

AGENDA 10, Enc vi) Public Toilet Provision - Station Road Facilities

1. Background

At the last Finance and General Services Committee meeting, it was agreed that the matter of public toilets would be added to the agenda for this meeting. This report has been prepared to facilitate a discussion on whether the Council is motivated towards taking on the management of the existing public toilets on Station Road from Northumberland County Council (NCC), should they be offered for asset transfer.

2. Current Status

The Station Road public toilets are currently operated by NCC. They have been identified as being in a poor condition and require substantial upgrade works. That being said, it is important to note that NCC have not initiated a discussion on the transfer of these toilets, neither have they indicated they are under any threat of closure.

It should be noted clearly that this discussion is about whether ATC would be motivated towards managing them if they were transferred to us. The focus is on taking responsibility for this asset if it is considered the Town Council should prioritise this service and asset based on its importance to our residents and visitors.

3. Legal Context

There is **no statutory duty** on local authorities to provide public toilets. The Public Health Act 1936 gave local authorities permissive powers to provide public conveniences, but this was repealed by the Public Health Act 1961, which re-enacted these as discretionary powers under sections 87 and 88. The Local Government (Miscellaneous Provisions) Act 1976 further amended these provisions. Essentially, the provision of public toilets is entirely discretionary, which is why many principal authorities have sought to transfer facilities to Town and Parish Councils or close them entirely.

4. Experience from Other Town and Parish Councils

Across Northumberland and the wider country, some Town and Parish Councils have taken on the management of public toilet facilities following transfer from principal authorities. This approach reflects a growing trend where local councils have stepped in to protect valued community facilities from closure and to improve standards through local oversight.

Prudhoe Town Council successfully took on public toilets under similar circumstances. During the Executive Officer's time leading this transfer, NCC provided capital funding to refurbish the facilities to a good standard before transfer, enabling the Town Council to then manage and maintain them to a higher and more locally responsive standard. This model proved effective in protecting a valued community asset while ensuring the financial burden on the local council was manageable.

5. National Context

The National Association of Local Councils (NALC) has recently teamed up with the British Toilet Association (BTA) to launch a national survey to find out parish and town councils' experiences with public conveniences they currently manage or may manage in the future. This initiative

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recognises the growing role of local councils in public toilet provision and seeks to gather evidence to support best practice and inform policy development across the sector.

6. Due Diligence and Feasibility Considerations

Should the Council wish to pursue this option, there would be significant implications that would need to be fully investigated prior to any formal decision.

Ongoing Investment Required

What would be the annual revenue cost and how would this be funded? Would it require an increase in precept or reallocation of existing budget? What are the longer-term financial projections?

- Regular cleaning and maintenance
- Utilities (water, electricity, heating)
- Repairs and replacements
- Insurance and security

Does the Council have sufficient staff capacity to manage this additional responsibility, or would additional staffing/contracted services be required? How would this fit with existing workloads and priorities?

- Staff time or contracted services to manage and monitor the facilities

Capital Investment from NCC

A full structural and mechanical survey would be needed to understand the true condition and identify all necessary works before transfer. Based on the experience at Prudhoe Town Council, it would be appropriate for NCC to make the capital investment necessary to bring the toilets up to a good standard before any asset transfer and transfer of responsibilities takes place. The Executive Officer would recommend that this be established as a condition for any conversations, ensuring that the Council is not taking on a facility requiring immediate substantial expenditure. This approach has proven successful elsewhere and enables the receiving council to focus resources on ongoing maintenance rather than major refurbishment.

Feasibility Considerations

Before any commitment could be made, the Council would need to consider:

- Does taking on public toilets align with the Council's vision and priorities? Is this the best use of Council resources compared to other community needs?
- What are residents' views on the Council taking on this responsibility? Is there strong public support for maintaining these facilities?
- Understanding all legal responsibilities, liability issues, compliance requirements (health and safety, disability access, building regulations), and insurance costs.
- Consideration of anti-social behaviour risks, vandalism potential, safeguarding issues, and how these would be managed and monitored.

These considerations would need to be worked through systematically..

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7. Benefits to the Community

Public toilets are highly valued by:

- Residents, particularly older people, families, and those with health conditions
- Visitors and tourists to the town
- Local businesses benefiting from increased footfall

Well-maintained facilities:

- Support local economic vibrancy
- Enhance the town's reputation
- Promote inclusivity and accessibility
- Demonstrate civic pride and community care

8. Next Steps

No decision or commitment is being sought at this stage. The purpose of this discussion is to gauge:

1. Whether the Council is motivated in principle towards taking on this responsibility.
2. What the Council's priorities would be in any such arrangement.
3. Whether further exploration of this option should be pursued.

Only once the feelings of the Council on this matter are clear would the Executive Officer make any formal enquiries to NCC regarding potential terms of transfer, including the requirement for capital investment prior to any agreement. All due diligence and feasibility considerations would follow.

9. Recommendation

Cllrs are invited to discuss and indicate whether they wish to:

- a) Express interest in principle in taking on the Station Road public toilets, subject to satisfactory terms including full capital refurbishment by NCC prior to transfer; or
- b) Decline to pursue this option at this time; or
- c) Request further information before forming a view