



Committee: OVERVIEW AND SCRUTINY COMMITTEE

Date: MONDAY, 30 NOVEMBER 2009

Venue: MORECAMBE TOWN HALL

Time: 5.00 P.M.

Councillors are reminded that as Members of overview and scrutiny they may not be subjected to the Party Whip, which is prohibited under the Lancaster City Council Constitution.

A G E N D A

This meeting has been summoned on the grounds of urgency in accordance with Section 100 A (6) of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985 and is urgent by virtue that a meeting of the Overview and Scrutiny Committee to consider the Call-in is required within 10 working days of acceptance of the Call-in as set out in the Council's Constitution.

1. **Apologies for Absence.**
2. **Declarations of Interest**
3. **Request to Call-in Cabinet Decision - Options for Public Toilet Provision in the District from 2010/2011 - Cabinet Minute 81 (Pages 1 - 16)**

The Cabinet decision on Options for Public Toilet Provision in the District from 2010/11 (Minute 81) taken by Cabinet on 10th November 2009 has been requested to be called in by Councillors Roe, Histed and Bray (Overview and Scrutiny Committee Members) and Councillors Fishwick and Johnson. This request was subsequently agreed by the Chief Executive. The decision has been called-in in accordance with Part 4, Section 5, Sub-section 16 of the Council's constitution.

Councillors Roger Mace (Chair of Cabinet for Item 81), Jon Barry (Cabinet Member with responsibility for City Council (Direct) Services and Peter Loker (Corporate Director (Community Services) have been invited to attend to outline the basis on which the decision was made.

- Call-in Procedure
- Call-in Notice
- Report to Cabinet
- Cabinet Minute Extract

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors John Gilbert (Chairman), Susan Bray (Vice-Chairman), Val Histed, Karen Leytham, Roger Plumb, Bob Roe, Roger Sherlock, Jude Towers and Morgwn Trolinger

(ii) Substitute Membership

Councillors Tina Clifford (Substitute), John Day (Substitute), Jean Dent (Substitute), Sarah Fishwick (Substitute), Mike Greenall (Substitute), Emily Heath (Substitute), Andrew Kay (Substitute), Sylvia Rogerson (Substitute) and Rob Smith (Substitute)

(iii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Services - telephone (01524) 582047 or email ebateson@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on 23rd November 2009.

EXTRACT FROM THE CONSTITUTION

**Part 4 – Rules of Procedure,
Section 5 – Overview and Scrutiny Procedure rules,
Sub-section 18 – Call-in Procedure.**

Call-in Procedure

In considering a Call-in decision the following procedure will be followed:

- The Councillors who have made the Call-in request (who shall be seated together) will outline the reasons for the Call-in;
- The relevant decision-maker(s), with support from the appropriate officer(s) (who shall be seated together), will outline the reasons for their decision and the issues that they took into account;
- Councillors who are signatories to the Call-in request will have the opportunity to question the decision-maker;
- Other Members of the Overview and Scrutiny Committee will have the opportunity to question the decision-maker;
- At the discretion of the Chairman, other Members present may have the opportunity to question the decision-maker;
- Before forming a decision, the Chairman may decide to adjourn the meeting in order to allow the Call-in signatories to reflect on the evidence received and to consider any recommendations they wish the Committee to consider.
- The meeting then moves to forming a decision in accordance with the Council Procedure Rules.

REQUEST FOR CALL-IN

This form is to be used when calling in a decision taken by the Cabinet, an Individual Member of the Cabinet or a committee of the Cabinet, or a key decision made by an officer with delegated authority from the Cabinet, or under joint arrangements. The full procedure is set out in paragraph 16, Part 4, Section 5 of the Constitution and page 53 of the Handbook.

ITEM TO BE CALLED IN:	
PUBLIC TOILET PROVISION, ITEM 81	
DATE DECISION TAKEN: <u>10/11/2009</u>	
DECISION TAKEN BY:	Tick
Cabinet	x
Individual Member of Cabinet (please state) Councillor Barry	
Committee of Cabinet (please state)	
Key Decision by Officer with delegated authority (please state)	
Joint Arrangements (please state)	
REASONS FOR CALL-IN: (please indicate at least one reason why the decision in question has not been made in accordance with the principles set out in Article 13 of Constitution)	Tick
(a) Proportionality (i.e. the action must be proportionate to the desired outcome)	x
(b) Due consultation and the taking of professional advice from Officers	
(c) Respect for human rights	x
(d) A presumption in favour of openness	x
(e) Aims and desired outcomes will be clearly expressed	x
(f) Options that were considered and the reasons for arriving at the decision will be explained	
<p>REASONS WHY DECISION HAS NOT BEEN MADE IN ACCORDANCE WITH THE PRINCIPLE(S) SET OUT ABOVE AND (IF APPROPRIATE) PROPOSED ALTERNATIVE COURSE OF ACTION:</p> <p>Parishes received questionnaires but no costs given to repair and maintain toilets in their areas therefore parishes unable to give a considered reply desired outcomes cannot achieved in a fair and open manner.</p> <p>By implementing a community toilet scheme the only place in many villages that can provide these facilities are public houses this could affect a persons human rights and cause unaccompanied children to enter public houses this could be against the licensing act i.e. Prevention of children from harm.</p> <p>Cabinet is assuming that the use of the toilets will be mostly by local residents when the proposed closures are in rural tourist areas that the council is promoting. If the council wishes to attract tourists to these areas then the facilities must be maintained and by trying pass this cost on to the parishes the only way they can do it is by increasing parishes precept this is unfair because the parishes are being forced to subsidise the councils tourist policy.</p>	
SI	Members of Overview & Scrutiny Committee
G	Cllr <u>Roe</u> Cllr <u>Bray</u>
N	Three Further Councillors
E	Cllr <u>Fishwick</u> Cllr <u>Histed</u> Cllr <u>Johnson</u>
D:	
<i>(Note: A valid request for call in must be signed by a total of 5 Members of the Council, including 2 or more Members of the Overview & Scrutiny Committee, and all 5 Councillors must not be from the same political group.)</i>	
DATE: <u>18/11/09</u>	
THIS REQUEST FOR CALL IN MUST BE SUBMITTED TO THE CHIEF EXECUTIVE (BY POST, FAX OR E-MAIL) WITHIN 5 WORKING DAYS OF THE DATE OF PUBLICATION OF THE DECISION.	

CABINET

Options for Public Toilet Provision in the District from 2010/11

10 November 2009

Report of Head of City Council (Direct) Services

PURPOSE OF REPORT			
To outline proposals for the toilet provision in the District.			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date Included in Forward Plan	5 th October 2009		
This report is public			

OFFICER RECOMMENDATIONS

- (1) That Cabinet approves the plan for future provision of toilets as outlined in appendix B.
- (2) That the elements of the plan that do not require capital funding are implemented from April 2010.
- (3) That the capital growth required is considered as part of the budget process. Subject to value for money considerations and availability of capital funding, the elements of the plan that require capital funding are implemented as soon as capital funding is available and the plan is subsequently updated accordingly.
- (4) That authority to negotiate with Parish and Town Councils on possible transfer of toilets and management of toilets is delegated to the Head of City Council (Direct) Services in consultation with the Cabinet Member with special responsibility for CCDS.
- (5) That revenue and capital budgets are updated accordingly

1.0 Introduction

- 1.1 Cabinet (3 March 2009) resolved the following in relation to existing toilet provision in the District-

(1) That the toilets remain open with the exception of Regent Road and those adjacent to the Dome, Morecambe and that savings be made from the following budgets:

£12,000 savings from the mothballing of the 2 public toilets located at Regent Road and those adjacent to the Dome, Morecambe.

(2) That the Parish and Town Councils be consulted as to whether they would be prepared to take over the toilets in the long term.

(3) That with regard to the Community Toilet Scheme the Council continues to discuss proposals for the use of toilets with local businesses.

- 1.2 The Public Health Act 1936 (Section 87) gives local authorities a 'power' to install 'public sanitary conveniences', but there is no 'duty' to do so. Provision of public conveniences does not directly feature as a priority within the Corporate Plan or Community Strategy.
- 1.3 The 2009/2010 revenue budget for this service area is £374,500. Following a previous review in 2005 over £300,000 of capital has been spent on improving toilet provision.
- 1.4 The capital investment in toilets has greatly improved facilities at key locations within the District. It has also highlighted both the poor state of the remaining toilets and the high relative costs of these toilets in terms of ongoing maintenance, vandalism and necessary services.
- 1.5 Current public toilet provision within the district is set out in appendix A.

2.0 Proposal Details

- 2.1 Whilst owned and maintained by the City Council the majority of public toilets within the district are located within rural areas. The feedback from Parish and Town Councils in these areas is that they are well used and valued amenities. Many Parish Councils point to the use of toilets by day-trippers, cyclists and walkers. Annual estimated visitor figures to the District as a whole are 4.78million of which 919,000 are estimated to be visitors to the rural areas.
- 2.2 At this stage, and perhaps inevitably, no Parish Council has expressed a desire to take over the running of public toilets. The majority of Parish Councils do not think that the introduction of a community toilet scheme would work and in most cases have not been able to identify any businesses in their locality that want to take part. However, in Councils throughout the country there are numerous examples of Parish Councils successfully taking over the running of public toilets and community toilet schemes that work. In most of these cases it seems the Council has set out a clear strategy for the future of toilets before negotiating with Parish / Town Councils and businesses.
- 2.3 The toilets located in urban areas are well used and are often relied upon by both local people and visitors. Many due to health problems, plan their journeys out around proximity to public toilets.
- 2.4 Over the last few years a general direction of toilet provision has emerged, with provision being sited either at key locations for tourism or in the retail centres, for the benefit of the district and its visitors as a whole. This direction can be summarised as-
 - **Lancaster-** provide toilets in partnership with other providers- eg Marketgate, Bus station, Bulk St car park. Also allow others to provide toilets as part of planning process- St Nicholas arcade. This approach has led to adequate provision within Lancaster.

- **Morecambe-** determine best locations for toilets and invest in improving provision in those toilets. Close down surplus toilets (eg Bare prom, Dome, West End). There is adequate provision within Morecambe but there are still some issues that need to be resolved. Specifically-

Removal of surplus toilets- capital is required to demolish and reinstate.

The Festival market toilet is well located and used. It is very expensive to run. Conversion into a purpose built unit as per the Clock Tower and Library car park would require up front capital investment but would reduce ongoing running costs from £31K per annum to £11K per annum.

The Stone Jetty toilets are contained within the café (apart from the disabled unit). They are maintained by the Council. This arrangement causes ongoing problems. It would be better if negotiations took place with the café owner with a view to transferring management of these toilets to the café.

- **Rural areas-** In the other areas of the District we have a number of issues that need to be addressed-

All the facilities are in need of upgrade and considerable investment. Besides structural and cosmetic problems the buildings are compared to our new facilities inefficient in terms of use of water, energy and design.

At least one facility (Red Bank Shore) is currently closed because it is structurally unsafe and will require expenditure of £5-10K before it can reopen.

Some of the toilets are poorly located (Hest Bank).

Some of the toilets are an eyesore (Bolton Le Sands, Heysham Village) and detract from the surroundings.

Bull Beck and Glasson Dock toilets both located adjacent to established cycling and walking paths are very well used but in need of upgrading .

The toilets at Carnforth are well used but relative to some of the recently refurbished toilets expensive to maintain.

- **Williamson Park / Happy Mount Park-** both of these parks are well used and have an ongoing visitor programme. Happy Mount Park toilets have been recently refurbished and converted to pay as you go facilities. Williamson Park has three sets of toilets one of which is only open during the summer months. Toilet provision is currently being reviewed along with many other issues.

2.5 In order to address the issues outlined above a clear direction for the future of the District's toilets needs to be developed and agreed. What is clear is that status quo is not sustainable as the Council retaining the current toilet stock is not affordable. Therefore a clear plan is required that would-

- Build on the good practice already in place in Lancaster and Morecambe.
- Consider invest to save options to improve toilets in key locations.
- Reduce the Council's toilet stock in non key locations. Reduction could either be through closure / demolition or if requested transfer to the relevant Parish / Town Council with an appropriate annual grant and initial support in arranging the transfer.
- Consider the appropriateness of a community toilet scheme.

- Address any outstanding issues- eg surplus toilets.

2.6 Based on the issues raised above a plan has been included in Appendix B which sets out a timescale and indicative costs / savings of addressing these.

3.0 Details of Consultation

3.1 Parish and Town Councils have recently been consulted as to their views on the future of toilet provision these views have been fed into the report.

3.2 The views of individual members of the public have been considered and fed into the report.

3.3 The outcome of the report will be used to help inform the work of the Overview and Scrutiny Committee’s Parish Council funding Task Group.

4.0 Options and Options Analysis (including risk assessment)

4.1

Option	Pros	Cons
1- Status quo	In the short term maintains existing levels of toilet provision.	<p>The condition of some of our toilets is already poor. Without investment they will further deteriorate to the point where they have to be closed for safety reasons (eg Red Bank Shore).</p> <p>Those toilets that have had capital investment show considerable savings in terms of ongoing maintenance, cost of electricity / water, reduced vandalism etc, compared with some of our older toilets.</p> <p>Maintaining status quo would, in the short term, satisfy some stakeholders. However, it doesn’t create a position from which to take a planned look at toilet provision.</p>
2- Mothball a number of toilets in 2010/11	<p>It is estimated that revenue savings of approximately £100K could be made by mothballing toilets outside of the main visitor areas of Lancaster and Morecambe.</p> <p>£20K of this saving could allocated to a community</p>	<p>Would be seen as a kneejerk reaction to the current financial situation as opposed to a strategic decision.</p> <p>Even with £20K allocated to the community toilet scheme there is no guarantee that</p>

Option	Pros	Cons
	toilet scheme. If toilets were already mothballed it would make implementation of the scheme much easier.	businesses would sign up. There is even less guarantee that businesses in the areas most affected by the mothballing would sign up. Mothballed toilets would further deteriorate and create further maintenance issues for future years.
3- Adopt the plan in Appendix B for the District's toilet provision.	A planned approach to toilet provision would allow the Council to plan future investment and service provision. The plan proposes toilets in key locations that should be improved (Carnforth, Glasson, Bull Beck). However, it also identifies toilets in non key locations that should be closed or at the request of the Parish Council be considered for transfer (with an appropriate grant).	Could result in less toilet provision within the District. Requires capital investment to realise full savings.

5.0 Officer Preferred Option (and comments)

5.1 The officer preferred option is option 3.

6.0 Conclusion

6.1 The report sets out a plan to sustainably manage toilet provision within the District.

RELATIONSHIP TO POLICY FRAMEWORK

Toilet provision is not referred to directly within the Corporate Plan. However the proposals within the report do support the key actions-

- Improving the energy efficiency of our public buildings
- Implement Cycling Demonstration Town programme

Under the existing Capital Investment Strategy, investment in toilet provision would be allowable only where it is self-financing or investing to save, generally over a 5 year period, although longer periods may be allowable if appropriate. A report elsewhere on the agenda seeks Cabinet's initial views on reviewing these criteria.

CONCLUSION OF IMPACT ASSESSMENT**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

In preparing the report consideration has been given to relevant issues such as diversity, human rights, sustainability and rural proofing.

FINANCIAL IMPLICATIONS

The 2009/10 approved revenue budget includes £374,500 for the provision of public toilets within the District. Currently 3 full time direct staff are employed on this function of cleansing

The latest Capital Programme, as approved by Cabinet on 28th July 2009, includes the sum of £100,000 within 2010/11 for toilet improvements. However, it should be noted that the capital programme is reliant on a projected level of capital receipts which may or may not be received.

Option 1 (status-quo) would see no change to the budget requirement and therefore generate no savings but may lead to closure of some toilets for safety reasons.

Option 2 would see the mothballing of toilets outside of the urban core which would generate savings of approximately £100,000 of which a proportion would be re-invested in the community toilet scheme.

Option 3 (as detailed in Appendix B) provides a phased plan of closure and conversion of existing toilets. The plan is largely reliant on capital investment to realise potential savings and should this not be available then the actions of the plan that do not require capital will be implemented and the plan will be amended accordingly. A financial appraisal over 7 years has been formulated and is summarised as follows.

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Revenue Savings							
- Independent of Capital	-60	-45	-45	-45	-45	-45	-45
- Dependent on Capital	-5	-21	-26	-37	-38	-44	-44
Capital Required	100	90	90	60	90	100	0

If all revenue savings were to be re-invested then the project would be self-financing within seven years and after that period only revenue savings would occur. That said, the capital investment criteria would need to be considered and met, not least to ensure that value for money was being achieved. This would be done as part of the budget exercise. As an example, the plan includes for the refurbishment of particular toilets such as Festival Market, Carnforth, Bull Beck and Glasson Dock, but the provisional costings would indicate that for some of these, the payback periods would be very lengthy – well outside of existing capital investment criteria. Members can change such criteria to include investment in toilets if they feel it would be appropriate to do so, but affordability is still a major issue and also the Council still has a duty to achieve value for money.

Options 2 and 3 would see a reduction in staffing to 1 full time direct member of staff. It is anticipated that there would be no redeployment/redundancy issues as the staff will be

redirected within the cleansing function through natural wastage or a direct reduction to the contracted services budget.

SECTION 151 OFFICER'S COMMENTS

The proposals would achieve revenue savings to help with the 2010/11 budget, and would allow the capital investment plans to be considered alongside other growth bids, and in context of the Council's priorities and its financial prospects.

LEGAL IMPLICATIONS

Any transfer of property will be completed by the Council's legal services

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

[Click here and type list of background papers

Contact Officer: Mark Davies

Telephone: 01524 582401

E-mail: mdavies@lancaster.gov.uk

Ref:

APPENDIX A- Current Toilet Provision**Appendix 1- Current Provision of Public Toilets**

Location	Notes
St Nicholas Arcade- Lancaster	Operated by St Nicholas Arcade- No cost to the Council
Bulk St car park- Lancaster	Operated by Adshel- No cost to the Council
Marketgate- Lancaster	Operated by Marketgate as part of original planning agreement- Council pays an amount for cleaning and maintenance. Also liable for half of any capital improvements. Refurbishment completed this year.
Bus Station- Lancaster	Council pays an amount cleaning and maintenance. Part of original agreement when bus station built.
Williamson Park- Lancaster	3 sets of toilets within the park. Currently the costs of operating these toilets are not included within the £374.5K annual revenue budget for public conveniences. The actual costs of operating these toilets are being established.
<ul style="list-style-type: none"> • Happy Mount Park – Morecambe • Clock Tower- Morecambe • Library Car Park- Morecambe 	Newly refurbished 'pay as you go' toilets operated by Danfo. Council pays annual amount of for cleaning, maintenance etc. All income retained by Council
West End Gardens- Morecambe	New facility open to public maintained by Council open daily.
Stone Jetty- Morecambe	Located within Stone Jetty café but maintained by Council as a public toilet- available all year round.
Dome- Morecambe	CLOSED
West End toilets- Morecambe	CLOSED
Festival Market- Morecambe	Public toilets attached to Festival Market open daily. Due for minor refurbishment this year.
Bus Station- Morecambe	CLOSED
Heysham Village	Maintained by Council
Sunderland point	Maintained by Council
Glasson Dock	Maintained by Council
Cockerham	Maintained by Council
Silverdale	Maintained by Council
Warton	Maintained by Council
Red bank shore	CURRENTLY CLOSED AS STRUCTURAL REPAIRS ARE REQUIRED
Carnforth	Maintained by Council
Bolton Le Sands	Maintained by Council
Hest Bank	Maintained by Council
Bull Beck	Maintained by Council
Victoria Institute- Caton	Toilets owned by Caton Parish and cleaned by Council
Conder Green	Provided by Lancashire County Council
Crook O'Lune	Provided by Lancashire County Council

APPENDIX B

Toilet Provision 2010/11 onwards- Plan

Year	Actions	Revenue Imps £ (From implementation)	Capital Imps £
2010/11	Refurbish Festival Market Toilets to pay as you go facility	1- (5,000) 2- (20,000) 3- (20,000) 4- (20,000) 5- (20,000)	100,000
	Retain – Marketgate, Lancaster Bus Station, Happy Mount Park, Clock Tower, Morecambe Library, Glasson Dock, Carnforth, Bull Beck, West End Gardens	neutral	
	Close - Sunderland point, Cockerham, Silverdale, Warton, B-L-S, Hest Bank (canal), Hest Bank (shore), Red Bank, Heysham Village Or Transfer toilets to requesting Parish Councils. Provide annual grant at an appropriate level	1- (60,000) 2- (65,000) 3- (65,000) 4- (65,000) 5- (65,000) Saving reduced based on level of grant provided	
	Negotiate with Caton Parish Council and Stone Jetty owners on provision of toilets in those buildings	Subject to outcome of negotiations	
	Consider reduction of toilet provision in Williamson Park as part of overall reviews	Subject to review	
2011/12	Refurbish Carnforth Toilets to pay as you go facility	1- (1,000) 2- (5,000) 3- (5,000) 4- (5,000) 5- (5,000)	90,000
	Implement community toilet scheme in areas where there is now a shortfall	1- 20,000 2- 20,000 3- 20,000 4- 20,000 5- 20,000	
2012/13	Refurbish Bull Beck to pay as you go facility	1- (1,000) 2- (5,000) 3- (5,000) 4- (5,000) 5- (5,000)	90,000

Year	Actions	Revenue Imps £ (From implementation)	Capital Imps £
2013/14	Demolish / reinstate surplus toilets in Morecambe	Ongoing revenue saving of – (7,400)	60,000
2014/15	Refurbish Glasson Dock to pay as you go facility	1- (1,000) 2- (2,000) 3- (2,000) 4- (2,000) 5- (2,000)	90,000
2015/16	Demolish / reinstate surplus toilets in District	Ongoing revenue saving dependent on transfers but up to (5000)	100,000

Note the plan assumes availability of capital to realise some revenue savings. If capital is not available the actions of the plan that do not require capital will be implemented and the plan will be amended accordingly.

81 OPTIONS FOR PUBLIC TOILET PROVISION IN THE DISTRICT FROM 2010/2011

(Cabinet Member with Special Responsibility Councillor Barry)

(It was noted that Councillor Langhorn had previously declared a personal interest in this item in view of his role as the Chairman of Caton with Littledale Parish Council.)

The Head of City Council (Direct) Services submitted a report outlining proposals for toilet provision for the district. The options, options analysis, including risk assessment and officer preferred option, were set out in the report as follows:

Option	Pros	Cons
1-Status quo	In the short term maintains existing levels of toilet provision	The condition of some of our toilets is already poor. Without investment they will further deteriorate to the point where they have to be closed for safety reasons (eg Red Bank Shore). Those toilets that have had capital investment show considerable savings in terms of ongoing maintenance, cost of electricity/water, reduced vandalism etc, compared with some of our older
		toilets.
2- Mothball a number of toilets in 2010/11	It is estimated that revenue savings of approximately £100K could be made by mothballing toilets outside of the main visitor areas of Lancaster and Morecambe. £20K of this saving could allocated to a community toilet scheme. If toilets were already mothballed it would make implementation of the scheme much easier.	Would be seen as a kneejerk reaction to the current financial situation as opposed to a strategic decision. Even with £20K allocated to the community toilet scheme there is no guarantee that businesses would sign up. There is even less guarantee that businesses in the areas most affected by the mothballing would sign up. Mothballed toilets would further deteriorate and create further maintenance issues for future years.

<p>3- Adopt the plan in Appendix B for the District's toilet provision.</p>	<p>A planned approach to toilet provision would allow the Council to plan future investment and service provision.</p> <p>The plan proposes toilets in key locations that should be improved (Carnforth, Glasson, Bull Beck). However, it also identifies toilets in non key locations that should be closed or at the request of the Parish Council be considered for transfer (with an appropriate grant).</p>	<p>Could result in less toilet provision within the District.</p> <p>Requires capital investment to realise full savings.</p>
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The officer preferred option is option 3.

It was moved by Councillor Barry:-

- “(1) That the plan for future provision of toilets as outlined in appendix B of the report be approved.
- (2) That the elements of the plan that do not require capital funding be implemented from April 2010.
- (3) That the capital growth required be considered as part of the budget process. Subject to value for money considerations and availability of capital funding, the elements of the plan that require capital funding be implemented as soon as capital funding is available and the plan be subsequently updated accordingly.
- (4) That authority to negotiate with Parish and Town Councils and other partners (e.g. Adshel) on possible transfer of toilets and management of toilets be delegated to the Head of City Council (Direct) Services in consultation with the Cabinet Member with special responsibility for CCDS and that the City Council be prepared to contribute up to 50% of current revenue costs.
- (5) That revenue and capital budgets are updated accordingly.”

(At this point in the meeting, Councillor Langhorn declared that, as a result of this proposal, his interest had become prejudicial and left the meeting.)

The Chief Executive called for nominations to Chair the meeting for the remainder of the item. Councillor Archer nominated Councillor Mace, seconded by Councillor Ashworth. There were no further nominations and Councillor Mace took the chair.

Councillor Fletcher seconded Councillor Barry's proposal above.

By way of amendment, Councillor Mace proposed:-

- “(1) That further consideration of the funding for the provision of public toilets set out in Appendix B of the report be deferred until such time as a framework for the funding of public toilets in parished areas is in place.”

However, it was noted that there was no seconder to the amendment and the amendment was deemed to have fallen.

By way of amendment, Councillor Mace proposed and Councillor Thomas seconded:-

- “(1) That Cabinet believes that the provision of toilet facilities is a district responsibility and not a parish responsibility and requests an alternative report to be presented at the next meeting.”

2 Members (Councillors Mace and Thomas) voted in favour of the amendment, 5 Members (Councillors Ashworth, Barry, Blamire, Bryning and Fletcher) voted against and 1 Member (Councillor Archer) abstained from voting, whereupon the Chairman declared his amendment to be lost.

With the acceptance of the meeting, Councillor Barry amended the wording of his original proposal at (3) as follows:-

- “(3) That the capital growth required be considered as part of the budget process. Subject to value for money considerations and availability of capital funding, the elements of the plan that require capital funding, for example demolition on the grounds of safety, be implemented as soon as capital funding is available and the plan be subsequently updated accordingly.”

Resolved:

(6 Members (Councillors Archer, Ashworth, Barry, Blamire, Bryning and Fletcher) voted in favour, 1 Member (Councillor Mace) voted against and 1 Member (Councillor Thomas) abstained)

- (1) That the plan for future provision of toilets as outlined in Appendix B of the report be approved.
- (2) That the elements of the plan that do not require capital funding be implemented from April 2010.
- (3) That the capital growth required be considered as part of the budget process. Subject to value for money considerations and availability of capital funding, the elements of the plan that require capital funding, for example demolition on the grounds of safety, be implemented as soon as capital funding is available and the plan be subsequently updated accordingly.
- (4) That authority to negotiate with Parish and Town Councils and other partners (e.g. Adshel) on possible transfer of toilets and management of toilets be delegated to the Head of City Council (Direct) Services in consultation with the Cabinet Member with special responsibility for CCDS and that the City Council be prepared to contribute up to 50% of current revenue costs.
- (5) That revenue and capital budgets be updated accordingly.

Officers responsible for effecting the decision:

Corporate Director (Community Services)
Head of City Council (Direct) Services
Head of Financial Services

Reasons for making the decision:

The decision will allow the Council to sustainably manage toilet provision in the district.