

## **LLANSTEFFAN & LLANYBRI COMMUNITY COUNCIL, CARMARTHENSHIRE**

---

### **Part 6: Provision of Toilets**

**Part 6 of the Bill includes provision to require local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing toilet facilities for public use.**

Part 6 is of significance to the Community Council and therefore the evidence detailed below is confined to Part 6 only. Prior to presenting representations on the individual questions posed by Welsh Government, the Council wishes the following comments (in italics) on the four options reviewed in the Explanatory Memorandum to be given due consideration:

Option 1 - Do nothing:

*The harsh realities that many local authorities have (i) made severe cuts to non-statutory public service expenditure and in consequence already closed public toilet blocks in many tourist villages, (ii) placed local councils under ill-conceived pressure to take over public toilets and (iii) inactive Public Facilities Grant Schemes (12 out of 22 authorities) demonstrate the total inadequacy of Option 1.*

Option 2 - Re-hypothecate the Public Facilities Grant Scheme:

*Once again, a totally inadequate option –illustrated by the indication that a mere 18 business premises would receive a grant of £500 to make privately-owned toilets available for public use within each local authority area.*

Option 3 - Require each local authority to develop and publish a local toilets strategy. This is the Welsh Government preferred option:

*Once again, an inadequate option focusing on a bureaucratic exercise rather than a comprehensive, feasible and proactive plan of action. A further concern relates to the fact that Welsh Government funding would remain mainstreamed within the Rate Support Grant, which could increase the vulnerability of public toilet survival as funding would be re-directed to other priority services at local authority discretion.*

Option 4 - Require local authorities to ensure adequate provision of toilets for public use:

*The statutory duty to ‘develop and implement a toilet strategy’ to ensure adequate provision is without doubt the key to ensuring that a practical, positive and quantifiable improvement would be made to both public health and the tourist economy of Wales. The Council firmly maintains that the Welsh Government argument backing the discarding of Option 4, namely the “prohibitive costs” to local authorities having to finance the construction of directly provided toilets (450 being a ‘conservative estimate’), is over-exaggerated. Many coastal and rural villages in tourist destinations across the principality have existing public toilets, whereby the overriding issue is that the ownership and operation of these facilities should be*

*retained by the local authorities. Where the villages lie adjacent to national or regional tourist attractions such as the Wales Coast Path, the Welsh Government should make ring-fenced financial contributions to local authorities or Natural Resources Wales in order to provide high-class tourism infrastructure, similar to that demanded under the Blue Flag Scheme – the international quality mark for beaches.*

\* \* \* \* \*

The Council requests that the following evidence is taken into full account by the Health and Social Care Committee during the scrutiny of the Public Health (Wales) Bill.

1. What are your views on the proposal that each local authority in Wales will be under a duty to prepare and publish a local toilets strategy for its area?

- Whilst this represents a logical step forward in theory, in practice surely most local authorities have already produced such a strategy with the devolution of services agenda into its third year. Furthermore, it is important to raise a note of caution on the basis that the majority of council strategies tend to gather dust on shelves and represent a tick-the-box exercise.
- A justifiable fear is that the main criteria of preparing and publishing such strategies will be to meet local authority capital and revenue expenditure savings targets.

2. Do you believe that preparing a local toilet strategy will ultimately lead to improved provision of public toilets?

- With deep regret, the honest answer is no.
- Any meaningful toilet strategy must encompass detailed (a) sustainability appraisals – economic, social, environmental and (b) financial and operational feasibility studies in order to secure long-term public access to well-maintained toilets in different parts of the county with different needs.

*Evidence: If County Councils cannot afford to operate their public conveniences (with Technical Services and Human Resources staff support, economies of scale, access to grants), then it is unreasonable and impractical to expect local councils to find the necessary finance and local agreement to take them over, particularly in tourist destinations (most local councils have over-worked part-time clerks, tight precepts, minimal bank reserves, few assets and most importantly, no mandate from the local electorate which generally does not use the local public conveniences).*

*Evidence: A group of Carmarthenshire town & community councils from tourist villages collaborated with cross-party MP and AM support from Nov 2012 to Jan 2013 to investigate the financial feasibility of taking over their local conveniences – but – despite all these efforts, results demonstrated that any transfer would bankrupt smaller local councils in a very short period of time. To illustrate in the case of Llansteffan beach car park conveniences (2011/12 figures):-*

*£8.5k = the minimum annual operating costs  
£1.5k = annual income from charging machines if installed*

*Evidence: In sum, the Cross-Party Statement circulated to Carmarthenshire County Council in February 2013 demonstrated that small local councils did not have the capacity to take on the responsibility for public conveniences along the Wales Coast Path, due to the unfeasible impact of 55% (Llansteffan) and 85% (Pendine) increases in precept required. Moreover, such councils would not secure a local mandate for such asset transfer for reasons stated above.*

- The current focus on a 'local' toilet strategy to meet community needs overlooks (a) the 'county' importance of certain toilets to day visitors and holiday makers at tourist destinations such as Llansteffan, Laugharne and Kidwelly, and (b) the 'national' importance of certain toilets to day visitors and holiday makers adjacent to major attractions such as the Wales Coast Path.

*Evidence: National tourist attractions are located in the Carmarthenshire small villages in question including Wales Coast Path, Salmon Falls, Coracle Museum, Castles and Blue Flag beaches, where the public conveniences are chiefly used by tourists and day visitors and not by locals. For example, should the conveniences be closed in Pendine, then the prestigious Blue Flag beach status would be lost and the Wales Coast Path would be shunned. Visitors have high expectations and would not return if Carmarthenshire cannot provide for basic human needs.*

*Evidence: The Wales Coast Path stretches for 68 miles along the scenic Carmarthenshire coastline. To its credit, this Welsh Government initiative has prioritised access for the less-abled in key hubs such as Llansteffan. However the fact remains that although many visitors and walkers may be sturdy and self-sufficient, they still have basic human needs and high expectations.*

*Evidence: The stark reality presented to local councils in the small tourist villages of Pendine, Llansteffan, Ferryside, Kidwelly and Burry Port was the threatened County Council closure of public conveniences on Easter Sunday 31 March 2013. Thankfully concerted efforts resulted in a stay of execution from the 2013 holiday season to the present day. The closure scenario would have meant that keen walkers attracted from overseas and closer to home would have no access to public conveniences along the Coast Path from Laugharne to Pembrey Country Park, a distance of some 45 miles! A feasible long-term future must be secured at national level for essential infrastructure including toilets along the Wales Coast Path.*

*Evidence: It is heartening to learn that Anglesey County Council genuinely listened to local council's concerns in 2011 and the evidence put forward by the tourism sector and amended its political decision accordingly. The*

*majority of public toilets are located close to the coastline of the Island; this being an important part of service provision to tourists that visit the Island, especially near the busier amenity beaches. Anglesey County Council has clearly acted upon the fact that public toilet provision is important to areas relying on tourism income, or seeking to develop their profile as a visitor destination. Tourism's contribution to the UK economy could grow by more than 60% to £188bn by 2020, as suggested by a report by Deloitte and the forecasting organization Oxford Economics.*

*Evidence: British Toilet Association 2011: "Tourists include elderly people, disabled people, women, men and children, and amongst them will be those with various medical conditions requiring access to public toilets. They arrive in a variety of transport and their visit may include walking tours and beaches as well as visits to specific places of interest. The growth of festivals requires thought given to temporary toilet provision – and gender equality – to avoid fouling the area, particularly where there are a lot of people crowded together. Short break holidays are rising in popularity and are particularly enjoyed by those over 55 – an age group most likely to need public toilet facilities. Families on beach holidays also require easy to access toilets. Research carried out by ENCAMS [now Keep Britain Tidy] found that the availability of public toilets was an important factor in choosing a beach to visit. To be a visitor or tourist to any area, just getting there will probably involve a visit to a toilet. Tourists always remember their toilet experience – especially if it is a bad one - as illustrated by letters to various local newspapers! Visitors have high expectations but sadly, many local authorities in Wales and throughout the UK make disgracefully poor provision."*

3. Do you believe the provision in the Bill to ensure appropriate engagement with communities is sufficient to guarantee the views of local people are taken into account in the development of local toilet strategies?

- The provision in the Bill to ensure appropriate engagement with communities will only prove to be effective and consistent in practice where the development and implementation of toilet strategies are introduced in law as "statutory duties" to be undertaken by the local authorities in close partnership with town and community councils and their communities, day visitors and holiday makers.
- Any engagement process must prioritise genuine participation, rather than a standard consultation tick-the-box exercise that has been too commonly encountered in recent decades.

4. Do you have any views on whether the Welsh Ministers' ability to issue guidance on the development of strategies would lead to a more consistent approach across local authorities?

- Welsh Government guidance on the development of toilet strategies must be issued to local authorities to provide the overarching framework and action planning processes which will meet the public health needs of all members of the public – residents, day visitors and tourists – and secure a sustainable long-term future for public access to toilets which are fit for purpose.

5. What are your views on considering toilet facilities within settings in receipt of public funding when developing local strategies?

- It will be essential to consider toilet facilities within ‘public’ settings in receipt of public funding, in particular with respect to county council owned and operated toilet blocks in small coastal and rural villages which represent a county, regional and national tourism infrastructure asset e.g. in Llansteffan and Laugharne situated adjacent to the Wales Coast Path. Priority must be to secure long-term, ring-fenced public capital and revenue funding for such assets.
- It will also be essential to consider toilet facilities within ‘private’ settings in receipt of public funding, such as the Welsh Government Public Facilities Grant Scheme with the caveats listed below.

*Evidence: A grave note of realism should be highlighted during consideration of the Bill. The Welsh Government Public Facilities Grant Scheme has made minimal if any contribution to the public health of visitors requiring toilet access in many small coastal and rural villages to-date. To illustrate, the public toilet block in Llansteffan beach car park is frequently closed in the high season due to sewerage blockages. The only local businesses are an ice cream van, a chip van and a tea rooms. The latter has only one outside toilet (not the qualifying criteria of 4 toilet cubicles) which is totally inadequate for the high volume of visitors encountered during spring, summer and autumn. A Council car count undertaken on Bank Holiday Monday 6<sup>th</sup> May 2013 at 15:30 totalled 286 cars x 3 (average car occupancy) = 858 visitors = concrete proof of a significant demand for public access to toilet provision in a popular tourist destination where private businesses cannot cope with the demand.*

*Evidence: British Toilet Association 2011: “However, some people do not want to enter pubs for a variety of reasons and children may not be welcome. Community toilets may not be able to cope with large groups of people and the premises may not be open when needed. Some local authorities are now finding there are fewer companies willing to allow the public into their premises just to use the toilet. With public toilet closures and no other facilities available those who need frequent access to a toilet are restricted in the length of time they can risk being away from home. Community partnership toilets should not be used to replace public toilets, but may be a useful addition to a particular area if properly signposted.”*

6. Do you believe including changing facilities for babies and for disabled people within the term 'toilets' is sufficient to ensure that the needs of all groups are taken into account in the development of local toilet strategies?

- Explicit recognition of the public health needs of day visitors and holiday makers must also be included to ensure that the needs of all groups are taken into account. On the grounds that international and national tourist visits to Wales make a significant contribution to the Welsh economy, it is disappointing to note that these groups have been virtually disregarded in the Explanatory Memorandum.

7. Do you believe the proposals relating to toilet provision in the Bill will contribute to improving public health in Wales?

- The proposed Option 3 may make a minor contribution within those local authorities which have lagged behind in preparing a toilet strategy.
- However, the Minister is urged to act upon the inescapable fact that the proposed Option 3 – the preparation and publication of a local toilet strategy - is far too limited. Option 4 must become the preferred option on the basis that it represents the only option that could make a long-awaited and ensured improvement to public health in Wales on behalf of both communities, day visitors and tourists.

Evidence: Reference in the Bill must be made to:

- (a) The importance of partnership-working with Tourism, Economic Development and Property sections of local authorities, due to the cross-cutting theme of toilets for public access.*
- (b) The importance of partnership-working with town and community councils on a level playing field i.e. genuine participation, not tokenistic consultation.*
- (c) The public health needs of tourists and day visitors in small coastal and rural villages and the significant contribution of tourism to the Welsh economy.*
- (d) The practical and financial implications of devolution of services and community asset transfer upon both tiers of local government.*

To close the Council trusts that the Health and Social Care Committee will give detailed consideration of the evidence presented in this paper. Thank you.

Llansteffan and Llanybri Community Council

Carmarthenshire

22<sup>nd</sup> July 2015