

[Public Health \(Wales\) Bill](#) / [Bil Iechyd y Cyhoedd \(Cymru\)](#)

Evidence from Cardiff third Sector Council (with input from GVS) – PHB 52 /  
Tystiolaeth gan Cyngor Trydydd Sector Caerdydd (gyda mewnbwn gan GVS) – PHB  
52

## Public Health (Wales) Bill: Consultation questions

All unanswered questions have been removed, so only the ones relevant to this response are included below.

### Tobacco and Nicotine Products

The Bill includes proposals to ban the use of nicotine inhaling devices, such as e-cigarettes, in enclosed spaces like restaurants, pubs and at work. Shops will also have to join a register for retailers of tobacco and nicotine products, and it will become an offence to “hand over” tobacco and e-cigarettes to anyone under the age of 18.

#### *Question 1*

Do you agree that the use of e-cigarettes should be banned in enclosed public and work places in Wales, as is currently the case for smoking tobacco?

Yes, a number of national and international bodies, namely US Food and Drug Administration, World Health Organisation, BMA and ASH have identified a number of potential risks to health and propose that a precautionary approach is adopted until further information becomes available. As a result, the current requirement for all Public Health Wales buildings to be e-cigarette free should be applied to all enclosed public and work places.

(Ref:

[http://www2.nphs.wales.nhs.uk:8080/phwpapersdocs.nsf/\(\\$all\)/5f0bc2a265e30d0380257dd30054d655/\\$file/36%2014%20smoke%20free%20environment%20policy%20v1.pdf](http://www2.nphs.wales.nhs.uk:8080/phwpapersdocs.nsf/($all)/5f0bc2a265e30d0380257dd30054d655/$file/36%2014%20smoke%20free%20environment%20policy%20v1.pdf)

## Public toilets

The Bill includes a proposal that will require local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing public toilet facilities. However, the Bill does not require local authorities to actually provide toilet facilities.

### *Question 15, 16, 17 & 18*

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?
Do you believe that preparing a local toilet strategy will ultimately lead to improved provision of public toilets?
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?
What are your views on considering toilet facilities within settings in receipt of public funding when developing local strategies?
<p>A strategy is useless unless it is enacted upon, therefore is a duty for a local toilet strategy going to distract from the actual provision of toilet facilities? The requirement needs to sit with planning departments and should be considered on every planning application outside of individual house adaptations.</p> <p>The provision and access to public toilets is vital for people living with a disability, long term health condition and older people. This is not just about providing the additional facilities for changing facilities for babies or disabled people, it is providing the facilities to start with. Many health conditions can cause people to become isolated and unable to leave their homes unless they have confidence that venturing out will be a worthwhile and positive experience. Access to public toilet facilities is essential to ensure people are able to continue with their everyday life with peace of mind that, if required, they will have access to use toilet facilities quickly which are easily available and accessible.</p> <p>Without proper toilet facilities older people will be more inclined to stay at home and lose their link to their communities, and experience social isolation with a subsequent impact on mental and physical health.</p> <p>The `Magic Key' giving people access to disabled toilets is seen as a huge asset</p>

to people using this service, but if the facilities are not there in the first place then the key is useless. Disabled toilets also need to be in an appropriately accessible location. For new buildings there should be a requirement for a changing room to be included in the facility itself, with space for a full length / width changing bench plus ceiling hoist or mobile hoist, and room for a wheelchair with circulation space and room for 2 carers.

There was a drive recently to involve establishments in Cardiff to open their toilets for non-customer use. With the financial constraints on local authorities and the cost involved in providing public toilets, it would be useful if this was more of a 'provision' by an establishment (possibly as part of obtaining a licence) to ensure that facilities are openly available not based on goodwill. Whilst this may work in a city like Cardiff, a reliance on community toilet scheme facilities may not be sustainable in rural areas where there may be few facilities available in local shops etc. Furthermore, this could move the responsibility to provide toilet facilities from local authorities onto local businesses.

There are examples from across the UK in which community volunteers have taken on the management of existing toilet facilities, often where there are limited other local services. This relies on the goodwill of local residents; it is not the most attractive volunteering opportunity, and may not be sustainable long term and again removes responsibility from local authorities.

The closure of public toilets poses a real public health risk which affects everyone, according to the Older Persons' Commissioner. There is an increase in the risk of heart attacks and strokes, for example, due to a temporary increase in blood pressure caused by not being able to empty one's bladder. (Ref: [http://www.olderpeoplewales.com/Libraries/Uploads/The\\_Importance\\_and\\_Impact\\_of\\_Community\\_Services\\_within\\_Wales.sflb.ashx](http://www.olderpeoplewales.com/Libraries/Uploads/The_Importance_and_Impact_of_Community_Services_within_Wales.sflb.ashx))

A map showing the vicinity of public toilets across each Local Authority area would also be a useful tool. It is crucial that the needs of older people, people with a disability and/or long term health condition are considered as part of any strategy to ensure there are plenty of public toilets available, fit for purpose and accessible.