

## **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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