow throughput.

17. Equally, the typical new provision of a half dozen unisex on-street manually cleaned cubicles is designed for routine throughput. Bank Holiday peaks, or the arrival of a coach will generally swamp the provision. Again, unit costs generally prohibit building in any significant degree of redundancy to meet these occasional peaks.

18. The BRADA written evidence focused on urban destinations. This prompted comment from colleagues in rural destinations. The cost of providing and then servicing even the most basic provision in popular rural destinations is prohibitive. For example, the cost of visiting them simply to open and close them will be significant, before any routine cleaning or maintenance arrangements are considered. Local staffing and provision by Parish Councils is an option, but few Parish Councils are willing, or able, to take on the burden of provision.

19. Attended facilities may well be the “gold standard” but colleagues feel that the additional costs can now only really be justified where the throughput is significant and constant. In effect, the attendant is needed to constantly clean and maintain the facility and, thus, is providing the security and monitoring as an ancillary function. That type of throughput is more likely at major transport nodes, at major attractions, in large cities or retail centres. Several colleagues commented that, for them, the best provision would be modern, self-cleaning toilets provided in sufficient quantity to meet peak demands. Currently that is unlikely, especially in holiday resorts and destinations where large peaks and troughs are part of the daily routine, within an industry that also experiences significant mid-week/weekend and seasonal fluctuations.

20. The demand for toilets is significantly greater at popular visitor destinations and typical traditional leisure destinations due to the nature of the customer and the trade that takes place. For example, Lancaster City Council confirm that the demand and usage of public facilities in their traditional resort town of Morecambe is significantly greater than its near neighbour Lancaster City, despite Lancaster being a
popular tourism/retail centre in its own right. Lancaster Council also has a significant popular rural tourism area within its boundary and is, thus, exceptionally well placed to comment on the relative difficulties of providing a wide range of services in different leisure locations.

CONCLUSION

21. I hope that these additional notes are of some assistance to the Committee. If you require any clarification on any of the above, please let me know.
## Annex A8

### REVENUE OUTTURN CULTURAL, ENVIRONMENTAL AND PLANNING SERVICES (RO5) 2006–07

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<th>Sales, fees &amp; charges</th>
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Memorandum by Clara Greed, Professor of Inclusive Urban Planning, UWE, Bristol

I am writing this in both a personal capacity as a toiletteer, and also drawing on our various research activities and academic and professional pursuits in this field. I have always been the one to say what everyone else thinks but dare not say, so please take all this in the best possible spirit as I weep for the state of our nation and its toilets.

BACKGROUND

I have undertaken a considerable amount of research on public toilets in recent years and also on mainstreaming gender considerations into spatial planning. Previously we undertook research for the Nuffield Foundation the differences between user and provider perspectives on public toilet provision, and most recently undertook EPSRC funded research on the role of public toilets in creating accessible city centres with colleagues at UCL, Prof Julienne Hanson, and Jo-Anne Bichard (now at RCA Helen Hamlyn Inclusive Design Centre) and am currently preparing work for ESRC on the societal aspects of public toilet policy. I have also undertaken research for the RTPI, Oxfam UK Urban Regeneration programme, and ESRC on the importance of gender considerations in urban planning policy, and have had several articles published in refereed journals such as Urban Studies, and Progress in Planning on the question of mainstreaming gender considerations into spatial planning policy as a result of the Gender Equality Duty (and previously at EU level the Amsterdam Treaty).

As to qualifications, I am a town planner, chartered surveyor, fellow of the Chartered Institute of Building, and have a PhD in the field of surveying education and practice. I am a member of the BSI committee dealing with BS6465 Sanitary Installations, and I am currently heading up the work on writing a new Part 4 of BS6465 specifically on public toilet provision. We previously revised Part 1 in 2006 to conform to the requirements of gender equality and the 2006 Equality Act. Part 1 also contains an explanatory Annex setting out the required standards for public toilet provision (Part 4 being a full treatment of this and other public toilet related issues). I got into toilets because in the course of undertaking research on the social aspects of planning and what people wanted most in our cities, the topic of public toilets kept on coming up, especially from women. In fact, legally, town planners and surveyors have no statutory powers to include public toilet policy in their plans and planning documents, nor is it required to show public toilet locations on policy maps: which is part of the problem of course.

RESPONSE TO YOUR LIST OF QUESTIONS

1. The need for public toilets in relation to access to public spaces, the needs of older people, disabled people, families and of course WOMEN too

Public toilets may appear to be insignificant, small buildings within the city as a whole, but their impact is disproportionate to their size, as they are essential to enabling people to travel, access, and stay out away from home, without fear of there not being a toilet available. As explained in previous research, public toilets may be seen as the missing link in creating SUSTAINABLE, accessible, equal cities and society. If the government wants to get people out of their cars and drive on public transport then public toilet provision at the local level, and in particular in relation to transport termini, and to the main centres of human activity including district and city centres, is essential. This is because people cannot simply get in their cars and drive to the nearest motorway service station: if they are on foot then even half a mile is a considerable distance when looking for a loo. Public toilets are an essential, and essentially, LOCAL facility but their existence is important to the functioning of the city as a whole.

Lack of public toilet provision affects everyone, not just the incontinent or elderly, but some groups are better provided for than others. Women in particular, that is the majority of the population, 52% of the nation, and more like 55% in many cities are particularly disadvantaged as they have less facilities to start with in terms of geographical “spread” in terms of places where men can relieve themselves. For example, not only are there still areas where there are only Gents public loos and nothing for women (look around the London area and the Welsh valleys for example) but men have more off-street facilities in pubs, clubs, sports and leisure facilities. When women “moan” I have often heard men say, “well they could always use a pub”. This is not convenient for many women who would be very wary of going into a strange pub and once in the facilities for women are usually substandard and inaccessible too for those with pushchairs and children, and often not open until 11am.

We have to consider the temporal as well as spatial provision of toilets in terms of time planning policy (an increasing issue at EU policy level). Women need toilets at different times from men, particularly during the day time when they are more likely to be out and about shopping, in charge of children, going to part-time jobs etc. Great concern was expressed by respondents during our research that greater emphasis was put upon the evening and night-time needs of male drinkers, than was put upon the majority of women and other people during the day time. Creating the evening economy and the 24 hour city has not necessarily increased the numbers of people coming into the city in the evenings, indeed it has deterred many because of the problems of excessive drinking and subsequent street fouling.
Providing male street urinals is not a solution for women, and is arguably against the requirements of the Gender Equality Duty, by which gender considerations need to be taken into account in respect of all aspects of local authority resource allocation, policy making, and service delivery. I was saddened to see that some of the memoranda that you have already assumed seemed to assume that street urinals “solved” the problem. But thank the Lord there were also many other very very good responses that you received that were very aware of the fact that women’s needs must be taken into account as well. One of the problems is that if you write to a local authority the response will come from the very male-dominated public works and sanitation departments responsible for public toilets, who perpetuate this lack of consideration of women’s needs. If you write to community groups and women’s groups you will get a completely different picture of the situation.

There is always a difference of opinion between toilet users as against toilet providers and their agendas are quite different. Most toilet designers, policy-makers, engineers are male, and most toilet user groups contain a greater proportion of women. The ideal solution for providers might be to charge, to restrict use of the situation.

Public toilet provision needs to be dealt with as an integral part of strategic level spatial policy making, along with, and linked to transportation planning, land use and development policies, not as a separate issue dealt with by technical-level officers more used to dealing with rat catching and dustbins! We found from the gender mainstreaming research that it is very difficult to apply the GED to such technical departments as they have no “plan” no forward policy –making role but they just struggle from one crisis to another, closing toilets to “solve” toilet maintenance problems, whilst creating much vaster social problems for bona fide would-be urinators in the process. This is why I have always stressed the importance of integrating toilet provision into spatial plan-making, planning law, and of course the new planning framework. I have raised this issue when invited by the DCLG to discuss with their senior policy makers the question of integrating gender into the new planning system, not least because the new White Paper on planning hardly mentioned equalities and social issues, except for a brief mention of race and not much more. But this may be a trap as toilets are not a “social” issue worthy of pity they should be seen as a hard physical land use matter just like any other type of building or development. Otherwise we get all the response at appeal level of toilet provision being ultra vires as it is “not a land use matter” and so imposition of planning conditions and S.106 agreements for toilet provision in new developments fail.

Within each toilet block itself women have less provision than men, on average there is twice as much provision for men as women. Even if the floorspace is the same in the Ladies and the Gents, there is likely to be more “places to pee” (facilities) because urinals take up far less space than cubicles and so more users can be accommodated. This is one of the reasons why there are always queues for the Ladies. It is not because they are wasting time doing their make up in the loos, indeed many of the respondents from the research said they would be wary of staying in a public toilet any longer than they absolutely had to because of the dangers inherent in the situation nowadays.

Not only do women have less provision but the quality of provision is very poor. Some cubicles are so small that the inward opening door touches the edge of the toilet pan so it is almost impossible to get it. Standards of cleanliness, hygiene, maintenance are also very poor, and a complete contrast with the high standards of domestic bathrooms attained nowadays in people’s homes. Disabled toilets are often disgusting whereas in our research we found many people want hygienic clean conditions to carry out tasks such as cleaning their stomas, or changing pads, and simple things like having hot running water, a shelf to put things on, and a dry clean floor are so important. This is all a disgrace for a modern industrial society which ranks about 6th in the world in terms of overall wealth. Attention to public toilet provision reduces all sorts of health complications and thus reduces the NHS bill as explained in various of my articles, some of which are attached to this document. Women are very wary of sitting on dirty wet seats and so tend to “hover” which leads to urine retention and eventual incontinence problems, so poor ergonomic design affects health as much as dirty conditions (see my article on toilet pathogens). But any port in a storm, any toilet is better than no toilet!

This inequality applies not just in public on street toilets but in all types of buildings, offices, theatres, museums, cinemas, sports stadia, factories, shops—everything! I am a member of the British Standards Institute BS6465 on Sanitary Installations. We have recently updated Part 1 which sets the ratios and levels of provision for all categories of buildings, in the light of the requirements of the GED and equality legislation. Most public toilets are old and historically provision is extremely unequal for women, and generally inaccessible for many disabled and disenabled groups too. Expecting women to use off street facilities in pubs, bars, restaurants, places of entertainment etc, would simply add to the queues that already exist for paying customers. I do not think you have thought this one through enough. Also as discussed with BSI itself we are very concerned that any Select committee should come up with final recommendations that contradict, and diminish the requirements of established government-approved British Standards. Legally you are on extremely thin ice should this come about contradicting accepted government standards as already blessed and published and indeed agreed with ISO (the International Standards Agency) at the global level. Not forgetting the fact that the UK is a signatory of the UN Millennium goals (which has big chunk on sanitation and infrastructural development taking into account gender) and of course the Amsterdam Treaty 1997 within the EU which has taken ages to trickle down in terms of subsidiarity to UK
legislation change. I am in contact with colleagues in New York and Brussels in relation to standards harmonisation and it would be so sad to tell them that the UK has rescinded on its much praised recent incorporation of gender equality into the British Standards. Such a retrograde step. And going backwards compared with other western nations for example about 34 American states have now passed “potty parity” including New York state, and so we are going the opposite way of other advanced nations.

If you want to know the true position of women in society today, just look at the queue for the toilet. This is one of the last unreformed areas of public life and policy.

There is no doubt at the international level that the West is going backwards in many respects, whereas in contrast there has been a “restroom revolution” in the Far East. Japan is the centre of the restroom revolution. Standards as to geographical distribution of toilet provision are very high, and ratios of 2:1 in favour of women are to be found in terms of numbers of places to pee. (It is the exact opposite ratio-wise in the UK and this has been condoned indeed reinforced by years of discriminatory official BSI standards in the past). I would again ask you to read through the attached documents to give you an insight into preferred levels of provision and more enlightened policy making. In Far East public toilet location and distribution is shown on their town planning documents, and the frequency of toilet provision is much higher than here, at a minimum of every third of a mile in many locations. The calculations as to the levels of provision, distribution, size, intensity and frequency of demand across the day, capacity are complex mathematical matters but at present we do not begin to meet the required levels. I can discuss this further if required or suggest other members of the BS6465 toilet committee such as John Griggs of the BRE or Michelle Barkley Technical Director at Chapman Taylor Architects who can advise on how to work out the best levels of provision. Some areas may appear to need few public toilets as the local population is small but it only takes an influx of tourists and visitors to vastly swell the local demand, so basing provision on resident numbers alone is not ideal. At present local authorities pay for toilets in their area, but arguably everyone gets the benefit of other areas toilets too, in the same way that we drive on the roads or have the benefit of street lights, in other areas, without having to pay when crossing a local authority boundary. Numbers to be provided is strongly linked to amount of money to fund toilets, and a national level of funding and organisation would be ideal to make it fair for smaller authorities with large numbers of visitors.

Whilst going on about women, let us also not forget other key factors such as the differences in age groups. We have approaching a third of the population in the elderly category, and they are greatly in need of public toilets, and cannot just wait or hang on. We heard terribly sad stories in the research about elderly widows not being able to get to the cemetery to tend their husband’s graves because the local toilets had closed. Also many could not get down to the post office and local shops on the bus as it was too long to last without a loo. Many small local district and village centres do not even have any off street toilets in private premises let alone public toilets.

Children are encouraged to go out and spend more time in the open air. But there are very few toilets left in public parks or recreation grounds. Children are not allowed into pubs under 18 on their own. Many young girls would never dream of going into premises where lager louts hang out. One of my pg students did her dissertation on the problems encountered by younger children (say under 10) with older children (teenagers especially boys) who commandeer all the play spaces, toilets, and open space areas preventing them for using the facilities.

Reams has already been written and said about the problems of lack of baby changing and feeding facilities in loos, and within the built environment in general.

As for disabled toilets we have probably done the subject to death over the years, but no-one listens. There is a need for accessible toilets for everyone, not just those in wheelchairs who officially count as disabled but all people who have trouble using the regular ordinary toilets, which are often down steps, with narrow doors and tiny cubicles. This particularly affects women who have to use the cubicle every time, as against men who just have to stand up at the urinal.

So to conclude this first section, public toilets need to be provided in more locations, in greater abundance particularly for women who need to catch up with the men in terms of provision, and toilets need to be part of high-level urban and rural policy making. Sustainability policy at present is set at too high a level, and as stated public toilets are the missing link to save people’s lives being restricted as to how far they can travel by the “bladder’s leash”.

In my other work on cities we have argued that in order to create sustainable cities it is not enough to restrict the use of the motorcar, rather we need to work out WHY people are travelling in the first place, as dispersal of land uses and development generates the need to travel. The ideal city would be one of short distances, mixed land uses and many small centres, each with its own employment areas, post offices, shops, and of course public toilets.

We want an access not a fortress approach to toilet design, the more people that can use them, the less problems will occur.
2. Why provision has declined

The implicit argument that toilet provision has declined because of vandalism, anti-social behaviour, drugs, lack of cleanliness is false. These are all results not causes of toilet policy neglect. As Japanese colleagues often say, you would not put an expensive computer on the pavement and just leave it there and expect it to be there when you came back. Likewise it is absolutely essential to have toilet attendants, regular cleaners, some measure of security (not just a CCTV camera with no-one at the other end). Building a public toilet, the initial capital investment is only about 40% of the total cost, rather you have to allow for cleaning, maintenance, attendants, security. Getting a toilet as part of planning gain under a S.1–6 agreement is a dismal solution as so many developers “hit and run” nobody is around to ensure that funding commitment to long term cleaning, maintenance etc will continue and so the new owners soon close the toilets (as they do with creches, play area schemes and numerous other social benefits that are not enforced after completion).

Public toilets should be available for the use of all citizens the general public. Frequency of use by all sorts of people in well lit visible areas will deter anti-social elements. We have suggested in terms of urban design principles that toilets should not be hidden away but put in central locations as elements of “public art” with pride of place where everyone can see what is going on. The BTA has suggested they might be located alongside Tourist information centres, and other public buildings so they are not desolate and isolated. Of course all this would require new build and we hope that that is the way ahead.

Toilet provision has declined because once local authorities forget their public duty and sense of civic pride and public service they can quite freely close toilets because there is no mandatory requirement for them to keep them open. Furthermore there is no ring fenced funding to support their existence so they are a soft target, as soon as times get hard they close the loos. In reality it is a matter of priorities and politics as there is always money for all sorts of other discretionary, non-statutory facilities and public works, many of which are of little use or interest to the general public such as expensive public art installations, sports facilities only providing for young males, cultural building only providing for the elite, domes, wasteful foreign policy, gravy trains and so forth ad infinitum. … don’t get me going. Meanwhile post offices, local swimming pools, public toilets, road surfaces, street lighting, policing, sewerage infrastructure and pensions are all in decline. We now have some of the lowest levels of public investment in the EU relative to other Northern European municipalities, and the lowest pensions in the whole of the EU, and of course no universal system of childcare (compare the ecoles maternelles in France), so we are no longer a Welfare State and have not been for a very long time now. We are no longer “splendid in our public ways” as it says in the hymn, no civic pride or social responsibility anymore.

Overall I am very concerned that the emphasis in the questions is on “defence” rather than on “access” some toilet blocks are like mini-fortresses to keep the vandals out, but the result is that bona fide users have difficulty getting into the toilets., and creating a “crime free” building often raises the ante and gives a false impression that the area is more dangerous than it really is, thus putting people off even more from frequenting the area.

3. Who should pay for public toilets?

The cost of toilets is a vexed issue for to paraphrase Milton Friedman, there is no such thing as a free toilet. But we have arguably all already paid through our rates and taxes so why pay again at the point of delivery? There is no such thing as government money, it is all our money that has been entrusted to our rulers to use on our behalf.

To run a good and comprehensive public toilet system costs a great deal of money, but so do all public services and facilities so why should toilets be picked out as the poor relation?

It has been shown that increased public toilet provision is not a bottomless pit or a drain on resources but rather it increases the economic turnover of an area in terms of the business case (as shown by studies by the Association of Town Centre managers inter alia. As the Americans say, “Bathrooms mean business” better public toilets brings in more business, more tourists, more customers who can stay longer and spend more.

A nation is judged by its toilets, it’s the first thing that people notice about any new country. In the past in the age of civic pride there was no quibble about building toilets and for that matter libraries, museums, town halls etc, but that age has past. Admittedly in the past the Victorians created a very unequal level of provision in public toilets but at least they set the precedent of building loos. Nowadays we are in the middle, we fall between two stools. We do not have the custom of good public toilets being provided in cafes, railway stations, etc, for free as found in some countries (Belgium is my favourite country on this matter), but nor have we kept the tradition of municipally run on street toilets as exist in many Far East countries and are making a comeback in North America too. (I am often in contact with the [North] American Restroom Association on this). Those other Continental countries that do offer off street use of toilets in bars and cafes are not as wonderful as is often made out, many French cafe toilets are very grotty and one has to have a fight with the patron to use them. In Belgium apparently anyone has the right to knock on the door of a private house and ask to use the toilet in an emergency (seldom done though) and one can use the toilets in
pubs and bars and cafes without having a row, indeed some are located with a separate entrance. Plus there is not the lager lout factor to contend with to such an extent which puts so many normal people off using pubs, in fact only about 10% of the population regularly go to pubs in any case.

For hundreds of reasons people are very uneasy about using toilets that are off street in private premises and the cost of building and maintaining proper public toilets is more than gained back by increased prosperity, health, equality, sustainability.

Payment systems on toilets are a huge problem too. They usually cost more to run than the money collected. They restrict access to anyone carrying shopping, luggage, anyone who is pregnant, large, and of course they are a huge problem for children and for families. Some of the turnstiles are so narrow (Paddington station is down steps and turnstile, what a problem for people with luggage, and it is the terminal for the Heathrow Express too). Lots of foreigners don’t know what 20p is! I went ballistic when I found that the Brussels Midi station had installed a payment system creating a huge queue (so unlike them). 50p to use the loo by Westminster sends out a message that Britain has lost the plot!

Automatic Public toilets are all pay toilets by their very nature. They are extremely unpopular particularly with women for a whole list of reasons (see my various articles). Many women see them as glorified urinals because of the inadequate space in them and the inconvenient seating arrangements! Some are getting better but there is a huge fear factor, of being locked in, plus uneasiness about exiting straight onto the street without being able to see who is out there. Environmentally they are huge users of water, and not at all ecological, and very expensive altogether. They only serve one customer at once and are no use for areas of high demand.

To add insult to injury the mis-directed sense of equality is to make it legal to charge men as well as women under the revision of the 1936 Public Health Act! Some equality, equally bad for all! Presumably men are still free to urinate for free at those ghastly male-only street urinals, which should not have even been installed under the GED.

If payment is used as a way of controlling who enters that is a joke, out filming with the BBC for one of our toilet documentaries we observed young men simply jumping over the turnstile system and nobody dared to stop them! At the bus station, where many old ladies come up on the National coach buses from the South West but they fumble to find the right change and really struggle.

It is all a matter of priorities, as to “how do you want to live” and “what do you want to pay for”, the government is very short-sighted in not funding public toilets. Indeed it is a vote catcher or loser, and it is always raised at local election level. Most people are pretty sick of the present government’s wasteful approach to using “our money” and would welcome more attention being given to what the real, ordinary people are saying about public toilets. Mind you the other lot were never up to much either on the toilet front, but there was a cross party public toilet group (what happened to it?) which were very keen to promote these issues. People do not want grands projets they want local interventions that meet their most basic needs. If we are all going to be clobbered by sustainability, environmental taxes and road charging then the least the government can do is provide public toilets to accompany a return to public transport use. But there is no public transport of course in many areas outside of London so what can be done. Taxing ordinary people does not give them the power to build railway stations or create buses out of thin air! The public toilet issues is all part of a wider agenda about the decline of other public services including transport. Our society is more dangerous and the environment less well cared for because financial cuts have removed the toilet attendants from the loos, the park keepers from the parks, the police from the streets, and so there is no one to keep an eye on things anymore.

Paying to go to the loo can be a major issue for those on low incomes, it is a form of indirect taxation for pensioners and the incontinent who need to go more often, and impractical and inappropriate for children, who may get a free bus pass but not a free toilet pass. I am alarmed if the disabled need to pay too. Many local authorities circumvented the requirements of the DDA by simply closing their toilets rather than bringing them up to DDA standards thus inconveniencing everyone. Clearly there needs to be independent, ring-fenced, central government funding on all this. The present state of local government finance, of course, needs to be looked at, as there is not a lack of money, rather it is a matter of how much central government is willing to give back to central government each year.

Rolling out the reintroduction of payment systems for public toilets will be political suicide even worse than removing the 10p tax allowance. It will be especially resented when the government is giving away money hand over fist to other countries and wasting money on all sorts of other things which no-one wants, and giving money to rich middle class people who don’t need it. My God, Kier Hardie must be turning in his grave. If you want to give money away give it to the poor people themselves both here and abroad not to their rulers. For example, over 40% of urban regeneration programme money goes to pay consultants not to those in need.

I say all this because you cannot deal with toilets in isolation, it is all part of a wider problem in the public’s mind. For some reason the government is blind and deaf to the toilet issue, which rings out very loud all over the country.
4. Opening Hours and Other Accessibility and Availability Issues

You cannot provide public toilets on the cheap, there are millions of people needing loos, including women, those with small children, children and teenagers themselves, the elderly, people with disabilities: not just a tiny minority.

Maybe this issue is not taken seriously because it is not such a problem for able-bodied unencumbered men, who never have to queue and who have the pick of the use of toilets in pubs, clubs, walls, trees, street urinals and so forth. But for women it is still a very different experience, and a taboo in society. Of course all taboos are really a form of social control and bullying. There is a need for a urination revolution (like the sexual revolution) to “allow” people to talk freely about toilets. This is a very western, uptight, Anglo-Saxon, British problem that we should grow out of.

As for opening hours people need to reassurance that toilets are available when they need them. They need to be open from early morning for people in the rush hour who have had delayed journeys or stuck in traffic jams, of course all transport termini, stations, large car parks should have toilets as a matter of course. Closing them because of some spurious rubbish about “terrorism, or health and safety” is just an excuse to save money and does not serve the travelling public.

They should be open until the evening especially for those shopping or going out in the early evening after work. Many nurses, night workers, shift workers, library users, church and meeting attenders want toilets on their way home and a male street urinal with a load of threatening yobos standing around is no help to anyone respectable male or female.

In our Nuffield research which was on the more rural and provincial areas around Bristol and Somerset we found that many delivery men, mobile library attendants, bus drivers, postal workers, health carers and visitors wanted toilets in small villages and within the more spread out suburbs, especially at bus termini on the edge of town.

The gender balance question has already been raised but no THE SITUATION IS STILL VERY UNEQUAL. There is a need for a retrospective refitting of public toilets to make the provision more equal for women. In New Zealand they took this as a human rights issue and declared that women having to queue for more than 3 minutes was an infringement of their human rights (you can queue for 30 minutes in some British toilets, whether they be theatre toilets, street toilets in bus stations and tourist areas etc).

AT present women have less than half as much provision as men, and so just gaining equality would be wonderful. But in many countries now the provision is much higher at 2:1 because women take longer to use the loo for a range of sartorial, biological and functional reasons, not because they are lazy cows wasting everyone’s time (as some respondents have suggested in previous research). Women have more functions than men, at any one time a quarter of all women of childbearing age will be menstruating, whereas pregnant women, those at menopause and those with diabetes, and a range of other conditions will need to use the toilet more often. Women are also more likely to be accompanied by children, elderly relatives, luggage, shopping and frankly headaches and stomach aches!

We are not talking about “just” the incontinent here, but in fact about a third of men over 50 have waterworks problems too. We found that many older men are very unhappy with urinals and some suffer from paruresis (maybe 10% according to American sources) that is they are piss-shy and cannot “go” in front of other men. So it’s not that wonderful for men either but at least they have more facilities than women.

As stated we have gone through all the previous British Standards on toilets and revised the tables mathematically to increase provision for women, indeed to simply make it equal.

The question of shops, cafes etc being opened up for people to use “their” toilets is a fraught issue. As stated many of these premises has inadequate and inaccessible facilities to start with, particularly for women, and there are already queues for their customers let alone getting more people in. Shopkeepers tell us that they don’t like being expected to clean up the sick and excreta when people aren’t even buying anything. The toilets in M&S for women are usually very very limited, perhaps two cubicles if you are lucky and they are often up/down steps. Men don’t realise this as they seldom use them. Large stores are only required to provide facilities because of the great work that was done in 1996 by earlier campaigners on the BS6465 committee and many other large stores have always been resentful about these requirements.

As for who can use these off street toilets, even if it became law, there is the embarrassment factor even if no purchase is required, running the gauntlet of customers and serving staff. The poorly dressed, and those that look like they may possibly be “trouble” and some black youth may encounter opposition even when they only want to go to the loo. A high caste Indian engineer colleague experienced this problem of “Oi, you where do you think you’re going?” when he only wanted to use the loo and this really shocked and upset him as no-one had every spoken to him like that in India.

Religious, teetotal groups, and various ethnic minority groups are unwilling to use toilet sin pubs and other licensed premises. Some will not go into premises that serve non halal (or for that matter non kosher) food such as pork (that includes bacon), or that sell beef burgers, (depending on the religion) such as is served such as fast food places, and also where alcohol is served, this is a big issue in the Midlands and some London
boroughs other areas of concentration. Richmond and Greenwich are too white and too affluent to be a
typical model. This is a serious issue for many who do not want their beliefs compromised by a secular, and
unthinking government policy.

As for tourism, I have already raised this issue, it is very important that the image of “Cool Britannia” is
maintained in respect of public toilet provision, we are already the dirty man of Europe! Countries that used
to have terrible hole in the ground loos are getting better, whereas we are going backwards.

Talking of hole in the ground toilets, these can be very good if they are properly maintained, and are more
hygienic in that you do not have to sit on the seat that was sat upon previously be a complete stranger (or
on the spray of an unthinking male). Most of the world squats rather than sits, and not just Moslems
(although they are about a billion people of course). Good public toilets would provide the option of sit or
squat, with perhaps one cubicle adapted accordingly.

Furthermore unisex toilets, where women and men are meant to share the same facilities is most
unacceptable to many women because of the hygiene, modesty and personal safety factors. It is often seen
as a solution by men to the queues in the Ladies, but they do not understand the problems. From a religious,
(not just moslem) and modesty viewpoint it is unacceptable to mix with men in such an intimate setting (even
sequentially in terms of Automatic Unisex toilets), and shared washing facilities where women get “touched
up” can be particularly problematic. I may be ok for ladettes in a night club but not for the general
population. “Mixing” as a solution always impacts more upon women, whether it be hospital wards, mental
institutions failing schools, public toilets, swimming pools or showers. In the case of toilets the queues might
be reduced simply because the women do not use the unisex toilets, and may not even go out to that area
because there is no alternative. Why do women have to make do? We all pay as much taxes and rates as the
men nowadays? Of course if you ask the men in charge of the toilets they don’t see this as a problem but ask
ordinary women and you will get a very different response.

I am very concerned about the hygiene and cleaning regimes in public toilets, and increased use of off
street pub toilets who increase the problems by reducing official control and pathogen control in “privatised
premises” what with C-MRSA growth and lots of other community based pathogens that have now left the
confines of the more familiar sites of hospital toilets. I have written extensively on these issues too but this
may be alarmist to raise when we simply are fighting for more loos at this point in time.

5. Conclusion

In the final analysis, “all human life is there” toilets affect every aspect of our lives, and also are relevant
to all aspects of government policy-making. In summary public toilet provision is necessary to the
following factors:

Sustainable cities
Healthy communities
Transport planning
Spatial planning
Accessibility
Social Equality
Gender mainstreaming
Ethnic and religious equality
Economic prosperity
Toilet provision has major implications
Social
Economic
Political
Environmental
Physical

If we really had an equal society public toilets would be provided without question. It is not a matter just
of money it is a matter of political priorities and social awareness.

Let us not be ashamed among the nations of the world because we are so mean that the government won’t
even provide for its people’s most basic needs, dignity and comfort.

21 Not printed.
I have provided a range of attached documents, carefully selected so as not to overwhelm you and including ones that have been cited in other DCLG toilet and gender committee work and by other respondents’ memoranda. All you want to know about public toilets is in my book, Inclusive Urban Design: Public Toilets published by the Architectural Press, 2003, Elsevier, Oxford. I would also recommend The Accessible Toilet Resource which is the report of the recent EPSRC research with guidance and “toolkits” on accessible toilet design for all.


May 2002 User and Provider Perspectives on Public Toilet Provision, Report of the Nuffield Foundation funded research on public toilet provision, only available as a report, and sent to the committee. But not available as attached document.

British Standards:

BS6465 Sanitary Installation: Part 1: Code of Practice for the Design and Provision of Sanitary Facilities, British Standards Institute (also available Parts 2 and 3 (more technical) and Part 4 in production specifically on standards of provision for public toilets.

Frequently mentioned Conference papers by C. Greed

Public toilets: the need to provide compulsory provision

The need to provide a strategic spatial planning approach to public toilet provision in Britain

Taking Stock: An overview of public toilet provision and standards

What would a non-sexist restroom be like? NYU Public Toilets Conference, New York

(see Bathroom Programme, New York University conference.)

Relevant Journal Articles by C. Greed

(this is more academic material).


2006, “The role of the public toilet: pathogen transmitter or health facilitator” in Building Services Engineering Research and Technology Journal (BSERT), Vol.27, No.2, pp 127–140. Special issue, on “Research addressing cross-contamination and infection spread through building drainage and sanitation provision”


Toilet Teaching notes

Restroom Design Course, World Toilet Organisation, Singapore Summer School

Macro level: Planning for a City-Wide Toilet Hierarchy

Meso level: District level, toilet location issues

Micro level: Toilet block design considerations

(these are modules notes that contain the main public toilet principles for information)

Memorandum by the National Association for Colitis and Crohn’s Disease

NACC is a national charity which represents the needs of 200,000 people in the UK living with Colitis and Crohn’s Disease (IBD). Symptoms of IBD include frequent diarrhoea and/or faecal incontinence. Day to day living is affected by a constant anxiety about suddenly needing a toilet and having very little time to find one, and this can have a devastating impact on the ability to engage in activities away from home. The provision of public toilet facilities is, therefore, an issue of great concern to people living with IBD.

— Ulcerative Colitis and Crohn’s Disease are both forms of Inflammatory Bowel Disease (IBD).

— Approximately 200,000 people in the UK suffer from IBD.

Not printed.
— IBD is a lifelong condition that starts most frequently between the ages of 10 and 40 years.
— IBD causes swollen, inflamed and ulcerated intestines.
— Symptoms include abdominal pain, weight loss, tiredness and diarrhoea.
— People with IBD live with the problem of an unpredictable, frequent and urgent need for access to a toilet because of diarrhoea.
— The experience or fear of faecal incontinence is very undermining to a person’s confidence and self esteem.
— The National Association for Colitis and Crohn’s Disease (NACC) is a national charity, founded in 1979 to provide information and support, raise funds for research, increase awareness and understanding of the conditions and campaign for the provision of better services to meet the needs of people living with IBD.
— NACC members are issued with a “Can’t Wait” card to help when seeking toilet facilities urgently in public places.
— NACC members are currently piloting a scheme to rate local tourist attractions toilet facilities.
— In their review of the eligibility criteria for disabled parking concessions (Blue Badge), the Department for Transport has recognised the need for people with IBD to be able to park at short notice in restricted areas in order to access toilet facilities urgently.

1. Ulcerative Colitis and Crohn’s Disease, collectively known as Inflammatory Bowel Disease (IBD), affects approximately one in 400 people living in the UK. There are up to 18,000 new cases every year and research has shown that the number of people with Crohn’s Disease has been rising, particularly among young people. These life-changing conditions often start in teenagers and young adults and last for a lifetime—with the disease flaring-up at unpredictable times. The causes of IBD are unknown and there is no cure.

2. The sudden and uncontrollable need to use a toilet is a genuine and recognised symptom of IBD. A 2007 NACC survey of 974 young people with IBD underlined the profound effects that IBD can have. Isolation brought about by needing to be in easy reach of a toilet, combined with the symptoms of pain and tiredness, was found to be a consequence of IBD; 43% of young people reported feeling seriously isolated at the time of their diagnosis. When asked for general comments about their lives and the way it had impacted upon their lives, 246 young NACC members stated that their disease made socializing almost impossible, 183 of these stating that “always needing to know the proximity of a toilet” most affected their lives.

3. A 2004 NACC Survey explored the range of symptoms that patients with IBD experience. The survey was sent to 5,000 members and these results reflect the analysis of the first 2,000 responses received. 67% of those who responded had had a flare-up of their disease in the last two years. Those under 29 years old were more likely to have had a flare-up in that time (87%). During a flare-up of Ulcerative Colitis 70% of respondents’ ranked urgency/diarrhoea or incontinence first as the symptom having the most impact on their lives. During a flare-up of Crohn’s Disease 48%.

4. Having an “accident” in public is every patient’s worst fear and can have a devastating effect on their ability to undertake everyday activities such as going to work, shopping or socialising. Outings have to be meticulously planned taking into account the availability and location of public toilets. Many patients carry a RADAR key (NKS for disabled people); however concern has been expressed about toilet closures which have undermined confidence in the scheme. A lack of adequate facilities at bus and train stations and on board trains exclude many patients from using public transport, and at present the Blue Badge Scheme doesn’t cover patients who need to park in restricted areas for urgent access to a toilet (see section 7 below).

5. NACC members are issued with a “Can’t Wait” card which has the message “Please help—our member has a medical condition which means they need to use your toilet facilities urgently. Your kindness and cooperation would be much appreciated.” This card is intended to make it easier for members to ask to use toilets in shops and offices without having to give a long explanation about their condition. However, it doesn’t guarantee access and we hear from members who have been very distressed when access to toilet facilities has been refused.

6. The local NACC Group in County Durham is piloting a scheme to rate local tourist attraction’s toilet facilities. Members are asked to rate the toilets on their Group’s website and NACC may award any tourist attraction a “NACC ✓✓✓✓✓ sticker award”, which the local tourist attraction could display. Places receiving these awards may be mentioned on NACC’s national and local group websites and would help people who have IBD feel more confident to visit these tourist attractions.
7. The Strategic Review of the Blue Badge Scheme\textsuperscript{iv} recognises the need for individuals with Colitis or Crohn’s Disease to seek toilet facilities at short notice. “Rather than extending the Blue Badge to such individuals, the projects recommended the use of alternative mechanisms such as the “I Can’t Wait” cards used by members of the National Association for Colitis and Crohn’s Disease\textsuperscript{v}”. In their response to this independent review, the Department for Transport acknowledges the possibility of Government initiatives and states their intention to “work with stakeholders to explore “Non-Blue Badge” options for people who do not qualify for the Scheme (eg people with Crohn’s Disease and Colitis).”\textsuperscript{vi}

NACC welcomes the opportunity to work with the DFT on options to enable people with Colitis or Crohn’s Disease to park in restricted areas when needing to access a toilet as a matter of urgency. However, as with the RADAR Keys, NACC members have addressed concern that the benefits of such a parking scheme will be undermined by the closure of public toilets.

In summary, one in 400 people in the UK are living with the lifelong inflammatory bowel diseases Colitis and Crohn’s Disease (IBD), the symptoms of which include urgency/frequency or faecal incontinence. People affected by IBD live with a constant anxiety about suddenly needing a toilet and having very little time to find one. Consequently, this can have a devastating impact on their ability to engage in day to day activities. Access to toilet facilities is of paramount importance to provide the reassurance people need when away from home, and to minimise the disabling impact of IBD. Our Association has developed a “Can’t Wait” card which members can show when they suddenly need a toilet and are not near a public facility, but this is discretionary and can not be relied on. NACC members have expressed their concern about the closure of public facilities (numbers of which have halved in a decade from 10,000 to 5,000.\textsuperscript{vii}) and fear that other Government initiatives to improve their participation in daily life could be undermined by these closures and any further decline in provision. NACC would welcome any initiatives to increase provision, including schemes to encourage shops, cafes, pubs and other businesses to provide toilets to the public as well as paying customers.

REFERENCES


iii NACC Survey May 2004 (unpublished)

iv The Strategic Review of the Blue Badge Scheme: An independent report by Rob Smith 2007

v Ibid p29


vii British Toilet Association

Memorandum by Chris Ashford, Senior Lecturer in Law, University of Sunderland

1. BACKGROUND

1.1 Chris Ashford is a Senior Lecturer in Law at the University of Sunderland. He teaches human rights law and gender, sexuality and law and has published internationally in the field of public sex. In addition, he has spoken on the subject to academic audiences in the UK, USA, Canada and Australia. He has also advised Lesbian, Gay and Bisexual (LGB) out-reach groups, the National Health Service and the Police on public sex and the law.

2. SUMMARY

2.1 This submission will focus on addressing the subject of “anti-social behaviour” in public toilets, specifically the subject of sex in public toilets, a practice referred to as “cottaging”. It sets out the present legal framework and draws upon the author’s research. Together with other published academic literature, this submission discusses current policing approaches to public sex and puts forward some of the key legal and social challenges that public sex presents for policy making in relation to public toilets access. It argues that it is impossible to prevent absolutely sexual activity in public toilets and wider multi-agency strategies focussed upon minimisation are more appropriate.
3. **The Legal Framework**

3.1 The statutory framework in relation to sex in public toilets was last reviewed by the UK Government in the White Paper, Setting the Boundaries. That report ultimately led to the Sexual Offences Act 2003 and largely a re-statement of the law on sex in public toilets, previously contained in the Sexual Offences Act 1967. Section 71 of the Sexual Offences Act 2003 states:

1. A person commits an offence if:
   a. he is in a lavatory to which the public or a section of the public has or is permitted to have access, whether on payment or otherwise,
   b. he intentionally engages in an activity, and
   c. the activity is sexual.

2. For the purposes of this section, an activity is sexual if a reasonable person would, in all the circumstances but regardless of any person’s purpose, consider it to be sexual.

3. A person guilty of an offence under this section is liable on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale or both.

3.2 Section 71(1)(a) defines a public toilet so as to extend beyond the range of those operated by Local Authorities. A public toilet can be any the public has access to including those contained in a fast food restaurant, hotel lobby or other privately owned public space in addition to “traditional” public spaces such as a bus station or other transport hub and those contained in parks and town centres.

3.3 Research has found that this remains a law which is enforced. Between May and December 2004, 17 male defendants were proceeded against, resulting in 15 guilty verdicts, whilst in 2005 a further 46 males were prosecuted and 34 found guilty (Johnson 2007). Yet this criminalisation of sex in public toilets continues to fail in bringing a stop to this sexual behaviour.

3.4 In addition to the specific offence of section 71, there are also sections in the Sexual Offences Act 2003 which address exposure and voyeurism. These sections can be applied to the practice of cottaging and wider “cruising” activity in which both men and women seek sexual encounters in public spaces. In contrast to section 71, these provisions are triggered if someone sees an act or is likely to see an act who does not wish to do so. Similarly, an offence is committed if a person views an act/individual and that person does not wish to be viewed. Such provisions are unlikely to therefore apply in a cottaging scenario where the parties are consenting to the acts.

3.5 The common law in relation to public sex was brought into line with these statutory provisions in the 2006 case of DPP v Rose [2006] EWHC 852, [2006] Cr App R 29.

4. **The Social Framework**

4.1 The practice of seeking sex in public toilets appears to remain a purely male phenomenon practised entirely by males with other males. These men may self identify as homosexual, heterosexual or bisexual. It is therefore important not to label this as “homosexual” activity. It is a global phenomenon pervasive beyond western societies and attracts a varying lexicon although the term “cottaging” is the English term used for the phenomenon of men who have sex in public toilets Ashford 2006, 2007; Coxon 1996: 119). This is believed to derive from the traditional cottage like appearance of many western public conveniences.

4.2 There has been a raft of social and legal changes in the UK since the 1967 legalisation of sex between two adult males in private. The last ten years alone have seen a transformed legal landscape with the passing of the Civil Partnership Act, new adoption rights, new rights in relation to the purchasing of goods and services and so on. Socially, designated “gay villages” have developed in many towns and cities, notably London’s Soho, Manchester’s “Canal Street” and Newcastle’s “Pink Triangle” (Brook 2005; Lewis 1994; Whittle 1994). In June 2008 Liverpool announced plans to further develop their own “gay village”. We have also seen a growth in social networking sites such as Gaydar that facilitate an “instant sex” culture. These developments apparently provide new spaces for men to meet other men.

4.3 Nonetheless, men continue to engage in sexual acts in public toilets. There appear to be several reasons for this. The apparently more attractive “gay village” styled environments have been found to be less safe for men seeking sexual encounters with other men. Researchers found in a 2004 study that Manchester’s Canal Street area has become dominated by heterosexual women who view the space as less masculine and safer than their heterosexual bars and clubs (Moran and Skeggs, 2004). This in turn attracts heterosexual men seeking potential sexual partners which creates friction and a less “gay” space. Similarly, another researcher in 1994 found that these spaces attract “the beautiful people” (Whittle 1994) making it less attractive space for those men who are older, less fit and less attractive. For these people the public toilet may offer one alternative sexual outlet.

4.4 For other men the public toilet is just one of a number of venues in which to engage in rapid sexual transactions. These may be men who self identify as homosexual and may even be in a relationship or Civil Partnership and regularly participate in the gay commercial space of bars and clubs. The nature of the toilet means that if offers an instant excuse for one’s presence and may form part of taking a stroll in a park or a mid commute comfort break (Delph 1978; Humphreys 2005).
4.5 As with other public sex spaces the public toilet located near gay bars or clubs or on high traffic routes between venues may also be transformed towards the end of the evening into venues for sexual encounters as men who may have been unsuccessful in a club or a bar at attracting a sexual partner. It should be noted that these men, as with the other scenarios discussed above, are not necessarily the traditional media image of an old man with no alternative means of being sexually fulfilled. Whilst that depiction may sometimes be the case, the men frequenting such locations are just as likely to be young, slim and attractive.

4.6 A 1993 study into motivational factors behind men who have sex with other men in public toilets found that the three main factors were that they enjoyed the activity sexually, the excitement or thrill and anonymity. The least significant factor was finding a long term partner suggesting that public toilets do not provide an alternative to commercial gay spaces or internet dating (Church et al 1993).

4.7 Perhaps the most definitive research on the sociology of sex in public toilets was produced by an American, Laud Humphreys in the 1960s. His research and subsequent book outlined a series of “stages” to a sexual encounter taking place. This revolved around a complex set of signals and manoeuvres that a male would engage in prior to any form of contact and/or sexual activity. These stages prevented anyone who did not want to engage in such an act from being propositioned or alarmed (Humphreys 2005).

4.8 This research is hugely important in understanding sexual encounters in public toilets. Decisions from which urinal to stand at to which cubicle to use or how long to stand at a urinal, decisions which men are socialised into making without a second thought upon entering a public toilet are vital initial stages in a sexual encounter. A man will not engage in encounters with someone who does not wish a sexual act to take place. It is striking that in all of the reported case law in this area cases revolve around police observation or the police using agent provocateur tactics (where they “pretend” to be seeking sex). Media reports of public concern appear to be based on rumour, watching the traffic into a public convenience, toilet vandalism or typically in the more general area of “cruising” activity, the depositing of sexual litter, often used condoms or traces of semen. It does not appear to be based on being approached sexually in a public toilet.

4.9 Evidence of sexual activity in these spaces has traditionally taken the form of sexualised graffiti and/or the drilling of holes in lavatory holes. These holes are termed “glory holes” and dependant upon their size may be to pass a penis through in order for the men to engage in anonymous oral sex and on rare occasions intercourse. They more often serve as a peep hole through to the other toilet or out towards the urinals. On those occasions the person entering the cubicle would check that the adjacent cubicle is empty before unblocking the cubicle hole. These holes are often blocked up by tissue paper which will be removed so that one cubicle occupant can view through to the other. The addition of metal plating on cubicle walls is often an effective mechanism of preventing this. Alternatively the cubicle can be designed with a solid brick wall so as to make the cutting or drilling of a hole impossible.

4.10 Whilst the growth of the Internet has contributed to a reduction in graffiti, it has not contributed to reduction in glory holes as they still constitute an integral part of cottaging behaviour and the continued use of thin partition walls in toilet construction further facilitates this practice.

4.11 The Internet is transforming cottaging from an activity engaged in by men with other men, often in silence and who do not communicate beyond the markings of a cubicle wall. Today an online community is being established in which men exchange details of locations, discussing aspects such as when it receives the highest traffic, when it is safest and to facilitate sexual encounters by arranging meeting times.

4.12 The development of this online community offers new opportunities for communication with local authorities, law enforcement agencies and other key stakeholders. However, it is noticeable that on many “heterosexual” boards that are designed to support dogging activities (where couples meet with other couples or individuals in public spaces for sexual encounters) the use of the boards by journalists, law enforcement agencies and other groups such as teenage boys to discover these venues and disrupt them has meant such information is now much more difficult to discover online. It is therefore highly likely that the wrong policy decisions now may lead to a reduction in this resource relating to the practice of cottaging.

5. Modern Policing and Public Sex

5.1 Just as the Internet has transformed cottaging from the perspective of those who engage in sexual activities in public toilets, so to is it beginning to transform policing and reveal publicly different policing approaches.

5.2 The author’s own research has revealed radical variations in the application of the law pertaining to sex in public toilets across the UK. Some Police forces have, on the basis of Internet postings, stated that they are not enforcing the law whilst other Police forces use the Internet as a means of responding to public complaints and achieving temporary reductions in cottaging behaviour at specific locations. In other instances, the Police use the Internet as a means of advising the community that they are breaking the law and will be prosecuted but such statements appear to be typically ignored.
5.3 Where the Police do seek to create a supportive environment there is evidence of a discussion within the cottaging community about their behaviour and strategies to minimise their visibility, as can be seen in this example taken from an Internet discussion board (Ashford 2007):

“... Yore [sic] right on the button with your ‘I told you so!’ I continually posted warnings about litter and indiscreet [sic] behaviour ... I don’t think that anyone can say the police are being homophobic. They have reacted to complaints received [sic] about boy races [sic] being homophobic and continue to encourage the reporting of homophobic hate crime and will continue to try to build bridges with the gay community, but we need to be met half way! If you are going to use cruising sites, then BE DISCRETE [sic] AND TAKE YOUR LITTER HOME!!!”

5.4 There therefore needs to be a recognition that the Police are deploying a variety of approaches with mixed results. In most instances the sexual behaviour is displaced to other public sex locations and so any approach to sex in public toilets must take account of other public spaces.

6. WAYS FORWARD IN PUBLIC TOILET ACCESS

6.1 Public sex in toilets appears to have existed as long as public toilets have existed. This is a social phenomenon that continues today across the globe and in a range of different societies. It is both rural and urban, confounding those who might assume that “alternative” commercial spaces such as gay clubs, bars and saunas may offer alternative social spaces in which gay men can meet.

6.2 The public toilets which continue to attract sexual behaviour are not limited to the dark, dirty and neglected spaces of folklore. The most recently announced “Loo of the Year Awards”, promoted by the British Toilet Association named the overall winner as the Trafford Centre in Manchester yet Internet evidence reveals the shopping centre as a host to sexual activity throughout the different mall toilets. ASDA, the recipient of the UK Individual Category in the awards, regularly features in listings around the country. Fast food restaurants and service stations attract similar behaviour. The very public toilets that are currently held out as the best are therefore not immune from sexual activity and yet remain capable of winning awards for their facilities.

6.3 This perhaps reinforces the invisible nature of much of this activity. It often remains undetected by the public until local media reports expose locations—a journalistic device made all the more easy by the plethora of Internet listings available.

6.4 There is therefore a real question to be pondered about the extent to which we as a society should be concerned about public sex that takes place in public spaces. It has been branded “anti social behaviour” yet it often takes the form of behaviour which the wider public are not aware of, are not affected by and which only constitutes a harm once they are aware an activity takes place. There is also perhaps a distinction to be drawn between a sexual encounter in public toilet in the middle of a dark park at 2am and one in the middle of a shopping centre on a Saturday afternoon.

6.5 The 2am scenario actually constitutes the greater legal and policing challenge presenting as it does a series of potential dangers for the men who take part in the form of heightened sexual risk from the lack of light, time and location together with a heightened risk of homophobic and/or vigilant attack. The afternoon scenario is probably too busy a time with too much traffic passing through the public toilet for any activity to take place and consequently a cruiser is more likely to opt for a different time. In a sense, the phenomenon regulates itself in limiting its activities at the times when there is most likely to be wider public contact and interaction.

6.6 The closure of these public toilets late at night would therefore undoubtedly prevent sexual activity from taking place in them, although such a move would in all likelihood push the sexual behaviour out of the relative privacy of a public lavatory and into the wider, potentially more dangerous spaces of public toilets, picnic areas, lay-bys and other public spaces.

6.7 Whilst public toilets cannot be cost-effectively staffed 24 hours there is evidence from Internet discussion boards and postings that there present can act to disrupt sexual activity. These tend to be transient and sexual activity often appears to still take place even where an attendant is present. It does however make the production of glory holes and other acts of damage more difficult to perform and may therefore limit the toilet vandalism sometimes associated with cottaging.

6.8 Similarly Closed Circuit Television (CCTV) may limit activity where there is clear signage that a location is being monitored by CCTV. Where a location is monitored by signs are not prominent and/or the cameras are not prominent there is evidence that sexual encounters continue to take place. Even where cameras and signs are present activity appears to still take place, although less so than non-electronically monitored locations.

6.9 There does not therefore appear to be a panacea to bringing public toilet sexual activity to an end. There are measures that can be taken to displace activity which may create additional challenges for local health and law agencies, the private sector who may provide the restaurant and bar locations which would see an increase in activity, together with new issues for communities and local government. Alternative, often expensive, endeavours such as CCTV may have a limited impact but do not by their mere presence prevent sexual acts from taking place.
6.10 Single occupancy units may provide a solution to much of this activity. However, Internet evidence suggests that even those venues, often with increased space in order to accommodate disabled patrons, provide an attractive venue, albeit to apparently a very small number of men.

6.11 Public sex should therefore be a consideration in the design of spaces and the monitoring of those spaces but such activities are realistically about managing sexual activity rather than preventing it. It must form part of a wider strategy that addresses the subject of public sex as activity in one public space will affect another space. Key stakeholders who are likely to be affected by any change in policy must also be engaged—principally those working in sexual health and the Police along with other LGB and community groups. The Internet in particular has a role in creating a dialogue and/or transmitting messages to the modern day cottaging community.

7. REFERENCES

Memorandum by The British Standards Institution

As the UK’s National Standards Body, BSI British Standards welcomes the opportunity to submit a memorandum on the subject of the Provision of Public Toilets.

This Memorandum outlines the proposed addition to the British Standard BS6465 Sanitary Installations series—Part 4: Code of Practice for the provision of public toilets. It also references a Draft for Public Comment (DPC) for BS 8300: Design of buildings and their approaches to meet the needs of disabled people. Code of practice.

(Copies of the BS 8300 DPC are attached by way of supplementary information, please note that this material is subject to BSI copyright and may not be published on the UK Parliament website with this memorandum. BSI is happy for the DPC to be circulated to the members of the Select Committee for Committee purposes only).

BSI would like to state that this submission is the only approved evidence to be considered as from BSI British Standards.

BSI BACKGROUND

1. BSI British Standards is the UK’s National Standards Body, incorporated by Royal Charter and responsible independently for preparing British Standards and related publications. BSI has 107 years of experience in serving the interest of a wide range of stakeholders including government, business and consumers ensuring standards are useful, relevant and authoritative.

2. BSI presents the UK view on standards in Europe (to CEN and CENELEC) and internationally (to ISO and IEC). BSI has a globally recognized reputation for independence, integrity and innovation.

3. A Standard is a document defining best practice, established by consensus and approved by a recognized body (such as BSI). Each standard is kept current through a process of maintenance and reviewed whereby it is updated, revised or withdrawn as necessary.
4. Standards are developed when there is a defined market need through consultation with stakeholders and a rigorous development process. National committee members represent their communities in order to develop standards and related documents by consensus. They include representatives from government, business, consumers, testing laboratories, suppliers, academic institutions, social interests, manufactures, regulators and trade unions.

**UPDATE ON BRITISH STANDARDS WORK RELEVANT TO THIS INQUIRY**

*Existing BS6465 Sanitary installations series*

- **BS6465—Part 1** provides standards as to the numbers of sanitary appliances required, primarily in relation to workplace and other private premises situations, with a very short new section on public toilet provision.
- **BS6465—Part 2** provides details as to the design and layout of toilets with emphasis upon domestic and institutional situations with a small section on wider toilet provision.
- **BS6465—Part 3** gives recommendations on the selection, installation and maintenance of the most commonly used sanitary and associated appliances to be provided in new and refurbished buildings. It also covers portable toilets used as supplementary sanitary facilities, for workplaces and events.

*Proposed BS 6465—Part 4*

5. The proposal for this standard was submitted to BSI on behalf of the British Toilet Association (BTA) and included the following arguments in support. BSI accepted the proposal as a prima facie business case for a new standard, but the arguments will be tested in the usual way for the development of standards, as described in 4. above. The standard will have regard to the Select Committee’s Inquiry and the Regulatory situation at the time of publication.

6. The BTA envisaged the proposed standard as covering key public toilet considerations such as the location, distribution, catchment hierarchy, or levels of provision in the first section, followed by a second section on the user-related requirements in respect of the design of the whole toilet block, access, gender equality, security, crime and design, and the third section would provide guidance on management and maintenance issues specific to the public toilet situation.

7. The standard is intended to provide a comprehensive standard for providers of public toilets, which takes into account physical (spatial/geographical) distribution issues, user requirements and design considerations (including the Gender Equality Duty [GED] of the 1975 Sex Discrimination Act) and practical, economic and management issues.

8. The standard is aimed at those responsible for the planning, commissioning, managing, designing and providing of public toilets. This will include all the professionals who currently need to consult BS 6465, plus:
   - local authority planners;
   - managers;
   - policy makers who are responsible for determining toilet location, design and management;
   - within town planning;
   - street cleaning;
   - highways and possibly urban design departments;
   - most architectural, building services engineering practice;
   - all private-sector toilet providers;
   - all local authority officers concerned with toilet decision-making, building control, planning, contracting, design, in cleansing, planning; and
   - environmental health departments.

9. The BTA contended that over 40% of public toilets have been closed in the last 10 years, and yet there is a very high level of public demand from user groups, and considerable political debate, on improving toilet provision, and a renewed interest from local authorities, private providers and central government in new ways of solving the public toilet problem. Public toilet provision also ties in with the current range of DCLG, DEFRA and DBERR policy objectives and concerns in respect of environmental sustainability, economic viability, social equality and inclusion.

10. The BTA pointed out that there is particular relevance to preparations for the 2012 Olympic Games, sport & leisure facilities, and tourism with public toilets a factor in encouraging people to holiday in the UK and thus reduce air travel and the associated environmental impacts. The increasing use and specification of standalone automatic public conveniences (APCs) and self-contained pods for incorporation into other buildings is also creating a need for a standard that addresses these less traditional approaches to public toilet provision.
11. Research, urban policy and public demand, are reported by the BTA to have shown that public toilet provision is essential in creating accessible and sustainable cities, and meeting the needs of commuters, tourists, visitors, and residents. But, official guidance on provision is limited, fragmented, and not readily available. In spite of the need for toilets, local provision is in decline. Creating a standard specifically on the provision of public toilets would provide clear guidance to both public and private sector providers and remove ambiguity and confusion as to what is required and how the benefits resulting. Socially, the new standard would benefit all sectors of society.

12. Economically, the BSI business case argued that adequate toilet provision encourages people to visit a location, stay longer and spend more money. Environmentally, it went on to argue that public toilets are a missing link in creating sustainable cities as people are more likely to leave their cars at home and travel on public transport, on foot, or cycle if they know that public toilets are readily available within walking distance.

13. The BSI drafting group currently includes representatives of the following organisations and this composition is in the process of being widened:

- British Plastics Federation
- Chartered Institute of Architectural Technologists
- Chartered Institution of Building Services Engineers
- Department for Communities and Local Government
- Institute of Plumbing and Heating Engineering
- Royal Institute of British Architects

14. Expected publication February 2010

BS 8300: Design of buildings and their approaches to meet the needs of disabled people. Code of practice

15. BS 8300 concentrates on the provision of, and facilities within, toilets for disabled people within buildings used by the general public. This has been the case since the first edition in 2001. The 2005 amendment made no change to the scope of BS 8300.

16. However, the proposed 2008 edition, which is currently out as a Draft for Public Comment (DPC), includes additional recommendations for a special type of toilet accommodation called “Changing Places” (see 12.6 in the DPC draft) for people with profound and multiple disabilities who may need a changing bench, a hoist system or shower facilities. The recommendations on the general provision of toilets for disabled people can be found at 12.5.1 in the DPC.

17. The other proposed change is to the provision of accessible bedrooms with en-suite bathroom facilities, eg in hotels and motels (see 12.3.1 of the DPC).

Memorandum submitted by London Underground

There are 98 London Underground (LU) stations that have toilet facilities available for public use. Of those, 16 are accessible to people with disabilities.

Many LU stations were constructed many years ago, before consideration was given to the needs of people with disabilities, meaning that opportunities to make toilets accessible are often limited by constraints of space and building design. However, LU is working to provide step free access from the platform to the street at 25% of its stations by 2010, and existing public toilets at these stations will be converted to be accessible for people with disabilities.

Most toilets on the Underground are free, although eight charge 10p or 20p for use of the facilities. Charges are levied at these locations for a variety of historical reasons, including discouraging anti-social behaviour.

LU is currently auditing its public toilet facilities and reviewing its policy on this matter. The British Toilet Association (BTA) has been commissioned to survey toilets across the network, advise how the layout and functionality can be best configured given available space, and recommend how the maintenance of toilets could be better managed. The BTA report will also consider the issue of charging.
Memorandum by Network Rail

Summary

— Network Rail provides public toilet facilities in the 18 largest stations, which it manages. It is not responsible for public toilets at other railway stations, which are managed by various train operating companies.

— Network Rail charges customers a small fee for using its public toilet facilities. The charge has recently been raised to 30p after remaining at 20p for many years.

— This revenue allows Network Rail to provide facilities which are well managed and maintained.

— Our toilet turnstiles and the policy of making customers pay also prevents the toilets being misused.

— A major programme of refurbishment of Network Rail’s station toilets is underway. The majority of toilets in our managed stations will be noticeably improved with new fixtures and fittings and sensor taps/flushes as well as being repainted and deep cleaned.

— Network Rail is committed to adhering to the requirements of the DDA in providing accessible toilet facilities accessible to all passengers and customers within our stations.

Introduction

Network Rail provides public toilet facilities in the 18 largest stations, which it manages. It is not responsible for public toilets at other railway stations. These stations are leased to various train operating companies, who are responsible for providing public toilet facilities.

Network Rail Response to Inquiry Themes and Questions

The need for public toilets—access to public spaces, the needs of older people, disabled people, children and families and gender balance

Network Rail provides toilets that are accessible to all customers and passengers, including those with disabilities and mobility problems.

Network Rail recently sent a submission to the Department for Transport’s consultation on its disabled people’s accessibility code for stations, which includes access to public toilets. Network Rail facilities will comply with all proposed standards in the new code on toilet design and layout, staffing and hours of operation.

Who pays? Should the public pay?

Network Rail charges customers a small fee for using its public toilet facilities. From the 1 January 2008 the charge was increased from 20p to 30p. Prior to this the charge had remained at 20p for many years. This increase has been introduced against a background of rising costs of providing and maintaining such facilities.

This revenue allows Network Rail to provide first class facilities which are well managed and maintained. Many of Network Rail’s public toilets are also currently being upgraded. As a result, facilities will be noticeably improved with new fixtures and fittings such as hand-driers and sensor taps/flushes as well as being repainted and deep cleaned. Some facilities will undergo a major refurbishment as part of major station re-developments.

In this context, it is also important to point out that Network Rail is a not-for-dividend organisation and as such any profits are reinvested into the rail industry for the benefit of all rail users.

The role of anti-social behaviour such as vandalism and drug-taking, the image of public toilets (including cleanliness), and the cost of upkeep

Charging for public toilet facilities helps to act as a deterrent to anti-social behaviour of this kind.

Security—should toilets be staffed, unstaffed, automated?

Network Rail’s public toilets are staffed by our cleaners who are also in radio contact with during operational hours. A staff presence is important to make sure that the toilets are well maintained and provide assistance to passengers. CCTV cameras are placed at entrances and exits for security purposes.
Memorandum Submitted by Healthmatic Ltd

CONVENIENT OR NOT?

Local councils, whether; County; District; Borough; Town; Parish; or City; have all had to consider the viability of their Public Convenience provision. With an aging population, and a wish to be fully inclusive, many toileting challenged people are enjoying the streets of their local area, or visiting others. The question is how to provide facilities that encourage people to visit, shop, stay and return. ENCAMS in their knowledge bank on the subject clearly considers the drive that good provision offers to visitors to go to one location over another based on Convenience provision. Shopping centres, individual shops, and all manner of attractions understand this and concentrate a good degree of fire power on the provision of loos for their public. Quite simply it brings them alternate revenue that outweighs the minimal cost of provision. Councils sometimes understand this and sometimes do not. There are clear examples of BID (Business Improvement Districts) levying members to provide improved facilities of this nature simply because the Council does not.

It is not discretionary for a shop—they have to provide facilities for their staff, even a building site with more than 3 workers has to provide a loo so why not a Town? Bus drivers, Binmen, Postal Workers, the Police, and all manner of public servants (commercial or otherwise) need to go when they are out—they either find somewhere, break the law, or return to base—I wonder how much money that costs the public purse?

What can a Council do?

1. Where they have poorly used loos near community facilities offer the upkeep with revenue to the Community Hall, the Parish, the Town etc…. A COMMUNITY RUN FACILITY ATTRACTS NO NDR. (that has to be unfair)

2. They can update and charge for the facility typically 20p but as high as 50p and a £1 is charged in some facilities, this discourages vandalism and allows for a good quality service. In some cases Councils mix the charge, high in tourist areas, less or free off the beaten track. Charging can be offset by redemption tickets for money off a cup of tea at a local café for example this “adverticket” approach is common in charging car parks.

3. In the installation of new facilities, sorely needed in some town centres, support in financial terms can be found, not just from charging but by offering revenue opportunities by attaching a kiosk, looking for support from bus companies, local shops and restaurants, or market organisers where some of the money they charge can be set aside to subsidise provision. Playing around with budgets can also help Police Facilities almost like to old Police Box might help us keep our Bobbies on the beat. There are some authorities who link the two, (East Hants), where a small satellite “Station” is attached to one of their loos. Providing relief for the officers, more security, internet access and even a local interview room with arrest and hold facilities, very necessary with PCSOs for example.

4. In order to satisfy accessibility and diversity issues Councils should provide DDA facilities in the same way that shops have to make their premises accessible to all ranges of the public. Changing Room is a good example of helping the less able enjoy a more comfortable day out knowing that any soiling issues can be dealt with without embarrassment (here the purely non commercial aspect here makes it a duty of Councils as private provision would probably not be forthcoming unless planning required it).

The above are just a few pointers there are many more;

Cost Cutting:

Direct access Semi automatic loos by attended facilities to be in use during off peak periods therefore cutting back the required hours staff need to attend the loos to say 1130hrs to 1730 the time when most people need to use the loos (and so many that a single unit would not cope).

Attendant could be doubled with Parking Officers so they look in and clean as they patrol though this would offer someone the two least popular jobs in a town!

Contract out can also provide cost cutting situations, often certain towns have attendants where they are not needed due to poor usage or could be replaced by self cleaning or remotely attended loos. Encouraging the public to report problems or notify the Council can be made easy through mobile phones if an easily accessible number is given why not let the public, who use the loos let you know how they are faring—it makes sense.

Charity run loos—yes charge on the door but make it clear that the money goes to a GOOD CAUSE this can cut vandalism and gets real involvement in this service from the public. If the charity provided workers to clean them as well then this money could go to charity as well.

Better still speak to an adviser who deals with loos across the country and they can identify more of the opportunities mentioned here. The BTA is a great starting place for advice.
COST OF PROVISION

Firstly attendants

Most attendants are relatively inexpensive as members of the workforce earning around £6.50 per hour the cost of a 10 hour day seven days a week is around £29,000 and you will need three staff or so to cover that. Pay rates will vary. (The best suggestion is to as above keep opening of the main unit down to six hours and use alternate unattended solutions for off peak. A good attendant in a well used loo will if charged collect enough to pay for the employee.

Secondly Automatics

These Loos clean themselves after a specified number of uses, they detect multiple occupancy (which can mean trouble) an not close the door, they are DDA compliant in most cases, they open and close remotely, they will even send messages back to HQ as to whether they are in use, out of a consumable or just simply out of order. They would be described as robotically attended. Often these open for 24 hours and are run maintained and cleaned by a third party.

Cost typically £70K plus connections to the services and then a maintenance cost of up to £15K per annum less if there is a cluster of loos close together (as low as £8K p.a.). The 20p revenue covers the utilities costs this can be kept by the Council or increasingly the third party may pay the services costs in exchange for the money. VAT is payable on the entry money to a public convenience if it is run by a commercial body but not if it is run by the Council!

Thirdly Semi Automatics

Just like the Automatics these are “direct access” ie the door opens onto the street. These can be made a little more welcoming with a windowed door and customer locking which does take some of the worry out of the public perception. But some anti vandal and cleaning function is lost which can make them more vulnerable and less likely to be open 24hours.

Cost for an in- build (one placed in an existing building) is around £33K per cubicle and it decreases depending on the number being put in. A stand alone version would be nearer £45K plus connection to services. Bringing services to a loo can be as high as £30K depending on the proximity to the sewer, water and electric supplies.

Fourthly Traditional Unattended

Often the least expensive in the short term the provision of a lobby and cubicles much like the ones most of us experience in school or offices means that people may congregate in the loo to do things other than the reason for which it is provided and this increases costs through vandalism and can make them “no go” areas for the public in more ways than one. In a quiet location near local facilities and shops they can do a fine job with limited interruption but a band of anti social “users” can quickly ruin a previously good level of provision. It comes and goes. These can cost a varying amount but a standard block of a ladies and gents and a DDA say four ladies cubicles, one gents and a DDA would be around £140K plus service connection depending on size and construction.

Typical examples of provision

Four Semi automatic cubicles will cost £110K inbuilt and if placed well will deliver in excess of £1,200 per month revenue if well used (up to £2,400 easily). The more use the less chance of vandalism as a busy loo is too busy not to be caught in!

Per use cost in a good loo is about 2.3 Pence for consumables (loo paper soap etc.)

14p covers the general on demand services Water and electricity—automatic lighting and heating should be used.

NDR and such extra capital costs (cost of finance etc…) depend on how the service is set up. Look at any budget to determine the costs. Any Council publishes their costs. Average cleaning is around £8–10K per loo, £1000 on consumables, £1,000 on NDR, and capital charges, Building Repairs, and other costs will vary.

One example of a City is as follows use the broad content but it lets you know what it costs an how this is included;

Thank you for your interest in assisting the Council move forward to provide high quality public toilets that people feel safe and confident to use, that are clean and well maintained and that are managed in the most cost effective way.
In direct answer to your questions.

1. Please find attached list of public toilets provided by the Council. You said you have already found the map on our webpage providing opening times, cleaning schedule and whether they have disabled person and/or baby change facilities.

2. Our overall budget for 2008–09 is £621,040. Of that employees costs are £220,240 which equates to nine full time equivalent staff. £38,900 is allocated for supplies and services with £1,900 is for transport. The rest is made up of utility costs, rent, rates (£27,679), etc; capital financing; and indirect costs.

3. We do not have any Town or Parish Councils.

4. We do not have exact usage figures but I use water usage, where known, to estimate usage. This information is included on the attachment. Where I do have water usage, I have provided educated guess.

5. Charging has been agreed by the Council at all modernised, non attended public toilets. We have six units at present with two more presently being modernised. Please see web map for location. Charging is not something the Council is adverse to, however, where we have toilets on recreation grounds, particularly adjacent to paddling pools and children’s play areas, the Council has said it will not impose a charge.

6. All elements of anti-social behaviour associated with public toilets is present to some degree at all facilities. However, I guess like most places, some ASB is more prevalent at particular locations. The city centre toilets are targeted for rough sleeping and drug taking. Several toilets are targeted for sexual activity, particularly male with male.

Vandalism goes in spates, particularly at toilets on recreation grounds, which tend to be older, traditional style, male and female facilities with communal areas. After school and school holiday times are when many facilities are particularly vulnerable.

7. The Council has recently reaffirmed its commitment not to close any public toilets.

8. The present budget is for nine full time equivalent posts. I do not have detailed information about length of service, etc at this present time.

9. For opening times, please see web map. We have one fully attended unit in the city centre (Lion Yard) and we also have an attendant at the Silver Street facilities during summer months because this one is in a popular tourist area (beside a main punting hire area) and is also main day tourist coach set down and pick-up location.

10. As regards reports to Committee. Over the past few years there have been several. Please see links included in attached document.

The overall objective of this exercise is to achieve savings. We have already looked at achieving best price for electricity, incorporating water usage reduction measures where-ever possible and also ensuring we are not paying rates on remises we shouldn’t be. We have also incorporated cycling for attendants between city centre units.

**PUBLIC CONVENIENCES PROVIDED BY CAMBRIDGE CITY COUNCIL**

<table>
<thead>
<tr>
<th>Location</th>
<th>Address</th>
<th>Usage</th>
<th>Water usage over last 12 months</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arbury Court</td>
<td>Arbury Road</td>
<td>Low use</td>
<td>97m³</td>
<td>Being rebuilt to have 3 cubicles on street</td>
</tr>
<tr>
<td>Barnwell Road</td>
<td>Barnwell Road</td>
<td>Low use</td>
<td>60m³</td>
<td>Small male/female unit on street</td>
</tr>
<tr>
<td>Cherry Hinton Hall</td>
<td>Cherry Hinton Road</td>
<td>Medium use (heavy during festival)</td>
<td>375m³</td>
<td>Medium sized male/female unit on park</td>
</tr>
<tr>
<td>Chesterston Rec.</td>
<td>High Street Cherry Hinton Church Road Chesterston</td>
<td>Low use</td>
<td>185m³</td>
<td>Disable separate Modernised 3 cubicle unit on street.</td>
</tr>
<tr>
<td>Chesterston Road</td>
<td>Chesterston Road</td>
<td>Medium Use</td>
<td>653m³</td>
<td>Being rebuilt with 3 cubicles on street Small male/female/disabled unit on park</td>
</tr>
<tr>
<td>Coleridge Rec.</td>
<td>Coleridge Road</td>
<td>Low use</td>
<td>382m³</td>
<td>Through pavilion Small male/female/disabled unit on park</td>
</tr>
<tr>
<td>Gonville Place</td>
<td>Gonville Place</td>
<td>Medium Use</td>
<td>382m³</td>
<td>Modernised 5 cubicles on park</td>
</tr>
<tr>
<td>Jesus Green</td>
<td>Chesterton Road</td>
<td>Medium use</td>
<td>Through pavilion Small male/female/disabled unit on park</td>
<td></td>
</tr>
<tr>
<td>Kings Hedges Rec.</td>
<td>Buchan Street</td>
<td>Low use</td>
<td>Through Community Centre Medium male/female/disabled on park</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Address</td>
<td>Usage</td>
<td>Water usage over last 12 months</td>
<td>Type</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------</td>
<td>---------------</td>
<td>---------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>12 Lammas Land</td>
<td>Newnham</td>
<td>Medium/Heavy use</td>
<td>Through parks building 1585m³ (Estimate)</td>
<td>Modernised 5 cubicle on park</td>
</tr>
<tr>
<td>13 Lion Yard</td>
<td>Lion Yard</td>
<td>Very heavy use</td>
<td>Modernised male/female two disable unit in city centre</td>
<td>Modernised 4 cubicle unit on street</td>
</tr>
<tr>
<td>14 Mill Road</td>
<td>Mill Road</td>
<td>Medium use</td>
<td>145m³</td>
<td>Modernised 4 cubicle on street—busy</td>
</tr>
<tr>
<td>15 Nightingale Rec.</td>
<td>Nightingale Avenue</td>
<td>Medium use</td>
<td>974m³</td>
<td>Medium male/female/disable on park</td>
</tr>
<tr>
<td>16 Park Street Car Park</td>
<td>Park Street</td>
<td>Medium Use</td>
<td>Through car park</td>
<td>Modernised 5 cubicle on street—busy</td>
</tr>
<tr>
<td>17 Quayside</td>
<td>Quayside</td>
<td>Medium Use</td>
<td>Not directly supplied 199m³</td>
<td>Medium male/female/disable on park</td>
</tr>
<tr>
<td>18 Romsey Rec.</td>
<td>Hemingford Road</td>
<td>Low use</td>
<td>Male/female on street—busy</td>
<td>Very small male/female on park</td>
</tr>
<tr>
<td>19 Silver Street</td>
<td>Silver Street,</td>
<td>Low Use</td>
<td>1111m³</td>
<td>Male/female on street (underground) unit</td>
</tr>
<tr>
<td>20 Victoria Avenue</td>
<td>Victoria Ave</td>
<td>Medium Use</td>
<td>177m³ (rain water captured)</td>
<td>Modernised 4 cubicle on street—busy</td>
</tr>
</tbody>
</table>

Low Use = under 30,000 per annum; Medium Use = under 100,000 pa; Heavy Use = over 100,000 pa

Maybe we should set up a league of PC providers and look at number of users and cost per user and get a working party of local authorities to determine best practise costs and strategies. The BTA facilitates some of the best practise sharing but is not Govt Funded. A working party drawn from 20–50 local authorities would help all understand the costs and comparative benefits of provision.

N Lanarkshire has awful facilities and attendants in each how seem o watch TV most of the time.

Glasgow is seeking to shave £600K from its provision budget by dropping a large number of FTEs (Full Time Equivalents)

Westminster charge 50p in some locations and their revenue runs into Millions.

Pop up loos are being installed to provide urination stops for night time revellers all over London, particularly, Westminster and Lambeth.

Many prospective unitary authorities are cascading loo provision to Parish and Town Councils to keep the service local.

Most Councils have performance targets for their loos provision but there is no cost comparison or average on which to base any performance data so their reports mean little. Maybe an inspection team an “Ofloo” body should be established—who knows.

Hope this is of use there is so much more where this came from we run 250 loos for 72 individual local authorities so we pretty well come across every issue but so does everyone in the club.

Memorandum submitted by London Borough of Richmond upon Thames

1. Summary

This submission outlines issues arising from Richmond Council’s groundbreaking Community Toilet Scheme. It highlights some of the wider issues regarding “traditional” and Council owned toilet provision in the borough and recommends that the committee consider how government can provide financial assistance for Councils wishing to refurbish their remaining toilets. It also draws attention to the ongoing financial implications for the Council arising from interest shown by other local authorities.

2. Introduction

The provision of toilets has an impact on social inclusion as well as public health and hygiene implications. It is one of the key concerns of many residents and yet there is no statutory requirement for local authorities to provide toilets and no Best Value Performance Indicator (BVPI) for toilet provision.

Richmond Council has been leading the way on partnership based toilet provision through its innovative and acclaimed Community Toilet Scheme. The scheme enables the Council to work in partnership with local businesses to provide access for the public to more clean safe toilets over most of the day. Further information is documented within the Department for Communities and Local Government’s published Strategic Guide: Improving Public Access to Better Quality Toilets.
3. **Background**

Over the past two decades, along with many other Local Authorities, Richmond has closed many of its public toilets, because of the huge cost in investment required to bring the facilities to a reasonable standard and issues related to dwindling use and inappropriate behaviour. The backlog of repairs and refurbishment reflected financial pressures over many years leading to lower priority for and under investment in a non-statutory service. Partly perhaps as a consequence of poor condition, many of these facilities showed a low level of use.

In the late 1990s, Richmond Council introduced a new partnership approach to the provision of public toilets, inviting two local pubs to receive an annual income from the local authority, in return for offering their facilities free of charge to members of the public. The Community Toilet Scheme was launched in 2004, building on this experiment and adding 12 further members. In 2005 it was decided to re-launch and undertake a major expansion. Following a subsequent review, signage has been improved. The number of facilities in the scheme now stands at 67 with several more being signed up at present.

4. **Sharing Best Practice**

Local Authority interest in the Community Toilet Scheme has steadily been gaining momentum. Richmond Council has hosted several visits from other authorities along with a best practice seminar on toilet provision in July 2007. We have submitted information for the Greater London Authority’s 2006 report into toilet provision and made a presentation at their public hearing in January 2006. More recently we made a presentation at the British Toilet Association AGM in November 2007.

This Council has shared information for use within the Department for Communities and Local Government March 2008 Strategic Guide: Improving Public Access to Better Quality Toilets. The Council will be working with ENCAMs to produce a toolkit about the Community Toilet Scheme for other local authorities. It is anticipated that requests for further information and visits to Richmond may increase in number as a result of this toolkit. Since late 2007 interest has grown significantly with almost 100 Local Authorities contacting Richmond Council to find out more about this innovative scheme. Meeting this level of interest has become difficult to sustain and is making a significant drain on scarce staff resources.

5. **Provision of Public Toilets**

This year Richmond Council will review its own public toilets including those situated in civic buildings, parks, libraries and cemeteries. There are significant costs associated with the refurbishment of the five remaining traditional “highways” public toilets as well as ongoing inappropriate behaviour issues and dwindling use. There are resource implications in regard to the public use of toilets at other Council owned buildings, including the provision of ongoing cleaning and maintenance. In addition, the Council will need to give due weight to reluctance of staff at some locations to support public access to toilets that are perceived as for use by staff only.

6. **Community Toilet Scheme: Resource Implications**

The introduction of the Community Toilet Scheme has enabled Richmond to provide access to far more toilets and at more locations across the borough than it could have provided through traditional and council owned properties alone. These include areas of relative deprivation and are open longer hours than “traditional” public toilets.

Whilst the cost of providing Automatic Public Conveniences around the borough proved to be too high in terms of cost to use ratio and the cost of renovating and continued running of traditional public toilets is high, the cost of the Community Toilet Scheme is comparatively low. However, in addition to the set up costs of the scheme there still remain ongoing costs for the provision of this type of toilet. This includes, annual payments to scheme members, signage costs, publicity costs as well as ongoing staff resource costs implications in terms of inspection and monitoring of the premises and administrative and partnership based resources required.

7. **Recommendations for Consideration by the Select Committee**

The ability to charge the public for use of toilets provided by Councils is welcomed but it is hoped that government will recognise the need for further financial support for local authority toilet provision. We would ask that the committee consider the need for further government backed financial support for local authorities wishing to refurbish their existing public toilets and for ongoing associated maintenance, security and cleaning costs.
It is also hoped that the committee will recognise that the significant interest in Richmond Council’s Community Toilet Scheme has serious financial implications for this Council and will recommend the provision of financial backing to enable Richmond and other exemplar authorities to provide advice to other local authorities.