

# Merton Council

## Cabinet Agenda

### Membership

#### Councillors:

Ross Garrod (Chair)  
Eleanor Stringer  
Stephen Alambritis MBE  
Billy Christie  
Caroline Cooper-Marbiah  
Brenda Fraser  
Natasha Irons  
Andrew Judge  
Sally Kenny  
Peter McCabe

**Date: Monday 18 September 2023**

**Time: 7.15 pm**

**Venue: Committee Rooms DE, Merton Civic Centre, London Road, Morden  
SM4 5DX**

This is a public meeting and attendance by the public is encouraged and welcomed.  
For more information about the agenda please contact  
[democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone [020 8545 3357](tel:02085453357).

All Press contacts: [communications@merton.gov.uk](mailto:communications@merton.gov.uk), 020 8545 3181

# Cabinet Agenda

## 18 September 2023

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### **Note on declarations of interest**

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

# Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at [www.merton.gov.uk/committee](http://www.merton.gov.uk/committee).

## CABINET

10 AUGUST 2023

(6.31 pm - 6.45 pm)

PRESENT Councillors Councillor Ross Garrod (in the Chair),  
Councillor Eleanor Stringer, Councillor Stephen Alambritis,  
Councillor Billy Christie, Councillor Caroline Cooper-Marbiah,  
Councillor Brenda Fraser, Councillor Sally Kenny and  
Councillor Peter McCabe

ATTENDING Councillor Natasha Irons  
REMOTELY

ALSO PRESENT Hannah Doody (Chief Executive), Zara Bishop (Communications  
Manager), John Bosley (Assistant Director Public Space  
Contracts and Commissioning), Polly Cziok (Executive Director  
of Innovation & Change), Roger Kershaw (Assistant Director  
Finance and Digital), John Morgan (Executive Director, Adult  
Social Care, Integrated Care and Public Health), Paul McGarry  
(FutureMerton Manager), David Michael (Head of Service –  
Children in Care and Resources), Keir Lewis (Labour Group  
Assistant) and Amy Dumitrescu (Democracy Services Manager)

ATTENDING Polly Cziok (Executive Director Innovation and Change)  
REMOTELY Byron Britton (Head of Law, Litigation Housing and Planning)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Judge.

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

### 3 ULEZ SCRAPPAGE SCHEME (Agenda Item 3)

The Cabinet Member for Transport presented the report advising that subject to Cabinet approval, the Council would launch a £1m local scrappage scheme covering the Boroughs poorest areas, those not connected well by public transport and carers within the Borough.

The Cabinet Member stated that there were a number of ULEZ non-compliant vehicles within the Borough and the scheme would enable those eligible to apply for a £1000 grant per vehicle provided their vehicle met the TfL scrappage criteria. The scheme would be open to residents whether they had or hadn't accessed the TfL scheme and the take-up figures would be published.

The scheme would be launched in September 2023 with further details to follow. The Cabinet member thanked the Leader and officers for their work.

In response to questions from Cabinet Members, the Cabinet Member for Transport advised that the funding would come out of the Strategic Priorities Fund and provided an overview of the TfL scheme in regards to vans.

RESOLVED:

- A. That Cabinet supported the introduction of a top-up scheme to the Mayor of London's ULEZ scrappage scheme to support Merton households most in need of assistance to move to cleaner vehicles.
- B. That Cabinet agreed the budget provision for the scheme which will be presented in the budget outturn report to Full Council.

## **Committee: Cabinet**

**Date: 18 September 2023**

Wards: All

### **Subject: Reference from the Sustainable Communities Overview and Scrutiny Panel – Public toilet provision in Merton**

Lead officer: Rosie Mckeever, Scrutiny Officer

Lead member: Councillor Stuart Neaverson, Chair of the Sustainable Communities Overview and Scrutiny Panel

Contact officer: Rosie Mckeever, Scrutiny Officer, 0208 545 4035

#### **Recommendations:**

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1. The Sustainable Communities Overview and Scrutiny Panel requests that Cabinet note its reference set out in paragraphs 2.7 to 2.23 below.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. During the 26 June 2023 meeting of the Sustainable Communities Overview and Scrutiny Panel, Members were asked to consider the Community Toilet Scheme review undertaken by Cllr Stephen Mercer.

## **2 DETAILS**

### **2.1. Scrutiny process**

- 2.2. The Panel welcomed Councillor Mercer to the meeting to speak to his report and provide an overview of the work and research undertaken by himself and Honorary Alderman Peter Southgate.

- 2.3. The Panel also heard from representatives from 'More Loos for Merton' and Age UK who wholeheartedly endorsed the report's recommendations and appreciated the highlighting of the issue.

- 2.4. Cabinet member for Civic Pride, Cllr Eleanor Stringer, congratulated and thanked Cllr Mercer on his report, and agreed on the need for a refresh of the expired community toilet scheme. Ideally Council buildings need to be included and communications and visibility improved but a feasibility study will need to be conducted.

### **2.5. Scrutiny response**

- 2.6. The Panel were in support of the report's recommendations and RESOLVED to send the following recommendations to Cabinet.

- 2.7. Adequate provision of toilets for public use should be recognised as an essential aspect of Merton's public health policy, the fulfilment of which is a matter of civic pride.

- 2.8. Merton should work with London Councils and London Assembly Members to argue that the provision of toilets available for public use should become a statutory duty on local authorities, to be supported by ring-fenced government funding. In addition, it should act in anticipation of a statutory duty, commit funding for such provision and ring-fence it until 2026.

- 2.9. Merton's existing Community Toilet Scheme (CTS) has failed. The CTS should be relaunched and adequately resourced to ensure it is effective and serves a useful purpose.
- 2.10. How should the new Community Toilet Scheme be operated in order to make it successful and enduring? The evidence suggests the following:
- 2.11. (i) To demonstrate its commitment to Merton, the Council should take the lead by being the first to pledge its assets to the new CTS. Public sector organisations like the NHS should then be asked to pledge their assets, followed by the voluntary sector and not for profit organisations eg. churches. No payments are proposed.
- 2.12. (ii) Use case studies from Wimbledon and other London boroughs with successful CTS's to demonstrate the value of toilet provision in attracting customers to town centres as retail and leisure destinations, especially holders of the "grey £" who are otherwise likely to stay at home.
- 2.13. (iii) The need for toilets in each town centre should be mapped based on footfall, and compared with existing provision. A plan should be drawn up to address the shortcomings, using information such as the audit carried out by Age UK in Merton (AUKM) to identify potential members for a new CTS.
- 2.14. (iv) In seeking candidates for a new CTS for Merton, learn from the membership profile of successful CTS's such as Richmond, and select pubs, supermarkets and larger retailers likely to provide high quality facilities for their customers.
- 2.15. (v) Examine the strengths and weaknesses of each town centre to decide how best to present the positive case for CTS membership. Payment may be more influential in some town centres than others. The Mitcham Society's Response to the online survey was unfortunately received late but has been considered and is included in the report as an appendix.
- 2.16. (vi) Employ signage, print and on-line channels to build awareness and usage of the new CTS
- 2.17. (vii) Payment for enrolling businesses into the CTS can be used selectively and proportionately, to ensure coverage where there would otherwise be gaps
- 2.18. (viii) It cannot be assumed that the CTS concept is familiar or understood, so a new scheme for Merton will require extensive publicity when it is launched to build awareness. Assurances of hygiene and cleanliness will be needed to win acceptance, especially among the vulnerable groups who have the most to gain from the scheme
- 2.19. (ix) Given the evidence of commitment of volunteers to improving toilet provision in Merton, the opportunity should be given to involve them in the ongoing monitoring of the standards of toilets maintained by CTS members in Merton. In addition, Councillors should be encouraged to "buy into" the CTS in their own wards by publicising it to their residents and visiting their CTS members. The Council's formal Scrutiny processes can be used to check the development and performance of the new CTS.
- 2.20. Maintain pressure at the highest level, using all levers available to ensure TfL honours its commitment to the feasibility study to restore toilets at

Morden station, and press for the reintroduction of provision as a matter of urgency.

- 2.21. Explore the use of the licensing system to make the grant of late-night licences conditional upon access to staff toilets for delivery drivers.
- 2.22. Information published on CTS members must clearly indicate the type of facilities available, particularly in relation to disabled users. As the leader of place and principal driver of the new CTS, the council should review its property assets in Merton to identify one or two realistic potential candidates for accommodating Changing Places Toilets (CPT's), related to the areas of greatest need.
- 2.23. Look for opportunities to amend Supplementary Planning Documents (SPDs) that would encourage businesses to join the CTS when applying for planning permission. Consider the use of CIL funds to provide public toilets in vacant town centre premises where the CTS fails to achieve adequate coverage. Instruct the Planning department to use S106 agreements to ensure more than minimal provision in new developments.

### **3 ALTERNATIVE OPTIONS**

- 3.1. None – Cabinet is required under the council's constitution to receive, consider and respond to references from overview and scrutiny.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. None for the purpose of this report.

### **5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 5.1. None for the purpose of this report.

### **6 LEGAL AND STATUTORY IMPLICATIONS**

- 6.1. Cabinet is required under the council's constitution to receive, consider and respond to references from overview and scrutiny. The Local Government and Public Involvement in Health Act 2007 requires Cabinet to respond to reports and recommendations made by scrutiny committees within two months of written notice being given.

### **7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 7.1. There are no human rights, equalities and community cohesion implications as a result of this report.

### **8 CRIME AND DISORDER IMPLICATIONS**

- 8.1. There are no crime and disorder implications as a result of this report.

### **9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 9.1. There are no risk management and health and safety implications as a result of this report.

### **10 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix A – Public Toilet Provision in Merton.

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**PUBLIC TOILET PROVISION  
IN MERTON**

Report on a Scrutiny Enquiry

Prepared for:

Sustainable Communities  
Overview & Scrutiny Panel

Rapporteur: Cllr Stephen Mercer  
Adviser: Honorary Alderman Peter Southgate

June 2023

## **Public Toilet Provision in Merton**

- Report
- Appendix I – Toilets visited by Age UK Merton February – March 2023
- Appendix II – Survey Results – Review of Toilet Provision
- Appendix III – The costs of Toilet Provision
- Appendix IV – Community Toilet Review Scheme report by London Borough of Richmond
- Appendix V – Letter from Cllr Bokhari to the Mayor of London regarding toilets at Morden underground station
- Appendix VI – Merton CIL’s response to the consultation
- Appendix VII – Mitcham Society Response to Consultation

## **FOREWORD**

I believe the subject matter of this report is one of the identifiers of a civilised society and one in which we demonstrate our concern for our fellow human beings. I am grateful for the support of Councillors Foley and Neaverson in encouraging and enabling me to undertake the enquiry.

I must acknowledge with gratitude the contribution of the many LB of Merton officers who made it possible, such as the Scrutiny team (Rosie McKeever in particular), Kris Witherington who facilitated the survey and all those who contributed their expertise that I have listed separately.

Most of all I need to record the time and energy, support, encouragement, invaluable advice and expertise of Alderman Southgate, without whom I doubt this report could have been produced.

I hope everyone who reads it finds it thought provoking and will join me in looking for significant change.

## RECOMMENDATIONS

1. Adequate provision of toilets for public use should be recognised as an essential aspect of Merton's public health policy, the fulfilment of which is a matter of civic pride.
2. Merton should work with London Councils and London Assembly Members to argue that the provision of toilets available for public use should become a statutory duty on local authorities, to be supported by ring-fenced government funding. In addition it should act in anticipation of a statutory duty, commit funding for such provision and ring-fence it until 2026.
3. Merton's existing Community Toilet Scheme (CTS) has failed. The CTS should be relaunched and adequately resourced to ensure it is effective and serves a useful purpose.
4. How should the new Community Toilet Scheme be operated in order to make it successful and enduring? The evidence suggests the following:
  - (i) To demonstrate its commitment to Merton, the Council should take the lead by being the first to pledge its assets to the new CTS. Public sector organisations like the NHS should then be asked to pledge their assets, followed by the voluntary sector and not for profit organisations eg. churches. No payments are proposed.
  - (ii) Use case studies from Wimbledon and other London boroughs with successful CTS's to demonstrate the value of toilet provision in attracting customers to town centres as retail and leisure destinations, especially holders of the "grey £" who are otherwise likely to stay at home.
  - (iii) The need for toilets in each town centre should be mapped based on footfall, and compared with existing provision. A plan should be drawn up to address the shortcomings, using information such as the audit carried out by Age UK in Merton (AUKM) to identify potential members for a new CTS.
  - (iv) In seeking candidates for a new CTS for Merton, learn from the membership profile of successful CTS's such as Richmond, and select pubs, supermarkets and larger retailers likely to provide high quality facilities for their customers.
  - (v) Examine the strengths and weaknesses of each town centre to decide how best to present the positive case for CTS membership. Payment may be more influential in

some town centres than others. The Mitcham Society's Response to the online survey was unfortunately received late but has been considered and is attached as Appendix VII.

- (vi) Employ signage, print and on-line channels to build awareness and usage of the new CTS
- (vii) Payment for enrolling businesses into the CTS can be used selectively and proportionately, to ensure coverage where there would otherwise be gaps
- (viii) It cannot be assumed that the CTS concept is familiar or understood, so a new scheme for Merton will require extensive publicity when it is launched to build awareness. Assurances of hygiene and cleanliness will be needed to win acceptance, especially among the vulnerable groups who have the most to gain from the scheme
- (ix) Given the evidence of commitment of volunteers to improving toilet provision in Merton, the opportunity should be given to involve them in the ongoing monitoring of the standards of toilets maintained by CTS members in Merton. In addition, Councillors should be encouraged to "buy into" the CTS in their own wards by publicising it to their residents and visiting their CTS members. The Council's formal Scrutiny processes can be used to check the development and performance of the new CTS.

### **Special cases**

5. Maintain pressure at the highest level, using all levers available to ensure TfL honours its commitment to the feasibility study to restore toilets at Morden station, and press for the reintroduction of provision as a matter of urgency.
6. Explore the use of the licensing system to make the grant of late-night licences conditional upon access to staff toilets for delivery drivers.
7. Information published on CTS members must clearly indicate the type of facilities available, particularly in relation to disabled users. As the leader of place and principal driver of the new CTS, the council should review its property assets in Merton to identify one or two realistic potential candidates for accommodating Changing Places Toilets (CPT's), related to the areas of greatest need.
8. Look for opportunities to amend Supplementary Planning Documents (SPDs) that would encourage businesses to join the CTS when applying for planning permission. Consider the use of CIL funds to provide public toilets in vacant town centre premises where the CTS fails to achieve adequate coverage. Instruct the Planning department to use S106

agreements to ensure more than minimal provision in new developments.

## INTRODUCTION AND OBJECTIVES

Public toilets meet a fundamental human need, yet there is no statutory requirement on local authorities (or any level of government) to ensure adequate provision. This is an astonishing omission, given that other aspects of public health are subject to extensive regulation. Yet the subject is hardly ever discussed; The Merton Story (2021) makes just one incidental reference to toilets in its 131 pages.

The London Loos Paper, a research study published by Age UK in 2022, highlighted the consequences of inadequate provision in the capital, and stimulated our interest in conducting a review of toilet provision specifically in Merton. Further to a meeting on 9<sup>th</sup> November 2022, the Sustainable Communities Scrutiny Panel authorised Cllr Stephen Mercer, a member of the panel, to undertake a rapporteur enquiry into toilet provision with the following terms of reference:

1. To understand the impact of toilet provision on perceptions and behaviour of older residents in Merton, plus the disabled and those with health conditions requiring more frequent visits to the toilet.
2. To map toilet provision in Merton (cf. websites such as the Great British Toilet Map), including toilets in retail and commercial premises as well as public toilets.
3. To measure awareness of the Community Toilet Scheme (CTS) in Merton, and its history since it was introduced in 2009.
4. To explore ways of expanding and increasing awareness of the CTS, including barriers to its extension such as business attitudes and public reservations about using toilets intended for customers only.

## METHODOLOGY

The enquiry used a range of data collection techniques, as follows:

1. **Focus groups** – to get participants to describe their coping mechanisms and behaviours if they need the toilet while out, and whether they felt inhibited from going out.
  - Merton Park Ward Residents' Association (MPWRA)  
– 17 January 2023
  - Wimbledon Guild (WG) - 25 January
  - Age UK Merton (AUKM) – 30 January

- Merton Centre for Independent Living (MCIL) – 31 January The focus groups were moderated by Peter Southgate.
2. **Desk research**, including the following published reports:
- The Provision of Public Toilets – Department for Communities and Local Government (DCLG) 2007/8
  - An Urgent Need – the State of London’s Public Toilets – Greater London Authority (GLA) 2006
  - The Toilet Paper – Improving London’s Loos- GLA 2021
  - The London Loos Paper – Age UK London (AUKL) 2022
  - Still Dying to Spend a Penny – Greenwich LB 2022
  - Taking the P\*ss – the Decline of the Great British Public Toilet – Royal Society for Public Health (RSPH) 2019
  - Community Toilet Scheme Review – Richmond LB 2023
  - Improving Public Toilet Provision in Times of Financial Hardship – Age UK/ London Councils seminar – April 2023
  - London Loos in Focus: Local Authorities’ Community Toilet Schemes – AUKL 2023
3. **Expert witnesses**, including:
- Sarah Xavier (Future Merton)
  - Barry Causer and Dan Butler (Merton Public Health)
  - Alan Goode and Megan Hatton (Safer Merton)
  - Mark Humphries (Infrastructure and Technology Division)
  - Jonathan Turner and Alan Trumper (Greenspaces) and Andy Robinson (idVerde)
  - Jonathan Berry (Planning)
  - Cllr Alan Juriansz (Richmond LB)
  - Laura Tilbury (Lewisham Local)
  - John Merriman (Love Morden)
  - Craig Hurring (Love Wimbledon)
  - Marc Doherty (Centre Court)
  - Victoria Norman (Wimbledon Village Business Association)
  - Chris Larkman (Raynes Park Association)
  - Gregory Hamilton (Elys)
  - James Pickard (TfL) and Leonie Cooper (AM for Merton and Wandsworth)
  - John McGeachy (Age UK London)
4. **Mystery shopper** and visits to CTS and other Merton sites with toilets, predominantly undertaken by Julie Johns of Merton Age UK. A list of the sites visited is attached as APPENDIX I; some of these may be regarded as potential CTS members.



5. **On line survey** project managed by Kris Witherington (Community Engagement) and hosted on Merton’s website. A total of 961 selfcompletion questionnaires were returned between 6 March and 17 April 2023. The survey was publicised in “My Merton” and email newsletters. The full results and the questionnaire are attached as APPENDIX II.

The questions for the survey were piloted in a Teams meeting with Merton’s Community Champions on 22<sup>nd</sup> February, and amended prior to publication.

The sample for the survey was self-selecting; it does not purport to be demographically representative of the population of Merton. However, it is representative of the target audience of people more likely to need public toilets in Merton.

- 73% say they need to use the toilet more often than other people
- 22% consider themselves to have a disability • 2 in 3 are age 55 plus (23% are 55 – 64, 30% are 65 – 74 and 11% are 75 and over).
- 2 in 3 (64%) are female (the recommended provision is twice as many toilet cubicles for women as for men) • Nearly all (98%) live or work in Merton.

## **FINDINGS**

### **1. The consequences of inadequate provision**

- 1.1 The provision of toilets has been called “the barometer of civilisation” in which case the readings for the London boroughs have been low and declining for the past 25 years.

*“We are supposedly a civilised, progressive society – what happened?”*  
(Survey)

London had 486 public toilets in 2000, falling to 419 in 2005 and 393 in 2011. No estimates are available after 2011, but the decline has continued, because toilets that were closed during the pandemic have not re-opened.

- 1.2 Just as the number of public toilets in London has fallen dramatically in recent years, so the need for them has grown. Everyone needs to go to the toilet, just as they need to eat, sleep and

breathe. It is a universal requirement, but it affects some more than others. The four groups more in need of public toilets are: - the elderly (65 and over), the disabled, mothers with babies and toddlers, and sufferers from Crohn's disease and colitis.

- 1.3 The largest of these groups is the elderly (1.1m in London) and their numbers are growing. In Merton the population aged 65 and over is forecast to increase by 43% over the next 15 years, while those aged 85 and over will grow by 52%.
- 1.4 From our survey 77% of those aged 65+ said they need to use the toilet more often than other people. The lack of public toilets makes them think twice before going out; 50% "always" and 31% "sometimes" consider the availability of public toilets where they are going in Merton before leaving home.
- 1.5 The effects of this constraint are well documented. 20% don't feel able to go out as often as they would like (RSPH), otherwise known as the "loo leash". More than half (56%) restrict their fluid intake before going out to avoid the need to find a toilet. Such deliberate dehydration can have serious consequences, especially for those with existing medical problems such as cystitis.
- 1.6 Because these coping and avoidance mechanisms are hidden from view, the lack of toilet provision is not recognised as a public health issue. Yet inadequate provision is preventing older residents from going out and taking part in activities that would improve their quality of life, both mentally and physically.

*"I'm not even old, but I drive more because if I walk places I know I might get cut short. At least if you drive you can nip home quickly"*  
(Survey)

- 1.7 Ratings of public toilet provision in Merton are extremely low, with more than 9 in 10 rating it either "poor" (45%) or "very poor" (48%). If this measure were included in the Resident Satisfaction Survey, ratings as low as this would surely lead to demands for improvement. But because the lack of provision and its consequences for health and well-being are hidden from view, both have been effectively ignored in council policies over the years.

### **Recommendation 1.**

*Adequate provision of toilets for public use should be recognised as an essential aspect of Merton's public health policy, the fulfilment of which is a matter of civic pride.*

## **2. Statutory provision**

- 2.1 Local authorities are under no statutory obligation to provide public toilets. The Public Health Act 1936 gives them the power but not the duty to provide public toilets. Successive enquiries have highlighted the consequences of this omission, and pressed for legislation to address it.
- 2.1.1 The DCLG Select Committee report in 2007/8 recommended that "the Government imposes a duty on each local authority to develop a strategy on the provision of public toilets in their areas" while leaving it to each local authority to decide how to plan and utilise its own strategy.
- 2.1.2 In its 2021 report "The Toilet Paper" the GLA Health Committee endorsed the call for provision to be statutory, and went further on how this might be funded: "The government should make the provision of public toilets a statutory duty for local authorities, and the Mayor should be leading on this issue for London with

London Councils for the provision of ring-fenced funding to enable this to be achieved”

2.1.3 The Levelling Up and Regeneration Bill 2023 is currently making its way through Parliament, and includes clauses to impose a statutory duty of toilet provision. However, at the time of writing it is feared that the relevant sections may not have survived as the Bill moves through its committee stages.

2.1.4 With financial pressures increased by the costs of Covid and the Ukraine war, once again the temptation is considerable to save money by avoiding expenditure where no statutory duty exists.

**Recommendation 2.**

*Merton should work with London Councils and London Assembly Members to argue that the provision of toilets available for public use should become a statutory duty on local authorities, to be supported by ring fenced government funding. In addition it should act in anticipation of a statutory duty, commit funding for such provision and ring fence it until 2026.*

**3. Current toilet provision in Merton**

3.1 The current Community Toilet Scheme (CTS) was launched in 2009 to plug perceived gaps in toilet provision in Mitcham and Morden: “There is less need for a formal CTS in Wimbledon than in Mitcham and Morden as the town centre is better served on an informal basis” (Cabinet - March 2009)

3.2 This selective approach coupled with a lack of resourcing meant that when a scrutiny review was undertaken later the same year there were just four participating businesses – three in Morden (including the Civic Centre) and one in Mitcham.

**3.3 Currently five participants are listed on Merton’s website, but none of them display signs to show they are CTS members, and two have signs on the door saying**

## **“Customer use only”**

- 3.4 Unsurprisingly, awareness of the current CTS is extremely low. Just 2% of survey respondents describe themselves as “fully” and 14% are “partly” aware. That leaves 6 in 7 of the target audience totally unaware of the scheme.
- 3.5 It is clear that the existing scheme is not working and needs a complete overhaul.
- 3.6 Without a CTS to ensure decent provision of toilets, Merton is faced with financing and maintaining them from Council funds. Maintenance of a pair of toilets costs in the region of £5,000 per year, so that to add 50 or 60 such facilities across the Borough would cost over £250,000 extra per year (an estimate of maintenance costs is included as APPENDIX III). It has been made clear in discussions that this is not a realistic option, given current pressures on the Council and council tax payers.
- 3.7 An alternative for Merton is to stop its spending on the CTS and rely entirely on informal provision by the private sector. This would be to ignore the considerable evidence of unsatisfied need and run completely counter to the will of residents clearly stated in the recent survey.
- 3.8 The logical conclusion is that some type of CTS is the only way of adequately providing for need at a level of cost which is acceptable to the Council.
- 3.9 Richmond and Lewisham are examples of South London boroughs which have tackled the problem with reasonable degrees of success. Richmond is identified as the ‘poster child’ of CTS schemes, being the first borough to implement such a scheme. However, even there the scheme is currently under review; in the last few years membership has fallen from 70 participants to less than 50. A committee has been established to consider the problem and identifies the lack of a dedicated officer as a key cause of the decline (their report is attached as APPENDIX IV).
- 3.10 Lewisham by comparison has in the same time frame grown its scheme from 51 to 69 participants, supported by a funded officer from a charity, Lewisham Local. The Richmond/Lewisham comparison strongly suggests that even a well established CTS

needs significant drive and ongoing support from an officer or equivalent.

**Recommendation 3**

*Merton's existing Community Toilet Scheme (CTS) has failed. The CTS should be relaunched and adequately resourced to ensure it is effective and serves a useful purpose.*

**4. How should the new Community Toilet Scheme be operated in order to make it successful and enduring?**

**i. Role for Merton in new Community Toilet Scheme**

- 4.1 Given near zero awareness of the present CTS, plans for a relaunched CTS start with a blank sheet. Although there is no statutory obligation on the council to provide toilets, people do expect it to take the lead:

*"It should be the responsibility of local government to provide public toilets" (MPWRA)*

As the leader of place, the council should take the opportunity to build its new CTS by starting with its own assets. Popular and well managed CTS's are a source of civic pride in Richmond and Lewisham. Merton can similarly build civic pride by committing its own assets and demonstrating its commitment to being the lead partner in the new CTS network. The council should be first mover in pledging its assets before asking others to do so.

- 4.2 At present only the Civic Centre in Morden opens its toilets to the public. **As a guiding principle, all council buildings that serve the public should make their toilets available.** This includes libraries, leisure centres, community centres, and parks and open spaces.
- 4.3 Currently only Wimbledon Park and Cannizaro have maintained toilets, but other parks can provide access to toilets when staffed for specific purposes eg. paddling pools during the summer, and events such as festivals and firework displays. Toilets are provided in changing rooms on recreation grounds when pitches are booked, and these should be open to the public for the duration of the booking.
- 4.4 The council has a further opportunity to increase toilet provision in the borough when granting "meanwhile" leases on its property assets. Enterprises in receipt of grant funding on condition of delivering social value outcomes often benefit from very low rents. The provision and maintenance of toilet facilities open to the general public is a source of social value, and could be written into the terms of the lease.
- 4.5 Once the council has committed its assets to the new CTS, other public sector organisations that provide toilets for their customers should be requested to make their toilets available to the general public. These include NHS medical centres, DWP employment centres, DVLA test centres (etc) and other premises where security considerations do not preclude public access.
- 4.6 Many voluntary organisations in Merton (such as Wimbledon Guild and Age UK) have close working relationships with the council, and could be invited to make their toilets available to the public on request during the hours they are staffed. Not for profit organisations such as churches and charities will be open during the day for various activity groups, and could

make their toilets available on request at these times, subject to adequate supervision.

- 4.7 Only when the council has secured the co-operation of the wider public and not-for-profit sectors should the business sector be approached to join the new CTS.

**Suggestion 4(i)**

*To demonstrate its commitment to Merton, the council should take the lead by being the first to pledge its assets to the new CTS. Public sector organisations like the NHS should then be asked to pledge their assets, followed by the voluntary sector and not for profit organisations eg. churches. No payments are proposed.*

- 4.8 There are economic as well as health consequences as a result of inadequate toilet provision. More than half (52%) of those in our survey say they would be “much” more likely to visit shops, cafes and other businesses in Merton with an improvement in public toilet provision, and a further 35% say they would be “somewhat” more likely – making nearly 9 in 10 more predisposed to shop or visit in Merton.

*“An ageing population needs toilet provision. A borough that fails to provide toilets is missing out on business, people spend more money when they know they can stay out for longer”*

(Survey)

The managers of Elys and Centre Court believe the availability of toilets on their premises attracts footfall and increases dwell time, making customer purchases more likely. Conversely, Age UK found that 40% spend less time in a destination because of the lack of loos.

- 4.9 The well documented success of Community Toilet Schemes in Richmond and Lewisham is because businesses are convinced they are integral to their attraction as shopper destinations. Wetherspoons’ own surveys show that good toilet provision ranks high on customer requirements of a pub.

- 4.10 Wimbledon is the borough’s only major shopping centre, and of its six town centres it is the only one where a majority (72%) of survey respondents are confident they could find a suitable toilet if they needed one. Correlation does not impute causality, but



toilet provision is regarded by major retailers in Wimbledon as an essential pre-condition for attracting and retaining customers.

**Suggestion 4(ii)**

*Use case studies from Wimbledon and other London boroughs with successful CTS's to demonstrate the value of toilet provision in attracting customers to town centres as retail and leisure destinations, especially holders of the "grey £" who are otherwise likely to stay at home.*

4.11 Perceptions of how easy it is to find a toilet vary enormously across Merton's six town centres:

"If you needed one, could you find a suitable toilet in:

	n= 961
	%
Wimbledon town centre	72
Morden	22
Colliers Wood	14
Raynes Park	7
Wimbledon Village	4
Mitcham	1.5

This provides a starting point for mapping where the perceived shortcomings in provision are, which can be set against the Great British Toilet Map (GBTM) to identify actual gaps in coverage. However, the fit is only approximate, as the GBTM has been found to be out of date and unreliable in some parts of the borough.

4.12 Although it does not cover the whole borough, members of Age UK in Merton (AUKM) have undertaken an extensive audit of toilets that could be accessible to the public in various areas. This demonstrates the potential for much increased provision via a new CTS. However, at present these are mostly toilets for customer use only.

**Suggestion 4(iii)**

The need for toilets in each town centre should be mapped based on footfall and compared with existing provision. A plan should be drawn up to address the shortcomings, using information such as the audit carried out by Age UK in Merton (AUKM) to identify potential members for a new CTS.

4.13 In the absence of signposted public toilets, those in need must rely on knowing where other toilets are to be found and asking permission to use them as a non-customer – or just using them anyway. This can pose an awkward dilemma; only a minority feel confident about asking to use the toilet if they are not a paying customer:

n=854	Café	Shop	Pub
	%	%	%
Very confident	5	4	9
Somewhat confident	15	16	32
Not very confident	45	39	33
Not at all confident	35	40	27

However, there is more variation in confidence to use pub toilets than for either shops or cafes. This may be to do with pubs being perceived as male domains; whatever the reason, women, the elderly, the disabled and those who need the loo frequently are all less confident about using the toilet in a pub.

4.14 Of the three types of outlets rated, pubs are more likely to instil user confidence than either shops or cafes. This is partly based on brand reputation:

*"If I'm down the high street I usually use the one in Wetherspoons" (WG)*

Confidence also has to do with size and how easy it is to find the toilet as a non-customer:

*"I think I'd still feel obligated to buy something, but less so in Waitrose than in a café because they're bigger" (MPWRA)*

Survey respondents cited other examples of sizable operations making toilets seem more accessible for non-customers such as Sainsbury's and Marks & Spencer in Colliers Wood, and Elys in Wimbledon (surely the most popular and best maintained toilets in the borough).

Analysis of the types of outlets selected in Richmond and Lewisham confirms the evident suitability of pubs, supermarkets and large retailers for CTS membership.

### **Suggestion 4(iv)**

*In seeking candidates for a new CTS for Merton, learn from the membership profile of successful CTS's such as Richmond, and select pubs, supermarkets and larger retailers likely to provide high quality facilities for their customers.*

## **Building a new CTS for Merton in partnership with business**

- 4.15 To be successful and sustained, a new CTS for Merton must be planned at the strategic level:
- Political commitment from the Cabinet by the portfolio holder and Director for Civic Pride
  - Recognition of toilet provision as a key aspect of public health policy and integration into borough planning
  - Growth item in the budget for a dedicated CTS officer (or equivalent C.I.C.) and annual payments to c.50 CTS partners
  - Appointment of dedicated officer or C.I.C with proven track record to work with BID's or equivalent organisations in each town centre to enlist businesses as CTS partners
- 4.16 Improving toilet provision in Merton can only be achieved through a reciprocal arrangement between the council and the business community i.e., a new CTS in some form. The council needs partners to offer their toilet facilities, as the cost of building or re-opening its own toilets is prohibitive. In exchange, partners currently receive £600 in Merton, and £800 - £1000 in Richmond depending on the facilities offered eg. for the disabled. Larger payments might be appropriate depending on the circumstances.
- 4.17 However, the success of a CTS does not depend solely or mainly on the financial contract between council and partner. Both parties need to have a positive view of the value of the CTS, not only to the business community but also to the wider public. Elys and Wetherspoons provide toilets without payment from the council because they see it as a service to their customers and as part of their civic responsibilities to the wider community.
- 4.18 Persuading potential CTS partners to sign up will be more challenging in town centres where there are no positive role models as there are in Wimbledon. Small independents may take some convincing that the positives can outweigh the

negatives for their business. But the benefits CTS membership can bring in terms of increased trade could exceed the value of any annual payment. A Tower Hamlets survey found 90% were “likely/ highly likely” to return as customers after being permitted to use the toilet.

**Suggestion 4(v)**

*Examine the strengths and weaknesses of each town centre to decide how best to present the positive case for CTS membership. Payment may be more influential in some town centres than others.*

4.19 Drawing on lessons learned from successful CTS’s in Richmond and Lewisham, the council can assist CTS members through marketing support, giving them prominent positions in Merton Local for example. Both Richmond and Lewisham host on-line interactive maps allowing anyone searching for a toilet in a particular location to see what the identified CTS member offers such as specialist goods or services, and opening hours.

4.20 Not everyone looking for a toilet while out and about will have the resources or ability to search online, however. Older people in particular are more likely to be digitally excluded. For them there is no substitute for signs on the street, or on the premises themselves. This is evident when communication preferences are cross analysed by age.

Best ways to communicate toilet locations in Merton:

	All	<55	55-64	65+
	(888) %	(290) %	(204) %	(366) %
Signs on the street	75	68	70	82
Sign on the premises	60	60	64	59
Toilet location app	31	36	36	24
Map on council website	19	23	17	16
Large map eg. outside station	10	9	8	12
Small paper map	2	□	1	4

It is evident that information on the locations of CTS members needs to be communicated through multiple channels, digital

and analogue. Given that awareness of the CTS will have to be built up from a near zero base, a multi-channel strategy offers the most chances of reaching the widest spread of the target audience.

***Suggestion 4(vi)***

*Employ signage, print and on-line channels to build awareness and usage of the new CTS*

- 4.21 A thriving CTS will improve the quality of life for the many who need the toilet frequently, and will assist in regenerating the borough's town centres. In acknowledgement of their contribution, the council should recognise CTS members as Community Champions, and use its media communication channels to thank and promote them.
- 4.22 Payment for signing up to the CTS may not be appropriate in many cases. Public sector, voluntary and not for profit organisations will take part out of a sense of civic responsibility. This will also be the primary driver for large retailers like Elys and Centre Court who provide toilets now, and meet the cost as a customer service. National or regional chains in retailing, pubs and restaurants, and entertainment cannot easily authorise payments to individual branches. So payments can only be made to independent, owner-managed businesses, and should be kept to the minimum required to achieve adequate coverage of each town centre.
- 4.23 Inadequate coverage forces the burden of provision onto a smaller number of participants, who may then seek to withdraw from the scheme. Alternatively, the public recognition of the social value added by participants, financial compensation and increased business might make other businesses eager to participate. The CTS should incentivise where necessary, retain the option of accepting or excluding participants and adjust financial support up or down as necessary.
- 4.24 Apart from the need to achieve critical mass, the amount paid can be referenced to what other London boroughs are paying. Tariffs should reflect opening hours and the facilities available, with more paid for wheelchair access, mother and baby change options, a greater number of toilets and proximity to areas of high demand. The amount paid is not intended to meet maintenance costs on a stand-alone basis.

**Suggestion 4(vii)**

*Payment for enrolling businesses into the CTS can be used selectively and proportionately, to ensure coverage where there would otherwise be gaps*

4.25 A Community Toilet Scheme for Merton might be expected to overcome all the misgivings people have about using toilets in premises where they are not paying customers. In practice, it's not quite so simple; possibly because the CTS<sup>1</sup> concept is new and unknown to most people, only half would feel confident using it:

n=854		65+	Frequent	Disability	Female
	%	%	%	%	%
Very confident	20	18	18	12	21
Somewhat confident	30	26	30	28	31
Not very confident	28	28	28	31	28
Not at all confident	22	28	23	29	20

The irony is that those who might benefit most from a CTS seem to have less confidence about using it than others. So it is the elderly, the disabled and those who need the loo frequently who are more likely to express misgivings. However, women (52%) have more confidence than men (44%).

Users do differentiate between toilets they experience, and based mainly on accessibility and cleanliness, they adjust their preferences for future visits accordingly.

**Suggestion 4(viii)**

*It cannot be assumed that the CTS concept is familiar or understood, so a new scheme for Merton will require extensive publicity when it is launched to build awareness. Assurances of hygiene and cleanliness will be needed to win acceptance, especially among the vulnerable groups who have the most to gain from the scheme.*

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<sup>1</sup> Definition for survey: "The Community Toilet Scheme involves payments to private businesses such as cafes and shops in Merton, in return for making their toilets available to people who are not paying customers"

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## **Sustaining a successful Community Toilet Scheme**

- 4.26 The new CTS envisaged for Merton will be a complex organisation with many partners drawn from the council itself, the wider public sector, the voluntary sector and not-forprofits, and the business sector. Staff and owners change constantly, creating a shifting landscape for the new CTS to track. Once established, it will need ongoing support if it is to be sustainable. Scaling back on officer support has proved a false economy in neighbouring boroughs.
- 4.27 While many council departments will be involved in the new CTS (i.e., waste, economy, facilities, licensing) one officer/ CIC must be responsible for its implementation and ongoing support. It is proposed they should report to the Director for Civic Pride. Health and hygiene standards for the CTS will be subject to policies overseen by the Director for Public Health, and maintained by the appropriate regulatory services.
- 4.28 Provision of public toilets (or more accurately, the lack of it) is a subject that has generated widespread interest in Merton, as evidenced by the survey attracting almost 1,000 responses. Merton members of Age UK London have devoted hours of their time and energy to mapping potential sources of toilet provision in the borough, although their work has not covered all town centres. Clearly, improving toilet provision is a cause that people care about passionately, and one ideally suited to the engagement of the voluntary sector.
- 4.29 It is proposed to invite the Age UK volunteers who have already done so much work to map Merton's toilet potential, to form the nucleus of a group of volunteers to monitor CTS members and file regular reports on the standards observed in their toilets. Volunteers can also help by reporting developments on the high street as businesses change hands. They would report to the officer/ CIC responsible for the CTS.
- 4.30 Members of the public can also report any concerns they may have about standards in toilets provided by CTS members,

much as they can now to Environmental Health. These complaints should be seen by the officer/CIC responsible for the CTS.

4.31 Councillors should be encouraged to visit CTS members in their wards, promote them to their residents and feedback informally to the CTS officer. This would demonstrate their commitment to Merton's CTS and support for its members; it is as much about building relationships with businesses in their wards as it is about monitoring standards.

4.32 The ongoing performance of the new CTS should be monitored by scrutiny, and the Sustainable Communities Panel is the most appropriate body. The relevant officer should be asked to report initially at 6 monthly intervals, and thereafter annually.

***Suggestion 4(ix)***

*Given the evidence of commitment by volunteers to improving toilet provision in Merton, they should be given the opportunity to involve themselves in the ongoing monitoring of the standards of toilets maintained by CTS members in Merton. Councillors should be encouraged to "buy into" the CTS in their own wards by publicising it to their residents and visiting their CTS members. The Council's formal Scrutiny processes can be used to check the development and performance of the new CTS.*

**Special cases/ special needs**

5.1 Public transport

5.1.1 Although there is a need for public toilets at all transport interchanges, the need is especially acute at termini. On the Underground, passengers may have been travelling for an hour or more by the time they reach the end of the line, and some will be experiencing stress and discomfort if they cannot find a toilet immediately.

5.1.2 There are 28 termini on the London Underground network, of which 22 have toilets, either inside or outside the gateline. Of the six that do not, three have well signed toilets nearby eg. in the bus interchange. All three without toilets or alternative facilities are on the Northern Line, now approaching its centenary.

5.1.3 The most egregious example is Morden, the terminus for the Underground and a key interchange and terminus for several



bus routes, including 24-hour services on routes 93 and 154, and night service on route N155. To make matters worse, toilets were available at Morden station within living memory:

*"It drives me mad, because I know that station has a toilet"*  
(MPWRA)

5.1.4 Since 2016 the need has increased as a result of the all-night service on Friday and Saturday. Passengers who have spent the evening in central London travel southwards, with no station providing toilets south of Elephant and Castle, and arrive at Morden in the early hours of the morning with no toilet provision in the area of any sort.

5.1.5 The inevitable consequence of the lack of provision is the misuse or abuse of the short passageway leading through to the car park, otherwise known as "p\*ss alley". This is notorious amongst local residents who see it as a disincentive to visiting Morden:

*"It doesn't encourage anyone to go shopping in Morden"*  
(MPWRA)

5.1.6 Elected members from the former Leader of the council to Merton Park Ward councillors have been lobbying for more than 20 years for the toilets at Morden station to be reopened, but without success. Progress was made on a very recent<sup>2</sup> site visit with the AM for Merton and Wandsworth, when the challenges were recognised and TfL confirmed there would be a feasibility study into how toilets might be reprovided at Morden station.

5.1.7 Local Assembly Member Hina Bokhari has acknowledged the problem and is supportive of efforts to secure new provision. Her recent letter on the topic is attached as APPENDIX V.

***Recommendation 5***

*Maintain pressure at the highest level, using all levers available to ensure TfL honours its commitment to the feasibility study to restore toilets at Morden station, and press for the reintroduction of provision as a matter of urgency.*

## **6 Itinerant workers**

- 6.1.1 A large and growing proportion of the workforce has no fixed place of employment, and therefore no certain access to toilets during their work shifts. They include key public sector workers such as policemen, ambulance crews and postmen, and also those who are employed as delivery drivers, sometimes precariously.
- 6.1.2 Anecdotal evidence suggests these itinerant workers come to informal arrangements that rely on their shifts following a regular route or pattern, so they know where the toilets are. While this may work well for public sector employees such as policemen and postmen who are generally held in high regard by the community, it works less well for delivery drivers who are not known to their customers.
- 6.1.3 Take away delivery drivers face a particular problem at night when toilet facilities available to them during the day are closed. The nature of their employment means they are generally classed as self-employed, and often on minimum wage, without the benefit of the terms and conditions applying to payroll workers.
- 6.1.4 Take away outlets are bound to provide toilets for their own staff, but these are rarely available to delivery drivers, especially at night time when the outlet is closed to walk in customers.
- 6.1.5 The licensing of food and drink outlets, and the amendment of existing licences, allows an opportunity to set conditions relating to toilet access that seem unlikely to be opposed.

### **Recommendation 6**

*Explore the use of the licensing system to make the grant of late-night licences conditional upon access to staff toilets for delivery drivers.*

## 7. **Disabled access**

7.1 The survey shows that 22% consider themselves to have a disability, although this may not be visible<sup>2</sup> - just 1 in 4 (23%) of this group find their disability makes it difficult or impossible to use a toilet in a standard cubicle.

7.2 If people who need the loo frequently (73% of those surveyed) have to plan their outings around the availability of a toilet at their destination, imagine the additional planning involved for someone in a wheelchair, with fewer options open to them:

*"We use it as a meeting place, but you have to make sure it's an accessible Starbucks, because not all of them are - it's a bit of a minefield" (CIL)*

When health conditions are combined with a limited number of accessible toilets within wheelchair range, the disabled may find themselves stuck at home involuntarily:

*"I have a condition, I ought to drink plenty of water, but I can't drink plenty of water if I know I'm going out, I have to limit myself .... I drink at home to try to get 2 litres in" (MCIL)*

This underscores the extent to which a lack of accessible toilet provision for the disabled impacts their quality of life, and runs counter to Merton's equalities policies for those with protected characteristics, including age and disability.

7.3 The audit form used for "mystery shopper" visits to toilets in various locations across the borough recorded whether they were accessible to a wheelchair user, and whether they had

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<sup>2</sup> Remember respondents to the survey are not representative of the population of Merton as a whole. The 2021 Census records 14% of Merton residents living with a disability. <sup>4</sup> Defined as "places of assembly, recreation and entertainment"

baby change facilities. Toilets in small independent outlets were less likely to be accessible:

*"It's got to be accessible as well, sometimes these places are out the back, it's difficult to manoeuvre – a very narrow opening" (MCIL)*

7.4 Changing Places Toilets (CPT's) are now compulsory in new public buildings<sup>4</sup> with a capacity of 350 or more, including

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retail premises (2500m<sup>2</sup>+) and sports and leisure centres (5000m<sup>2</sup>+) . CPT's are spacious (12m<sup>2</sup>) to accommodate the needs of a severely disabled user and carer, and equipped with a hoist and changing table. The government has set up a fund to meet the cost of installing CPT's with grants administered by local authorities. 12 London boroughs applied in the second round of funding, and were awarded grants averaging £40,000-£50,000 per CPT. However, the full cost of purchasing and installing a stand-alone modular CPT unit is estimated at £88,000.

7.5 There are now 1839 CPT's in the UK. Merton has three, in Morden Leisure Centre, the AELTC grounds, and Tesco Extra in New Malden. Romulus propose to instal a fourth as part of their re-development of Centre Court.

7.6 The Merton Centre for Independent Living (MCIL) makes the case for more accessible toilets across the borough, but especially in the East. More CPT's could improve the quality of life for the severely disabled, who are otherwise effectively trapped in their homes. MCIL nominates the Civic Centre, community spaces like Vestry Hall and local leisure centres as potential sites for CPT's. (Their submission to the review is attached as APPENDIX VI.)

### **Recommendation 7**

*Information published on CTS members must clearly indicate the type of facilities available, particularly in relation to disabled users. As the leader of place and principal driver of the new CTS, the council should review its property assets in Merton to identify one or two realistic potential candidates for accommodating Changing Places Toilets (CPT's), related to the areas of greatest need.*

## **8 Planning**

8.1 Merton's local plan includes the strategic health and well-being policy HW 10.1 which states "we will continue to improve and promote a more active and healthier lifestyle of our residents, tackle the causes of ill health (physical and mental), and health inequalities" The first section of our report shows how inadequate toilet provision militates against the achievement of an active and healthy lifestyle by limiting the time some people can spend away from home before they need the loo:

*"I shop for elderly neighbours who do not feel confident to go out based on this issue alone" (Survey)*

Yet the local plan makes no reference to public toilet provision as an essential element to the realisation of an active and healthy lifestyle.

8.2 Medium to long term improvement of the quality and number of facilities available to residents can be accelerated if private developments can become part of the solution. Building regulations set minimum levels of toilet provision for buildings. However, where visitors to buildings are concerned there is some room for interpreting the appropriate toilet provision narrowly or more generously; more than minimum provision can help those in need to 'go before you go'.

8.3 The London Plan (2021) includes policy S.6 – Public toilets, which requires large scale developments<sup>3</sup> that are open to the public, and large areas of the public realm, to provide and secure the management of free publicly-accessible toilets suitable for a range of users. These should be available during

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<sup>3</sup> Defined previously at 7.3.4

opening hours, or 24 hours a day where access is from the public realm. Changing Places toilets are part of the requirement.

In smaller developments, the London Plan suggests accessible toilets may be provided as part of a CTS or through the Community Infrastructure Levy (CIL)

8.4 Merton's local plan is now in the final stages of approval and cannot be amended. Although they are not statutory, supplementary planning documents (SPD's) may offer scope to improve toilet provision as they come up for review. Specifically, A3 (Food and Drink) Use was adopted in 1999 making it the oldest SPD not to be revised. It stipulates that

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businesses seeking a change of use from A1 (retail) or A2 (professional and financial services) to A3 (food and drink) must apply for planning permission. In most circumstances the introduction of food and drink services will require toilets being made available to customers, either from existing facilities or new build. Where local CTS coverage is insufficient, businesses can be encouraged to join Merton's scheme as part of the grant of planning permission.

8.5 The Public Toilet Research Unit (PTRU) undertakes design research to improve toilet provision for all, including innovative projects to re-provide public toilets using vacant premises. Their research could be relevant to Mitcham and Morden, both town centres looking to restore their viability and vitality yet lacking obvious candidates to join Merton's CTS. In the absence of alternatives, vacant town centre premises could be re-purposed for new uses eg. start-up business hub or community centre, with public toilet facilities built on. Construction costs could be met from CIL because public toilets are being created in an area where none existed before, thus adding social value. Ongoing maintenance would be provided by the tenant, as a condition of the lease.

8.5 S106 agreements are concluded in relation to larger developments and these include obligations relating to material planning considerations. The Planning Department should be asked to identify more than minimal toilet provision as a material planning consideration when S106 agreements are being concluded.

**Recommendation 8**

*Look for opportunities to amend SPD's that would encourage businesses to join the CTS when applying for planning permission. Consider the use of CIL funds to provide public toilets in vacant town centre premises where the CTS fails to achieve adequate coverage. Instruct the Planning department to use S106 agreements to ensure more than minimal provision in new developments.*

Toilets visited by Age UK Merton February – March 2023

- Leon 5 Wimbledon Hill Road London SW19 7NF
- Dundonald Recreation Ground Dundonald Road SW19
- Wimbledon Station (South West TFL trains) the Broadway SW19 7NL
- Morden Park Leisure Centre London Road Morden SM4 site
- Waitrose 25 Coombe Lane SW20 OBS
- The Raynes Park (pub) 32 Coombe Lane Raynes Park, SW20 OLA
- Waffle Jacks 8 Merton Park Parade London SW19 3NT
- Costa Coffee Unit A, 213 Worple Road Raynes Park, SW20 8QY
- Costa Coffee 363-365 Kingston Road, Wimbledon Chase, SW20
- Starbucks Coombe Lane, Raynes Park, SW20 OJY
- Raynes Park Library 21 Approach Road, SW20 8BA
- The Leather Bottle, 277 Kingston Road, Wimbledon Chase, SW20 3NW
- Wimpy 56 London Road, Morden SM4 4EF
- Lower Morden Garden Centre/Blue Diamond Lower Morden Lane SM4 4SJ
- National Trust Morden Hall Park SM4 5JD
- Tesco KT 3 4PJ Different form format
- Sainsburys (formerly Savacentre) 1 Merton High Street /SW19 1DD
- Ely's 16 St .George's Road London SW19 4DP
- Waitrose Alexandra Road Wimbledon SW19
- John Innes Park Mostyn Road Merton Park
- Centre Court Wimbledon SW19 8YA

**Colliers Wood - Dunelm**



Aldi  
Next/Café Nero  
Nandos Starbucks  
TK Maxx



## Review of public toilet provision

	Question	Response	%				Figures
1:	Please tell us how you would rate public toilet provision in Merton?	Very good	1				n=961
		Good	1				
		Satisfactory	5				
		Poor	45				
		Very poor	48				
2:	How often do you consider the availability of public toilets where you are going in Merton before leaving home?	Always	50				n=957
		Sometimes	31				
		Occasionally	13				
		Never	6				
3:	If someone were to ask directions to the nearest public toilet in your local area, how confident of its location would you be?	Very confident	6				n=946
		Somewhat confident	12				
		Not very confident	26				
		Not at all confident	56				
4:	If you needed one, could you find a suitable toilet in the following town centres?		Yes	No			
		Wimbledon town centre	72	28			n= 928
		Wimbledon Village	4	96			n=886
		Morden	22	78			n=887
		Colliers Wood	14	86			n=865
		Mitcham	1.5	98.5			n=869
		Raynes Park	7	93			n=868
5:	The Community Toilet Scheme involves payments to private businesses such as cafes and shops in Merton, in return for making their toilets available to people who are not paying customers. Are you aware of the Community Toilet Scheme in Merton?	Fully aware	2				n=934
		Partly aware	14				
		Not aware at all	84				
6:	How confident would you feel going into each of the following where you are not a paying customer, and asking to use the toilets.		Very confident	Somewhat confident	Not very confident	Not at all confident	
	Café in Merton		5	15	45	35	n= 931
	Shop in Merton		14	16	39	40	n=917
	Pub in Merton		19	32	33	27	n=913
	Member of the Community Toilet Scheme in Merton.		20	30	28	23	n=898

## Review of public toilet provision

	Question	Response	%	%	Figures
Page 42	7: Thinking about information available to help people locate toilets in Merton, which of the following would be the best ways to communicate that information?	Signs on the street	75		n=931
		Large Map on the wall	10		
		Small paper maps	2		
		Maps or list of locations on the council website	19		
		Toilet location app	31		
		Sign or sticker on premises	60		
8	Please tell us if an improvement in public toilet provision would make you more likely to visit shops, cafes or other businesses in Merton?	Much more likely	52		n=928
		Somewhat more likely	35		
		No more likely than now	11		
		Don't know	2		
9:	In order to encourage more toilet provision in Merton, would you be willing to pay for the use of toilets, as a contribution to the costs?	Yes	52		n=927
		No	48		
10:	What is the maximum you will be willing to pay?	20p	33		n=481
		50p	48		
		£1	17		
		£2	1		
		Other	1		

# Review of public toilet provision

11.	Please tell us if you have any other comments about public toilet provision in Merton.	Listed verbatim – 531 responses			
<b>About you</b>					
Page 43	12: What is your age group?	15 or under		*	n=892
	16-24	1			
	25-34	4			
	35-44	10			
	45-54	17			
	55-64	23			
	65-74	30			
	75 or over	11			
	Prefer not to say	3			
13:	Please tell us if you have any children aged 5 or under?	Yes	10		n=887
No	90				

## Review of public toilet provision

14:	Would you say you or someone in your care need the toilet more often than other people?	Yes	73	n=886
		No	27	
<b>About you</b>				
15:	Do you consider that you have a disability?	Yes	22	n=882
		No	78	
16:	Does your disability make it difficult or impossible for you to use a toilet in a standard cubicle?	Yes	23	n=190
		No	77	
17:	Are you?	Male	33	n=871
		Female	64	
		Other	0	
		Prefer not to say	3	
18:	Which of the following options best describes your sexual orientation?	Heterosexual or straight	79	n=848
		Gay man	1	
		Gay woman or lesbian	1	
		Bisexual	1	
		Prefer not to say	17	
		Other	0	
19:	Do you.....?	Live in Merton	78	n=677
		Work in Merton	3	
		Live and Work in Merton	17	
		Do not live/work in Merton	2	

## **The Cost of Toilet Provision**

During the enquiry various voices called for greater investment in public toilet infrastructure and in maintenance of toilets (eg by way of the provision of attendants). The following sets out some of the information gathered on the issue of cost.

### **Estimate of maintenance costs for a standard toilet (not Changing Places):**

Assumptions:

2 toilets

5 minutes per clean (2.5 minutes each) – includes preparation etc.

10 cleans per day

360 days per year

Cost of labour, including employment costs, and assuming London Living Wage = £15.64/hour

$5/60 \times 10 \times 360 \times £15.64 = £4692$  for labour cost for 2 toilets per year

Toilet rolls and cleaning materials – approx. £1/day x 360 = £360/year. Total £5052/year

This cost assumes no significant non-standard cleaning time required (eg vomit), no travel time, no profit margin and a pair of toilets side by side. On average a single toilet will cost more, a larger group of toilets cost less.

*Calculated by Stephen Mercer*

## **Changing Places Toilets**

The budget cost of installing a modular Changing Places toilet facility is detailed below, but it should be noted that these costs are subject to change and dependant on local site conditions. On that basis each site would require a detailed survey to be completed before a more detailed price could be provided.

For the purposes of providing a budget estimate, the following elements have been considered:

- Standard modular Unit - £52k
- Delivery - £3k
- Planning Permission - £1k
- Groundworks - £12k (including services connections)
- Electrical supply - £5k
- Fees - £7k (just under 10%)
- Contingency - £8k – (10%)

Total - £88k

Source: **Mark Humphries**, Assistant Director, Infrastructure & Technology Division, Merton Council

### **Toilets in Open Spaces**

In order to open a toilet to the public the water has to be checked, cleanliness checked and paper and soap replenished. Hand drying equipment or paper needs to be checked. If toilets were opened even for RADAR key access only across the borough, this would need to be done every day. The estimated costs of such opening and closing, including travel time between venues, could quickly reach toward £40,000/year assuming 10-12 different venues.

Source: **Alan Trumper**, Open Spaces, Merton Council



## Policy and Performance Review Board

### Community Toilet Scheme Review

#### Foreword

Richmond was the first London borough to introduce a Community Toilet Scheme (CTS), an initiative that has received significant interest over the years from other councils seeking to emulate us. However, bars, restaurants and other CTS providers had to close during the Covid lockdowns, and some of them have not reopened. This review provides an opportunity to see how the scheme can be improved as well as revived now that normality has returned.

Toilet provision is a fundamental function of local authorities and a public health priority. It is important to ensure that everyone who needs a toilet can access one. For many people in our community, such as those with bladder and bowel conditions, parents with young children and pregnant women, they are more than just a convenience, they are a necessity.

As the Kings' Fund noted in their report, *A Lav Affair*, "At an individual level, there are physical and mental health consequences when adequate toilet facilities are not available." 'A lack of public toilets is a national issue that can lead to disabled people requiring otherwise preventable surgery', says the health charity. 'Many of us feel forced to plan when not confident of a public toilet being available and some of us simply never leave home at all.' We do not want that in Richmond upon Thames.

Our review of the CTS has been well received by residents, local groups, and businesses, and I am grateful to all those who have taken the time to respond to our surveys. Their input has been essential to helping us make recommendations for an expanded and well-signposted scheme that will benefit us all.

Cllr. Richard Warren  
Chair of the Policy and Performance Review Board

#### Current Situation

The Community Toilet Scheme (CTS) was set up in 2008 and allows businesses across the Borough to be financially compensated in return for allowing non-paying customers to use their toilet facilities. Businesses are also promoted across the borough, informing visitors of the facilities on offer. They are paid based on the number of days that toilet facilities are available to the public with a minimum payment of £800 and a maximum of £1,000 (plus VAT) per annum. Participating businesses are required to display a Community Toilet Scheme sticker as provided by Richmond Council. Membership is subject to area need, types of facilities to be provided and other factors, and is not automatic. A review of the scheme was carried out by Environment & Community Services (ECS) in 2018 and found a number of issues including a lack of inspections of toilet sites and areas in the borough without sufficient community toilet facilities.

The Community Toilet Scheme enables local businesses like pubs, restaurants and shops, to work together with the Council to make more clean, safe and accessible toilets available to the public (in a cost-effective way). There are now nearly 50 premises taking part in the scheme. The Council displays information on [its webpages](#) on the scheme for residents and visitors. The scheme is managed by Environment and Community Services (ECS).

The public are able to access useful [interactive area maps](#) on the Council website which show who takes part in the scheme, what facilities they have and where they are. This includes all Council owned buildings such as libraries as well as private businesses. Participating premises display a sticker in their window showing male, female, baby changing facilities available and whether they are wheelchair accessible Community Toilet Scheme members. There is also street signage to indicate the name and direction of the participating businesses. Members of the public can use toilet facilities during the premises opening hours and without the need to make a purchase and businesses have the right to refuse entry in exceptional circumstances. Currently approximately half of the scheme members offer wheelchair accessible facilities and approximately one quarter provide baby changing facilities. Interactive maps indicate the types of facilities at each location.

## **Purpose of Review**

At its meeting on 18<sup>th</sup> October, the Policy and Performance Review Board resolved to review the community toilet scheme and make recommendations to the Environment, Sustainability, Culture and Sport Committee.

## **Members of the Review Group**

### **The members of the Review Group were:**

Cllr Warren (Chair)  
Cllr Juriansz  
Cllr Gant  
Cllr Wren  
Cllr Mansfield

## **What the Review Group Investigated**

The Review Group focussed their investigation under four headings:

1. How to promote the scheme to the public,
2. How to ensure the right type of facilities were available
3. Whether the facilities were in the right locations, and
4. How to encourage more businesses to join the scheme.

## **What the Review Group did:**

The Review Group held four meetings across November, December and January. The review group was very pleased to hear from Dr Vivienne Press, on behalf of the Richmond Society, at their third meeting.

The review was publicised using Twitter, Facebook, Nextdoor, the council's business e-newsletter, RCVS newsletter, VCS newsletter sent through the Council and by email to ward councillors and local groups and organisations.

Ten responses were received from members, sixteen from local organisations and charities, twelve from members of the public and seven from participating venues.

## **What the Review Group Found:**

The Review Group found that feedback comments were received relating to all the headings above, which after careful consideration led to the following recommendations:

### **Recommendation 1**

#### **Promoting the Community Toilet Scheme to the public**

There were a substantial number of comments on this topic, including feedback from ward councillors, Richmond Business Improvement District, Richmond AID and AgeUK Richmond, highlighting a lack of knowledge of the scheme, lack of information about where the participating venues were (inadequate signage), lack of information about opening times, disability access and lack of information on the RADAR (Royal Association for Disability and Rehabilitation) scheme.

The Review Group therefore recommends that:

Information and publicity for the Community Toilet Scheme is refreshed and further on and off-line channels are included

**Recommendation 1**

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Information about the scheme should be readily available and regularly reviewed to ensure it is upto-date. Information should continue to be provided online on the Council's website ('Spend a Penny' map) and also using apps such as Google/Apple Maps, and the Great British Public Toilet Map: <https://www.toiletmap.org.uk/> Hard copy maps should be made available at visitor and transport hubs in the borough, and information given on Council noticeboards, in libraries as well as medical centres. A QR code system should also be considered.
- The information provided should include whether the facilities have disability access and changing facilities, their opening hours and information on the RADAR scheme, where appropriate.
- Subject to agreement, facilities provided by other organisations (eg Royal Parks, Network Rail) should be included in the information.
- Street signage should be improved, with pavement roundels to indicate direction of the nearest facilities and lamp-post signage for permanent facilities (such as those provided by the Council).
- The stickers provided for participating venues should be updated to be more eye-catching.
- Information provided should include advising that making a purchase from the participating venue is not necessary
- Local partners should be contacted to suggest that Community Toilet Scheme information should be included on their website 'visit' pages.

## **Recommendation 2**

### **Location of facilities**

There were over 30 comments on the location of facilities, including feedback from ward councillors on areas of the borough that were inadequately served by the scheme, whether chain outlets, churches and community centres could be included and the appropriateness of the participating venues (eg pubs not being suitable for young people). Feedback included the suggestion that the Council provided facilities in key areas and whether closed toilet blocks could be reopened such as in the Old Deer Car Park, Whittaker Avenue and at the top of Richmond Hill.

The Review Group therefore recommends that:

A measurable performance goal is agreed (such as an optimum number of facilities in each area/ward) with a review of the location and spread of facilities across the borough. This would be to ensure the spread/type of facilities offered is appropriate and that destination areas have adequate provision for visitors (destination areas being town centres, playgrounds and green spaces, for example).

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Other organisations with facilities in the borough (such as Royal Parks, GP surgeries, community centres, churches and railway stations) with facilities should be approached to encourage them to enable public access and extending the available hours where possible.
- Where appropriate, national retail chains should be encouraged to join the scheme on a goodwill basis.

### **Recommendation 3**

#### **Types of Facilities**

Comments were received on this issue, including from Richmond AID and AgeUK Richmond, noting the need to focus more strongly on accessible facilities (wheelchair access), the lack of changing facilities for children and access to drinking water.

The Review Group therefore recommends that:

The spread of facilities across the borough should include equitable access to wheelchair accessible facilities and changing facilities.

**Recommendation 3**

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Council provided facilities should have disabled access, changing facilities and drinking water available.
- Drinking water should be available at as many venues as possible, including water bottle filling points.
- Where possible, sanitary protection should be made available.
- Where new public facilities are planned by the Council, consideration should be given to the design, for example, direct access facilities (where doors open on to the street).

### **Recommendation 4**

#### **Promoting the Community Toilet Scheme to Businesses and Organisations**

Comments received on this issue (including from Richmond BID, AgeUK Richmond and Hampton & Hampton Hill Voluntary Care) included that large chain outlets might waive their payment by seeing their membership as being part of their corporate social responsibility, whether those in receipt of the business rate subsidy should provide facilities, the current financial offer being too low and that increased footfall might benefit the organisation.

The Review Group therefore recommends that:

A more proactive approach is taken from the team responsible for the scheme in conducting in-person visits to potential participating venues, prioritising areas of less provision.

**Recommendation 4**

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Organisations such as churches, community centres and charities should be approached to join the scheme, as these venues would be more inclusive for example, for young people.
- The financial incentive should be reviewed with a view to improving funding for participating venues and considering whether businesses benefitting from the 50% subsidy could be linked to joining the scheme.
- Promotion of the scheme should include potential benefits, such as that joining is a way to give back to the community and that participating venues can benefit from increased footfall.
- Where businesses are located on Council-owned land, consideration should be given to the inclusion in the lease for public access to the toilets.

**Recommendation 5**

**Management of the Scheme**

Comments on this issue included that the scheme had suffered from lack of a designated officer, a visiting officer needed to check the facilities available, and that unannounced inspections would be useful.

The Review Group therefore recommends that:

A designated officer is allocated to be a central point of co-ordination for the scheme, and that consideration is given to which department of the Council has responsibility for the scheme (with business, parks, community and communication all being of considerable significance in the success of the scheme).

**Recommendation 5**

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- A designated officer would be a significant advantage to the scheme, enabling in-person promotion, responsive communication between all parties, arranging inspections, keeping information up to date, liaising with non-council sponsored providers (eg Royal Parks, Network Rail) and generally ensure the scheme runs smoothly. Review group members felt that ward councillors could also provide informal, occasional feedback on the scheme.

**Recommendation 6:**

Feedback from the Director of Public Health suggested that the Community Toilet Scheme could be brought into the Council’s Prevention Framework planning by members, with a view to ameliorating the disproportionate impact that the lack of toilets has on people with disabilities, certain long-term conditions and older adults.

The Review Group therefore recommends that:

Members engage with the Richmond Council Prevention Network planning process with a view to including the Community Toilet Scheme in future Council programmes.

**Recommendation 6**

Feedback from the survey included reference to the Kings’ Fund report, ‘A Lav Affair’, which highlighted the physical and mental health consequences when adequate toilet facilities were not available.

Review Group members recognised that increased resources were required to support the Community Toilet Scheme.

**Appendices:** Feedback  
summary **Useful Links:**

[Council's Prevention Framework](#)

[Out and About](#)

[A lav affair: do we care enough about public toilets?](#) <https://www.richmond.gov.uk/services/spendapenny>

January 2023



## Hina Bokhari AM

### City Hall

Kamal Chunchie Way  
London  
E16 1ZE  
Tel: 020 7983 4000

6<sup>th</sup> June 2023

Mayor Sadiq Khan  
City Hall  
Kamal Chunchie Way  
London  
E16 7ZE  
[SENT BY EMAIL]

Dear Mayor,

### **The urgent need for public toilets at Morden Underground Station**

I am writing to you regarding a longstanding issue which has for many years not been seen as a priority. I do so on behalf of the residents of Morden as well as passengers who make use of the Northern line on a regular basis.

At the time of writing, there are currently no toilets situated at Morden Underground Station. It is my view, and the view of many others, that this needs to change as a matter of urgency. Public access to toilets is crucial as a matter of accessibility, hygiene and safety, but also inclusivity, as many individuals have differing levels of need.

Although there is a need for public toilets at all transport interchanges, it is especially acute at termini. On the Underground, passengers may have been travelling for an hour or more by the time they reach the end of the line, and some will be experiencing stress and discomfort if they cannot find a toilet immediately.

There are 28 termini on the London Underground network, of which 22 have toilets, either inside or outside the gateline. Of the six that do not, three have well signed toilets nearby eg. in the bus interchange. All three without toilets or alternative facilities are on the Northern Line, now approaching its centenary.

The most egregious example is Morden, the terminus for the underground and a key interchange and terminus for several bus routes, including 24-hour services on routes 93 and 154, and night service on route N155.

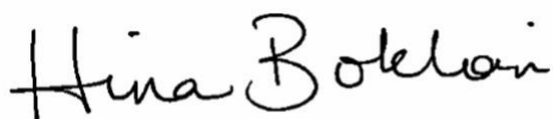
Since 2016 the need has increased as a result of the all-night service on Friday and Saturday. Passengers who have spent the evening in central London travel southwards, with no station providing toilets south of Elephant and Castle, and arrive at Morden in the early hours of the morning with no toilet provision in the area of any sort.

The inevitable consequence of the lack of provision is the misuse or abuse of the short passageway leading through to the car park. This is notorious amongst local residents who see it as a disincentive to visiting Morden.

It is my understanding that progress was very recently made during a site visit when TfL agreed to request a feasibility study into how toilets might be re-provided at Morden station.

I now call upon you, as the chair of TfL, to ensure that this study is taken seriously, and to consider the strong case for public toilets to be made available at Morden Underground Station. I do so for the sake of passengers and the local community, as a local councillor in Merton and as a London Assembly member representing the whole of London. I look forward to hearing back from you on this matter.

Yours sincerely,

A handwritten signature in black ink that reads "Hina Bokhari". The signature is written in a cursive, flowing style.

**Hina Bokhari AM**

Liberal Democrat London Assembly Member







## **Merton CIL's response to The London Borough of Merton's consultation on local toilet provision.**

March 2023

### **Please tell us how you would rate public toilet provision in Merton?**

Merton CIL and its members would like to see more accessible toilet facilities across the borough. Toilet provision in the East is worse than in the West. There are only three Changing Places facilities across the borough and Merton CIL are keen to see Changing Places facilities installed in the civic centre, community spaces like Vestry Hall, and all local leisure centres in particular.

### **How often do you consider the availability of public toilets where you are going in Merton before leaving home?**

Merton CIL members have fed back that it is a regular occurrence to consider the availability of public toilets before leaving home. One member has said:

**"Using a mobility scooter can limit my access to public toilets. I must plan carefully where to go and how long I can stay out."**

For some Disabled people, health implications of a lack of accessible toilets are significant. A Merton CIL member shared that managing their condition is reliant upon an intake of over 2 litres of water each day.

However, when they have plans to leave their home, they have to limit their fluid intake to avoid having to use public toilets.

**If someone were to ask directions to the nearest public toilet in your local area, how confident of its location would you be?**

Mitcham, Morden & Raynes Park – Not confident at all

Wimbledon & Colliers Wood – Quite Confident

**If you needed one, could you find a suitable toilet in the following town centres?**

Wimbledon

Merton CIL would like to see more fully accessible toilet spaces in Wimbledon but recognise the provision is better than in many other locations across the borough. One member felt that Elys was a good location for toilets, but another member felt that the lift was too small for mobility scooters. Merton CIL are also excited by the plans to have more accessible facilities for Disabled people in the regeneration of Centre Court.



Wimbledon Village

We do not know of any accessible toilet space in Wimbledon Village. There is a changing places facility in AELTC but it is not accessible to the wider community.

Photo: Estifanos & Pippa at Metronome/Crown Lane Studios with their accessible toilet & hoist.

Morden

We recognise that there is a Changing Places facility in Morden Leisure centre, but this is quite a distance from the town centre. Metronome has an accessible toilet with a hoist, which is a good example of what small businesses could do to ensure their

facilities are accessible. Merton CIL would like to see a Changing Places facility installed in the civic centre.

### Mitcham

Merton CIL members felt the public toilet provision in Mitcham was 'terrible' and this has been made even worse with the closure of Morrisons. A Merton CIL member wrote a poem about their experience of public toilets in Mitcham.

**Image: Poem about toilet provision in Mitcham by Merton CIL member**

### Raynes Park

Merton CIL members felt that they would not be able to find an accessible toilet in Raynes Park town centre.

### Colliers Wood

Merton CIL members felt the provision for toilets in Colliers Wood was good. They shared that the Starbucks/M&S has good toilet facilities and points which can be used charging electric wheelchairs and mobility scooters.

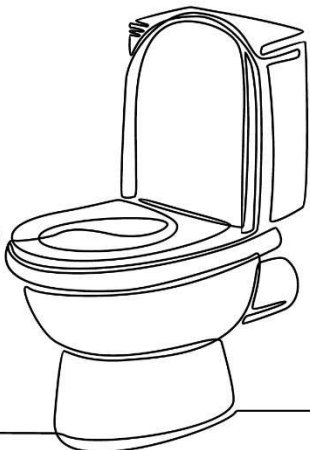
**How confident would you feel going into each of the following where you are not a paying customer, and asking to use the toilets?**

## IF YOU WERE ME...

If you were me,  
What would you do?  
I'm on a scooter  
But I'm just like you!  
I fill my bladder  
And I need the loo  
I watch my intake  
Not to require no 1 or 2  
Because of you  
I struggle to get through

Mitcham Sibthorpe road  
Disabled access you say  
Toilet is filthy  
And so dark and grey  
The Door is a pull  
So I have to wait all day  
To Ask for help  
It takes my independence  
away

**Poem by  
A Merton CIL member**



Merton CIL members shared views that they were not confident that all accessible toilet spaces were fully accessible. Some public toilets have been labelled accessible but have a grab rail only. Some café's also require an entry code on receipt to access toilet, which can feel like an unhelpful barrier. Some people also feel obliged to buy something if they use the toilet.

**Thinking about information available to help people locate toilets in Merton, which of the following would be the best two ways to communicate that information?**

Accessible information in a variety of forms – Easy to read & accessible signs in community spaces could be useful.

**Please tell us if an improvement in public toilet provision would make you more likely to visit shops, cafes or other businesses in Merton?**

The total spending power of families with at least 1 Disabled person is estimated at £274 billion a year (Scope). Ensuring accessible toilets are available in town centres will promote engagement with the local community, build diverse customer bases for local businesses and make Merton a positive example for inclusivity.

**Other comments:**

There is limited awareness around community toilet facilities in Merton.

Disabled people already face a higher cost of living. We would not like to see the introduction of paid accessible facilities in Merton.

Some Disabled people require support when using toilet facilities and accessible toilets within gendered toilet spaces can cause embarrassment if the Disabled person and carer are of different genders.

Accessible toilets can often be left dirty, or used as baby changing facilities or storage places, which is unacceptable.

Toilet facilities at train stations needs to be improved.

## APPENDIX VII



Web: [www.mitthamsociety.org.uk](http://www.mitthamsociety.org.uk)  
Email: [TheMitthamSociety@gmail.com](mailto:TheMitthamSociety@gmail.com)  
Twitter: @MitthamSociety



### **Response to Merton Council Scrutiny Review of public toilet provision**

**March 2023**

1. Mittham Society welcomes this review of public toilet provision in the borough.
2. The call for submissions and online survey responses had this preamble:

*The provision of public toilets meets a fundamental need, yet the subject is hardly ever discussed. This survey aims to find out how the provision of public toilets in Merton affects people in their daily lives, especially older people and those with health conditions requiring more frequent visits to the toilet. The results will be used to review and improve the provision of public toilets in Merton.*

3. Our response specifically relates to public toilet provision in Mittham Village. We include recent history on this matter in the form of the Rediscover Mittham public consultations in 2012 and 2013, and our 2021 walkabout with the Overview and Scrutiny Commission's Repurposing the High Street Task Group and its recommendations to council.
4. Mittham Society continues to be deeply disappointed in the lack of public toilet provision in Mittham Village. Public toilets are a vital part of any thriving hub. If people are to be encouraged to use the village for shopping, socialising, enjoying our green spaces and more, then access to public toilets is a necessity. Not having public

toilets is a deterrent. This is particularly the case for people whose need for toilet facilities is greatest, including some older people, those with young children and some people with disabilities. However anyone can find themselves in need of a public toilet. It is unconscionable to work to promote anywhere as a shopping, cultural and community centre while at the same time ignoring this fundamental fact. A report from the Royal Society for Public Health, [Taking the P\\*\\*\\*](#) explores this in detail. Please read it.

5. A community toilet scheme has operated with varying degrees of success in Mitcham Village, and we do not view such as scheme as a viable alternative to dedicated public toilets. Reasons include:
  - a. We are aware of participating businesses failing to publicise that they are in the scheme, leaving people unaware that toilet facilities are available.
  - b. A community toilet scheme by default only operates when a participating business is open, not when it is closed. Therefore availability is not 24 hours a day, seven days a week.
  - c. Pubs, which are open into the evening, are often cited as viable for community toilet provision. They can provide partial provision, but they do not serve the whole community. Many people find pubs intimidating places to enter, and some will not enter on the grounds of not wanting to enter establishments selling alcohol. Nor are they suitable for people with young children.
  
6. Merton Council is fully aware of the need for freestanding toilets in Mitcham Village. Ten years ago it came up with a costed plan to introduce public toilets here. This was an outcome of the "Rediscover Mitcham" public consultation in which members of the public were asked to comment on various proposals. The public identified public toilets as needed. Merton Council agreed and costed their provision at £50,000. They were then deemed unaffordable and removed from plans. We believe this scrappage to have been a false economy. It is a barrier to achieving a thriving and vibrant Mitcham Village.
  
7. The fact that, ten years on, Mitcham Village still lacks public toilets is more than upsetting. The review creates an opportunity which



should be grasped, and acted upon. Public toilet provision should be made a priority for Mitcham Village.

8. The new public toilets for Mitcham Village should:
  - a. Be free to use. Earlier suggestions from Merton Council have been for a charged public toilet. We strongly object to charging. It is exclusive and creates minimal revenue. Moreover current national trend is for public toilets to be free – to give just one example, Network Rail’s toilets are now free to use.
  - b. Be open and accessible for as many hours as possible with absolutely minimal time closed to the public.
  - c. Incorporate a radar key for disabled use at times when the toilets are closed to the public.
  - d. Include full disabled access facilities.
  - e. Include baby changing facilities.
  - f. Be subject to a rigorous and regular cleaning regime so that they are kept pleasant for people to use.
  - g. Not feature a separate urinal open 24 hours a day seven days a week – if the toilet cubicle facility / accessible toilet / baby changing facility is not open for the same period. We do not support a toilet facility which is discriminatory.

### **Additional information**

9. For context we present two instances in the recent past where the importance of public toilets in Mitcham Village has been recognised but not acted upon. One from 2021/22 and one from 2012/13. We ask that the opportunity to address this necessity is not missed a third time in a little over ten years. Mitcham’s residents and visitors to the village deserve more than to be crossing their legs and crossing their fingers in the hope of being third time lucky.

### **The failure of Rediscover Mitcham to deliver its promise - 2012/13**

10. In November / December 2012 a public consultation took place relating to a range of proposed interventions in Mitcham Village and its surroundings. A second consultation took place in June and July 2013 building on results from the first. In this second consultation document, the following text and image appears on the same page. The text to the left of the toilet image reads:

*“This free standing coin operated facility can offer some toilet provision in the town centre”*

## Toilets

Unfortunately it is not realistic to re-open the toilets in Sibthorpe Road car park nor to provide a new toilet facility on a similar scale. However we recognise that an additional facility, to compliment the existing community toilet scheme, will benefit the town centre and encourage people to stay longer. As such we are proposing a small coin operated toilet with urinal in a central location close to the Fair Green and Market.

1. This free standing coin operated facility can offer some toilet provision in the town centre



11. A [report](#) went to the [Street Management Advisory Committee](#) on 18 September 2013. Our Chair made a representation to this committee. Section 3 of this report contains the Rediscover Mitcham consultation outcomes. Para 3.46, (p21) extract “The earlier consultation in 2012 identified some demand for a toilet facility. This would also correlate with the view that toilet provision can make the town centre a more practically attractive location and also address specific anti-social behaviour issues such as street urination. The location of the toilet, adjacent to the market and main shopping areas, reflects its role not only as a public convenience but also as a contributing factor to the wider regeneration objectives”

12. Section 5 of this report contains proposals, including:

- a. Para 5.15 (p39) “Provide a self-cleaning toilet cubicle with coin operated (20p charge) and radar key access (for disabled people) adjacent to Market Square. It is proposed that initially this facility is open from 08.00 to 18.00 to prevent anti-social behaviour and misuse”
- b. Alongside a photo of the following text:



the character of the Fair Green”

“In response to concerns regarding the aesthetic appeal of the toilet cubicle building, officers would work with the manufacturers to identify a method for “softening” its appearance that best suits

13. Section 7.3 of this report contains costings. The public toilet costing is reported at £50,000 (p53).

## **Overview and Scrutiny Commission Repurposing the High Street Task Group 2021/22**

14. In July 2021 we hosted a walkabout in Mitcham Village to support Cllr Peter Southgate in his work on the Overview and Scrutiny Commission’s Repurposing the High Street Task Group exercise. We invited the members of this task group and other local ward councillors. Along with Cllr Southgate we were joined by Cllrs Alambritis, Macauley and Akyigyina for the entirety of the walkabout. Cllr Owen Pritchard joined briefly. We had a wide-ranging discussion about Mitcham Village and actions which could be taken to make it a more attractive place to visitors. The issue of public toilets inevitably came up, and our visit fed into the final report and recommendations.
15. A [paper](#) went to the [Overview and Scrutiny Commission on 16 February 2022](#). The paper notes in para 2.12 “The high street as a ‘place to dwell’ was a frequent term used in task group deliberations. Many of the conversations focused on how to create the environment for people to socialise in a safe, clean and attractive space.” One of the key points made in this paragraph: “The availability of toilets is also important.”
16. Sadly the recommendations failed to go far enough. Recommendation 5 simply states, “Reinstate the community toilet scheme, and also look at schemes like ‘20p for a pee’ (exemplars in

central London and the royal parks).” We have stated elsewhere that a community toilet scheme is not the solution for Mitcham Village.

## **Committee: Cabinet**

**Date: 18<sup>th</sup> September 2023**

Wards: ALL

## **Subject: Parking IT Systems – Civil Enforcement and Parking Permit Management**

Lead officer: Dan Jones, Executive Director, Civic Pride and Climate

Lead member: Cllr Stephen Alambritis MBE, Cabinet Member for Transport

Contact officer: Rachel Dooley/Mark Lawton

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### **Recommendations:**

- A. That Cabinet delegates authority to the Executive Director of Environment, Civic Pride & Climate, in consultation with the Cabinet Member for Transport, for the award of the Parking IT Systems - Civil Enforcement and Parking Permit Management, to maximise contract mobilisation time.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

1.1. The report sets out the basis for this report and recommendations. The Gateway 1 report was signed off by Legal, Finance and Commercial Services and has been approved for commissioning by the Procurement Board on 28<sup>th</sup> July 2023.

## **2 DETAILS**

2.1. The contracts for the current two independent systems are due to terminate at the beginning of July 2024. Both contracts have been extended to their maximum period via a Gateway 3 report. Parking Services is responsible for several parking functions all of which are delivered in-house. This project is crucial to the functioning of the service.

2.2. The aim is to procure a sole provider to deliver a single web-based solution to manage both the Civil Enforcement (the issuing and administration of traffic and parking Penalty Charge Notices) and parking permit management, under the ESPO Parking Management Solutions Framework ref: 509\_23, Lot 4 Civil Enforcement Systems.

2.3. The ESPO 509\_23 framework provides the quickest and simplest route, with the leading established suppliers in the market (as listed above in section 7). Lot 4: Civil Enforcement Systems covers comprehensive civil software and associated services to assist enforcement under the Traffic Management Act 2004 (TMA) and other similar legislation. Lot 4 is specifically designed to include the administration and processing of PCNs and the issuing and management of permits. It should be noted that the previous ESPO framework expire March 23 and the new framework (which only had 4 suppliers, only 2 of which could meet our requirements were published) did not go live until 12<sup>th</sup> May 2023 and then subsequently updated with the full list of suppliers (9 suppliers) in June 2023.

2.4. The new contract will be for a term of 9 years with a no-fault break clause from year 5.

2.5. The Civil Enforcement system will manage all aspects of on and off street PCN enforcement (which includes parking contraventions, bus lane contraventions and moving traffic contraventions). This includes the issuing of a PCN by hand by a patrolling Civil Enforcement Officer (CEO), and the issuing of PCNs by post for traffic offences and bus lane contraventions. The system will also allow the processing of PCNs through statutory timescales, whilst making provision for cases to be paid and settled, challenged, representations to be considered and appeals to the adjudicator and the progression and assignment of an unpaid charges to be registered with the Traffic Enforcement Centre at Northampton County Court and recovered where appropriate by Enforcement Agents.

2.6. The parking permit management system will have the ability to issue 'virtual' parking permits and ability to improve the online self-service functionality. Virtual permits are held electronically and are checked by Civil Enforcement Officers (CEOs) using their hand-held devices. Parking permits are issued borough wide allowing motorists to park in suitable bays, or access areas at restricted times, while updating enforcement software so those with valid permits do not receive PCNs.

### 3 ALTERNATIVE OPTIONS

3.1. The alternative options are as follows:

OPTIONS	ADVANTAGES	DISADVANTAGES
Pre-agree authority to be delegated to the Director and Lead Member	- Maximise the mobilisation period for implementation. This will result in an additional 5 weeks for mobilisation.	- none
Follow standard process for delegated authority.	- None	- lose an additional 5 weeks or more for mobilisation.

### 4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None required.

### 5 TIMETABLE

5.1. The timetable is as follows:

Activity	Weekday	Start Date
Submit GW1 Report to Procurement Board	Wednesday	12/07/2023
Procurement Board	Tuesday	18/07/2023
Publish decision to Corporate Forward Plan (latest date)	Friday	13/10/2023
<b>Submit report to Leaders Strategy Group</b>	<b>Wednesday</b>	<b>30/08/2023</b>
<b>LSG</b>	<b>Monday</b>	<b>04/09/2023</b>
<b>Submit report to Cabinet</b>	<b>Friday</b>	<b>08/09/2023</b>
<b>Cabinet</b>	<b>Monday</b>	<b>18/09/2023</b>
<b>Call in period</b>	<b>Tuesday</b>	<b>19/09/2023</b>
Issue Contract Notice & procurement docs	Friday	29/09/2023
Clarifications received by	Friday	13/10/2023
Tender Submission Period	Friday	29/09/2023
Evaluation of Bids and Presentation (if required)	Friday	27/10/2023
Recommendation of Award Report	Friday	01/12/2023
Submit Award Report to Procurement Board	Wednesday	01/12/2023
Procurement Board	Tuesday	19/12/2023
Intention to award letters sent to Bidders	Wednesday	20/12/2023
Standstill Period	Wednesday	20/12/2023
Confirmation of Award letters sent to Bidders	Tuesday	02/01/2024
FTS Contract Award Notice/Contracts Finder Notice/Add to Contracts Register	Tuesday	02/01/2024
<b>Mobilisation/handover Period Begins</b>	<b>Tuesday</b>	<b>02/01/2024</b>
Service Starts	Monday	03/07/2024

5.2 As per the timetable above, the mobilisation/handover period begins on 02/01/2024, which would provide an additional 5 weeks to complete the mobilisation. Without the pre-delegated authority, the mobilisation would not be able to commence until 07/02/24.

5.3 Six months implementation time would be considered a minimum period for testing and implementing IT systems. Therefore, the pre-delegated authority will allow for this time.

## 6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. The Steering Group (with representatives from all relevant areas) and Project team have already been established. Fortnightly meetings are currently held which will be expected to reduce to monthly as the project develops. The MAP documentation is completed accordingly.

- 6.2. A capital budget of £658k which sits within the Business Systems Team has been secured for this project. Specifically, the Capital Budget covers the re-procurement of the PCN Solution and Permit Solution which Cashless Parking is part of under the current contract.
- 6.3. Indicative supplier costs show that capital spend is expected to be between approximately around £90k - £200k.
- 6.4. The Business Systems Team (BST) has responsibility for the annual support and maintenance budget for the Parking systems. The BST annual revenue budget for the Permit system is currently £42,140; and PCN system - £87,599. For 2022/23, these costs increased, and the shortfall was made up by Parking Services from an underspend on other expenditure. In 2022/23 this was resolved via a virement from Parking Services of £7,800.
- 6.5. There is likely to be a further need for an increase to the annual revenue budget for this, as the soft market testing highlighted a significant increase in revenue costs over the life of the proposed new contract.
- 6.6. The indicative costs from the eight suppliers on the ESPO framework show that ongoing revenue costs for the proposed 9 years contract period, could range between approximately £1.7mil - £6.5mil depending on the various suppliers therefore further increasing the revenue shortfall. Indicative costs have been sought from supplier pricing schedules on the ESPO framework. However, until the Procurement takes place and bidders provide their proposed costings it is not known exactly how much future revenue costs will be. Please see Appendix 1. below for comparison of potential new suppliers and indicative revenue shortfall over the contract period and annually.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The ESPO framework 509\_23 is live and provides a compliant route to market for the Council in accordance with the Council's Sourcing Strategy as detailed in CSO12.2 and CSO18.2.1.
- 7.2. The framework provides for further competition the most appropriate supplier and the Council will need to comply with the requirements set down in the framework and record its compliance with the requirements contained therein.
- 7.3. Post-contract award this Call-off Contract will need to be noted on the Council's Contract Register and the usual contract award notice needs to be published on Contracts Finder (in compliance with CSO 20.3 and 20.4).

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. None

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**



10.1. None

**11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE  
PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

11.1 Appendix 1. Indicative Supplier Costs

**12 BACKGROUND PAPERS**

12.1. None

## Appendix 1. Indicative Supplier Costs

SUPPLIER	1	2	3	4	5	6	7	8	9
<b>BST current annual revenue budget for Parking systems</b>	£129,739	£129,739	£129,739	£129,739	£129,739	£129,739	£129,739	£129,739	N/A
<b>BST budget for 9 years</b>	£1,167,651	£1,167,651	£1,167,651	£1,167,651	£1,167,651	£1,167,651	£1,167,651	£1,167,651	N/A
<b>Supplier indicative revenue costs for full 9 years</b>	£1,650,000	£2,759,777	£2,979,540	£3,115,147	£3,402,000	£4,253,400	£5,699,974	£6,439,650	N/A
<b>Revenue budget shortfall for full 9 years</b>	£482,349	£1,592,126	£1,811,889	£1,947,496	£2,234,349	£3,085,749	£4,532,323	£5,271,999	N/A
<b>Average revenue budget shortfall per annum (over the 9 years)</b>	£53,594	£176,903	£201,321	£216,388	£248,261	£342,861	£503,591	£585,778	N/A

## **Committee: Cabinet**

**Date: 18 September 2023**

Wards: ALL

## **Subject: Procurement Approach for Carers Services**

### **Lead Director:**

John Morgan, Executive Director, Adult Social Care, Integrated Care and Public Health

Jane McSherry, Executive Director, Children's, Lifelong Learning and Families

**Lead member:** Councillor Peter McCabe, Cabinet member for Health and Social Care

### **Contact officers:**

Heather Begg, Commissioning Officer, Adult Social Care

Mellisa Stewart, Commissioning Manager, Children's, Lifelong Learning and Families

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### **Recommendations:**

- A. That Cabinet approves the procurement approach for the provision of Carers Services for adult carers of adults. The contract term is for 5 years (April 2024 to March 2029) with an estimated contract value of £1,700,000.
  - B. That Cabinet approves the procurement approach for the provision of assessment and support packages to meet the specific needs of young carers aged 5 to 18 and their families in Merton on a term of 5 years, (April 2024 up to March 2029), with an estimated total contract value of £375,000.
  - C. That Cabinet approves that authority for the award of contracts and any consequent extension provision be delegated to the Executive Directors of Adult Social Care, Integrated Health and Public Health and Children's, Lifelong Learning and Families (CLLF) through the Departmental Procurement Groups.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

1.1 Merton aims to improve outcomes for carers needing care and support as defined in the Care Act 2014, the Children and Families Act 2014 and the Merton Carers Strategy 2021-2026. The Carers Service will link to the Council 3 key priorities of nurturing Civic Pride, building Sustainable Communities by improving carers resilience and to support carers to be more active to improve their wellbeing as part of making Merton a Borough of Sport.

1.2 Adult Social Care (ASC) has a duty under section 10 of the Care Act 2014 to undertake an assessment of any carer who appears to have any level of need for support. The Children and Families Act 2014 gives young carers and young adult carers in England a right to a carer's assessment and to have their needs met (if the assessment shows this is needed).

- 1.3 NHS England define a carer as follows: “A carer is anyone, including children and adults who looks after a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support. The care they give is unpaid”.
- 1.4 A Young Carer, (YC), is defined in section 96 of Children and Families Act (2014) as: “A person under 18 who provides or intends to provide care for another person (of any age, except where that care is provided for payment, pursuant to a contract or as voluntary work)”. This relates to care for any family member who is physically or mentally ill, frail, elderly, disabled or misuses alcohol or substances. It also applies to young adult carers up to 25 and the transition from children’s services to adult care and support.
- 1.5 Merton has seen a growth in demand for carers and young carers support over the last 10 years and the Covid 19 pandemic has adversely impacted many carers in our communities. The Council recognises the importance of working closely with its partners and the community and voluntary sector in responding to the needs of carers to ensure that we are appropriately supporting carers to maintain their health and wellbeing whilst continuing in their caring role.
- 1.6 The caring relationship can be rewarding, give a sense of purpose and increase closeness with a loved one. However, caring can also be challenging with some carers experiencing stress, social isolation, financial hardship, ill health and minimal time for themselves. Building resilience in carers relies on having informal and local support when they need it and knowing where to access help when needed.
- 1.7 Merton Council intends to commission services for adult carers of adults and young carers in Merton and will adopt the key principles and learning from the Merton Carers Strategy and 'Merton Building a Better Merton Together' Plan. Adult Social Care and Childrens departments are proposing to align their commissioning and procurement approach and will follow the same timeline to commence services for Carers in April 2024. It is proposed that there will be 2 lots, which will result in 2 specifications and 2 contracts. A business case (gateway one report) has been approved by the Departmental Procurement Group and the Procurement Board in July 2023 to proceed to Cabinet.

## **2 DETAILS**

### **2.1. LOT 1 Services intentions supported by recommendations:**

- 2.2. The Carers Services will provide preventative services to prevent, reduce and delay carers needs from increasing. The Carers Services aims to support Adult Carers (people over 18 caring for another adult) in Merton to access a range of interventions, assessments, support plans, reviews in accordance with the Care Act, information and advice, case work and support access to activities, training, workshops and events to assist carers in their caring role.
- 2.3. A review of the future approach and benchmarking exercise has now been completed and following approval at DMT on the 6 July, it has been agreed to go out to tender for Carers Services as a key part of Merton’s Prevention agenda.

- 2.4. A review of current and future carers pathways is underway and led by the Head of Integrated Learning Disability Service and reports to the Carers Strategy Implementation Board. This review aims to provide clarity on carers support service processes and equality of access to services and support. Therefore, this service will be looking at creative and innovative ways to support carers, developing an integrated approach to recording statutory requirements and taking an appropriate and proportionate approach to ensure more carers receive the support that they need.
- 2.5. The service specification will be developed in line with statutory guidance, legislation and local strategic documents. Please see appendix 2 for service objectives and outcomes. The Carers Service will work to deliver the key themes of the Merton Carers Strategy:
- 2.5.1 Identification and Recognition of Carers
- 2.5.2 Health and Wellbeing of Carers
- 2.5.3 Realise and Release potential of Carers
- 2.5.4 A life alongside Caring
- 2.6. **Lot 2: Service intentions supported by recommendations**
- 2.7. Merton ensures young carers can exercise their right to an assessment and support packages by commissioning Carers' Support Merton to conduct the assessment of children and young people, (CYP), aged 5 – 18 years old and to produce and/or deliver packages of support that meet need identified as a result of said assessments.
- 2.8. The current 7 month waiting time for an in-person assessment is not aligned to Merton's commitment to young carers. CSM cite their inability to adequately staff the service within contract value as a reason for the waiting time and have adapted practice to mitigate this issue.
- 2.9. Following consultation with Children's Social Care staff, (Head of Service, Family Support/Safeguarding, Children with Disabilities, SWIS & Workforce Development), it was felt that the volume of YC known to social care who wish to access support delivered by CSM is low.
- 2.10. Children's Social Care have requested the service is recommissioned for delivery from April 2024 on a like for like basis with some changes to referral practices and with the inclusion of actions from the joint carers' implementation plan:
- To support the development of procedures and practices for schools to use when presented with a young carer
  - To support the development of referral pathways into services from Adult Services, Schools and Children's Services and to provide subsequent training.
  - To support the implementation of a young carers forum to oversee the development of services and strategies.
- 2.11. The service intention is to ensure that we continue to make available services that fulfil our statutory duties to YC and that also:

- reduces the waiting time between referral and assessment.
- better prioritises need as schools become better placed to identify and address low level need.
- Deliver on key commitments articulated in the joint Carers' Implementation Strategy.

### **3 ALTERNATIVE OPTIONS**

3.1. **Do not commission any provision:** The advantage would be initial cost and resource avoidance and all statutory duties provided in house could provide full control of processes and statutory duties. However, failing to ensure support available to all carers would increase the risk to some of our most vulnerable carers. This option would create a significant increase in waiting times for support, assessments in Childrens and Adults Social Care and Mental Health Community Services and there would be no added value of early intervention and one-stop shop for advice and support via a carers service.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. There has been extensive consultation and engagement with carers on the development and implementation of the Carers Strategy. It is proposed that as part of the commissioning plan for carers services, proposals on carers services will be discussed and feedback has been sought from carer peer support groups including those at Carers Support Merton, Merton Mencap, Alzheimer's Society and other stakeholders that support carers to help inform the specification for Carers Services.

4.2. Market warming events have been organised for potential providers and were well attended. Information on the proposal has been sent to providers unable to attend events.

### **5 TIMETABLE**

5.1. Detailed below is the indicative timetable for commissioning and procuring carers services. This includes a three-month mobilisation period. For a more detailed timeline, please refer to appendix 1.

Invite to Tender	September 2023
Evaluation of submissions	October 2023
Contract Award Approval	November 2023
Notify bidders of outcome	December 2023
Contracts award	December 2023
Mobilisation	January 2024-March 2024
Contract Start Date	1 April 2024

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. The services subject to Lot 1 in this report are funded by existing grant funding within the core budget and additional funding via the Clinical Extremely Vulnerable Government Grant and the ASC Hospital Discharge fund. A proposed break clause will be added to the 5-year contract after 2 years to review funding, as the hospital discharge fund is allocated for the next 2 years (24/25 and 25/26). The current carers service has received £276,219pa since 2016, and has received additional capacity funding for the past 3 years. This report proposes a slight increase to the core budget at an estimated £340,000pa. If the overall budget is reduced, then there will be significantly fewer assessments completed and waiting times for assessments will increase.
- 6.2. The services subject to Lot 2 in this report are funded by grant funding from the Centralised CLLF Commissioning Budget. The annual allocation is sufficient to cover the annual cost of this recommendation. The total annual costs over the contract term will remain at £75,000.00 which is no change from the current financial year so there is no financial impact forthcoming from this contract.
- 6.3. If the recommendation made in the report is agreed, the commissioning process will be fully informed by a delivering better value for Merton's carers.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. Key local and national strategies, frameworks, and legislation that have informed the commissioning requirements for Carers Services include:
- Care Act 2014.
  - Children's and Families Act 2014
  - The Equality Act 2010
  - Mental Capacity Act 2005
  - Human Rights Act 1998
  - Data Protection Act 2018
  - Public Services (Social Value) Act 2012
- 7.2. The contract and recommendation subject to this report support fulfilment of our statutory obligations and achievement of organisational commitments articulated in several key corporate and departmental strategies including but limited to Merton's:
- Special Educational Needs strategy
  - Building a Better Merton Together
  - Merton Carers Strategy 2021-2026
  - Young Carer's Strategy
- 7.3. The Carers Service will have a key role in the implementation of the Carers Strategy and will work with a range of partners including the officers across

different departments in the Council, ICB, NHS, MH Trust and VCS to support the delivery of the key priorities highlighted by carers in Merton.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. As part of this work, the Equalities Analysis will be developed to determine the potential positive and negative impact protected characteristics. If any negative impact is identified, a mitigating action plan will be developed.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None specific to this report. The proposals in this report do not have a direct crime and disorder impact; however, they will contribute to an inclusive and cohesive society and improve the resilience of vulnerable residents.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. Risk of compliance with the Care Act 2014 regulations. - Maintaining staff competency especially associated with legislative requirements around ensuring assessments are evidence based, care act compliant and legally defensible may be at risk due to lack of financial resources to fund and embed training and ensuring assessments are consistent across all teams and external providers.
- 10.2. Risk to service improvement and delivery - Risk of not fulfilling the ambition of creating a more responsive, efficient, and effective organisation, which improves performance and service user / customer satisfaction through an agile working programme.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

Appendix 1: Procurement Timetable.

Appendix 2: Key objectives and outcomes for the Lot 1 carers service.

Appendix 3: Lot 2: Current contract details

## **12 BACKGROUND PAPERS**

N/A



## Appendix 1: Procurement Timeline:

Action	Duration	Period
Prepare GW1 and business case DMT report	2 weeks	15/06/23-29/06/23
<b>Present GW1 report to DPG for procurement approval</b>	<b>1 day</b>	<b>5 July 2023</b>
<b>GW1 Business Case approval by DMT</b>	<b>1 day</b>	<b>6 July 2023</b>
<b>Presentation of Gateway 1 Report Procurement Board Meeting</b>	<b>1 day</b>	<b>18 July 2023</b>
Notify existing providers of procurement intentions	1 day	19/07/23
Market Warming Events	2 weeks	1/08/23-14/08/23
Prepare tender documents (including specification, Method Statements, Evaluation Matrix, ITT instructions, Pricing Schedule, terms and conditions, Receive TUPE information from current providers etc)	6 weeks	20/07/23-31/08/23
Add to forward plan	1 day	18/08/23
Present to LSG	1 day	04/09/23
Present to Cabinet	1 day	18/09/23
Invite to Tender	4 weeks	21/09/23-20/10/23
Evaluation of submissions	3 weeks	23/10/23-31/10/23
Prepare GW2 Contract Award Report and add decision to forward plan	1 day	31/10/23
<b>Presentation of Gateway 2 Report to DPG</b>	<b>1 day</b>	<b>1/11/23</b>
<b>Presentation of Gateway 2 to LSG</b>	<b>1 day</b>	<b>16/11/23</b>
<b>Presentation of Gateway 2 Report Procurement Board Meeting</b>	<b>1 day</b>	<b>21/11/23</b>
Submit GW2 Contract Award Report to Director	1 Day	22/11/23
<b>Contract Award Approval</b>	<b>1 week</b>	<b>23/11/23-30/11/23</b>
Notify bidders of outcome	1 day	1/12/23
Standstill period	10 days	1/12/23–15/12/23
<b>Contracts award</b>	<b>1 day</b>	<b>18/12/23</b>
Mobilisation (Lead in period)	3 months	1/01/24 – 31/03/24
Contract Start Date		<b>1/04/24</b>

## **Appendix 2: Key objectives and outcomes for the Lot 1 carers service.**

### Lot 1 Service Objectives:

- Provide a point of contact for carers that can prevent, reduce or delay the need for health and social care services, by focusing on enabling people to do things for themselves by building new and strengthening their existing networks and partnerships.
- Supports carers to complete carers assessments, carer reviews and support plans and record on Merton Council's Electronic Record Management System in line with the Care Act (2014).
- Via support planning process recommend one off support such as carers discretionary grant (to be distributed by the Council), or ongoing community-based support such as a direct payment.
- To support adult carers of adults over the age of 18 who live in Merton and / or caring for someone who lives in Merton and where young carers are identified to adopt a whole family approach and refer to the relevant agency.
- To support all adult carers of people with learning and physical disabilities, mental health and substance misuse issues, older people, people with long term conditions and people with Dementia.
- To ensure that the service seeks to address inequalities and ensure support is accessible for all adult carers of adults.
- Work with partners including health, adult social care, VCS and universal services to strengthen the wider community approach across Merton to improve carers wellbeing, maximise independence and help people live the fullest life possible.
- To support Carers with the prevention of admission and hospital discharge process.
- To support young carers and parent carers through their transition into Carers Services of Adults where required.
- Enable a greater focus on prevention, early intervention and support for self-care through promoting self-management at the earliest opportunity and link to the wider prevention agenda across Merton to provide holistic support.
- Seek creative and innovative solutions, which draw upon family and community networks not reliant on health and social care services, enabling carers to support their loved ones to stay as independent as they can be.
- To support carers of adults to understand their rights, entitlements and financial support available to support with their caring role.
- To be flexible, creative and innovative in how to support carers, including making best use of technology and online information, advice and guidance.
- Provide a platform for volunteers to seek opportunities and compliment the carers service.

## Lot 1 Carer Service Outcomes:

- **Choice and Control**-carers are enabled to make informed decisions about their lives and have a voice in the development of carers services.
- **Wellbeing**-Carers are supported to optimise their quality of life and well-being in a way that is personalised to them so they can continue to be effective in their role as a carer for as long as it is right for them.
- **Prevention**-Carers are supported to plan for their lives and consider their health and social care needs to support them in their caring role.
- **Social Capital**-Carers make best use of universal services, volunteers and other resources available to them to have a life alongside caring.
- **Independence**-Carers can live an independent life and less dependent on statutory services.
- **Value for money**-the service can evidence value for money.
- **Social Value**-The service can demonstrate how it meets the principles of the Social Value Public Services Act.

### Appendix 3: Lot 2: Current contract details

The current contract held by Merton's Children, Lifelong Learning and Families Department, (CLLF), and Carers' Support Merton, (CSM), commenced in April, 2017.

It was informed by previous contracts issued to CSM to deliver the same provision and the contract requirements have not changed significantly since the original version issued in 2009 and have remained virtually unchanged since the contract issued in 2013.

1.1 The current contract issued in 2017 requires CSM work with up to 120 CYP a year to:

- Assess all young carers referred in line with the Children and Families Act (2014) where assessments will include an analysis of whether it is appropriate for the young carer to provide, or continue to provide, care for the person in question, in the light of the young carer's needs for support and other needs and wishes.
- Give full considerations to Young Carers undergoing transitional arrangements (aged 18 and over) that are transferring to adult services or other appropriate services ensuring that assessments will also adhere to the Care Act (2014) (as amended).
- Produce and co-ordinate and/or deliver individual support packages directly informed by outcomes of assessments ensuring the support offered is delivered in line with priority outcomes as defined in the Carer's Strategy.

1.2 In the fulfilment of this contract, CSM support Merton to meet our statutory obligation and commitment to ensure that CYP aged 5 – 18 years old with caring responsibilities are able to:

- identify themselves/be identified as carers at an early stage,

- recognise the value of their contribution and to involve them from the outset both in designing local care provision and in planning individual care packages.
- fulfil their educational and employment potential.
- have a family and community life.
- remain mentally and physically well.

1.3 CYP can self-refer or be referred by services or individuals.

1.4 Between 2021/22 and 2022/23 the % of referrals from social care remained stable at circa. 26% of all referrals. In the same period, the % of referrals from schools reduced by more than half.

1.5 While the reasons for the reduction in referrals from schools are likely to be varied, anecdotal evidence from schools and CSM suggest that factors may include:

- Schools require additional support and training to correctly identify young carers
- The circa. 7 month waiting time for an in-person assessment may deter both self-referrals from young carers seeking help and referrals from education professionals supporting them to access help, from engaging with CSM
- Universal and targeted support services are more readily available online due to changes in delivery methodology resulting from Covid and this approach may make them more attractive to CYP.

## CABINET 18 September 2023

### Subject: Financial Approvals

Lead Officer: Roger Kershaw  
Lead Member: Councillor Billy Christie

### Recommendations:

A. That Cabinet approve the adjustments to the Capital Programme in the Table below:

	Budget 2023-24	Budget 2024-25	Budget 2025-26	Budget 2026-27	Narrative
	£	£	£	£	
<b><u>Finance &amp; Digital</u></b>					
Clarion CPO	(12,088,650)	1,212,820		1,230,000	Re-profiled in accordance with projected spend £5.8m to 27-28
<b><u>Children, Lifelong Learning &amp; Families</u></b>					
West Wimbledon- Capital Maintenance	35,960				Virement from the Unallocated Maintenance Budget
Dundonald - Capital Maintenance	7,720				Virement from the Unallocated Maintenance Budget
Pelham - Capital Maintenance	(8,190)				Virement to the Unallocated Maintenance Budget
Liberty - Immersive Learning Centre	(11,710)				Scheme complete Budget Release back to NCIL
Lonesome - Capital Maintenance	(8,440)				Virement to the Unallocated Maintenance Budget
William Morris - Capital Maintenance	47,360				Virement from the Unallocated Maintenance Budget
Unallocated Primary School - Capital Maintenance	(168,410)				Net Budget Adjustments after Virements
Perseid Lower - Capital Maintenance	94,000				Virement from the Unallocated Maintenance Budget
<b><u>Environment, Civic Pride &amp; Climate</u></b>					
On Street Parking - P&D - ANPR Cameras	(150,000)	150,000			Reprofiled in accordance with projected spend
Highways & Footways - Pollards Hill Cy & Active Travel	(200,000)	200,000			This was programmed for Q4 23/24. Walking and Cycling Strategy will complete in Jan: Capital projects to follow on afterwards but expected to be in 2024/25
Parks Investment - Martin Way - Greener, Brighter & Revitalised	93,840				£60k vired from Civic Pride to top up NCIL budget of £23,840
Parks Investment – Abbey Rec	(7,470)				NCIL Budget Transferred to Revenue
<b><u>Housing &amp; Sustainable Development</u></b>					
Mitcham Area Regeneration - Pollards Hill Bus Shelter	(300,000)	300,000			Civic Pride Reserves (revenue) allocated to create staff resource to run the project. Capital spend will be later once project has re-established. Re-profile capital (CIL) spend to 2024/25 onwards
Morden Area Regeneration - Crown Creative Knowledge Exchange	80,000				Vired for shop front element of scheme
Borough Regeneration - Shop Front Improvements	(60,000)	(80,000)			Budget reprofiled and vired to Morden Knowledge Exch.
<b>Total</b>	<b>(12,643,990)</b>	<b>1,782,820</b>	<b>0</b>	<b>1,230,000</b>	

B. That the School Capital Maintenance Budget is treated as one budget for financial management, reducing substantially the level of formal approval required for budget virement sign off to provide valuable historic information whilst allowing for effective budget management. This item will also be reported to Council

C. That Cabinet approve transfers from CLLF reserves:

£240,000 to Early Years - ringfenced funding for transforming families' programme.

£247,861 to Early Years - ringfenced funding for transformation hubs.

D. That Cabinet approve the transfer of £162,796.37 of the 'Your Merton' balance currently held in the 'Civic Pride' reserve fund, to be spent by Environment, Civic Pride and Climate department in 2023/24.

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## **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 This report is to request Cabinet approval for budget adjustments which ordinarily would be recommended as part of the financial monitoring reports. Financial monitoring is now reported quarterly to Cabinet, therefore this request is to avoid delay in the request and approvals process.
- 1.2 The next financial monitoring report due to Cabinet will relate to quarter 2 and is due to Cabinet in November 2023.