

Dr Dai Lloyd AM  
Chair  
Health, Social Care and Sport Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

25<sup>th</sup> January 2017

*Dear Dr Lloyd,*

## **PUBLIC HEALTH (WALES) BILL**

I wanted to thank you again for the chance to give evidence in front of the Committee last week on the Public Health (Wales) Bill. It was a fantastic opportunity for the charity and for me personally so thanks again.

I know the Committee will soon be drafting their recommendations on the Public Health (Wales) Bill so I wanted to clarify and expand, for members' consideration, on two issues which I discussed when giving evidence. These are on a Statutory Duty and Government Oversight.

### **A Statutory Duty to Ensure Access to Toilets**

Many organisations have joined Crohn's and Colitis UK to state that the Bill needs strengthening to ensure the primary objectives of Part 7 are met. A way of doing this would be for the Committee to recommend the introduction of a statutory duty to ensure access to toilets. The reason why Crohn's and Colitis UK advocate for a "duty to ensure access" rather than a "duty to provide public toilets" is that we recognise that in the future, toilet supply may come from a variety of sources and not necessarily from traditional public toilets, even though this would always be our favoured position.

What lies behind the calls for such a statutory duty is the need for local authorities to actually deliver on the conclusions of their local toilets strategies, rather than the strategy becoming a theoretical document which delivers little to improve public health. In practice, whether this is a specific duty that is needed within the Bill or simply amendments that give effect to supporting implementation, this is not as important as the end itself, which is to increase access to toilets.

Giving greater weight to the implementation of the local strategies in increasing access to toilets may only require very small amendments to the current Bill. For example under its previous guise, Amendments 104 and 105 (copies attached) were submitted with cross party support and these proposed small changes which would strengthen the delivery aspect of the local toilets strategies.

Crohn's and Colitis UK would support similar amendments. One suggestion would be an amendment to Section 110, page 65, line 31 which would alter one word in this sentence from "proposes to deliver" to "will deliver". This would give greater effect to delivering on the conclusions of the local toilets strategies and, in practice, achieve the aims of a statutory duty to ensure access to toilets.

### **Government Oversight**

The Government has recognised that the supply of toilets across Wales is of serious concern and by adding Part 7 to the Bill, the Government has shown considerable leadership in treating access to toilets as a public health issue for the very first time.

However, we are concerned that the Government's solutions to this public health concern weighs solely on local authorities, with no role for the Government other than providing statutory guidance.

It is our contention that to fully address the public health concerns identified, the Government has a significant role to play in not only ensuring a One Wales approach to access to information through a toilet app, but for this to be supported through a duty on the Government to provide a review and oversight function across Wales to all 22 local toilets strategies.

This would not only support the delivery of the recommendations of local toilets strategies but would provide cross-Wales analytics allowing the Government to report on the success of this part of the Bill and its ability to improve public health across Wales. This would be of considerable use in strengthening the Bill and achieving its main aims, without being cost prohibitive.

Thank you again for your time and we hope that the Committee will give serious consideration to these proposals.

*With best wishes*



**Andy McGuinness**  
Social Policy and Public Affairs Officer  
Crohn's and Colitis UK

# HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 14 Rhagfyr 2015  
Tabled on 14 December 2015

## Bil Iechyd y Cyhoedd (Cymru) Public Health (Wales) Bill

Mae'r gwelliannau â \* ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu  
Amendments marked \* are new or have been altered

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**\*Darren Millar** 104

**Gyda chefnogaeth/ Supported by: Lindsay Whittle, Kirsty Williams**

Section 91, page 52, line 10, leave out 'an' and insert 'a fair and reasonable'.

Adran 91, tudalen 52, llinell 10, ar ôl 'asesiad', mewnosoder 'teg a rhesymol'.

**\*Darren Millar** 105

**Gyda chefnogaeth/ Supported by: Lindsay Whittle, Kirsty Williams**

Section 91, page 52, line 12, leave out 'setting out the steps which the local authority proposes to take to meet that need' and insert 'specifying how the local authority will address that need in an effective way, including the timescale for doing so'.

Adran 91, tudalen 52, llinell 12, hepgorer 'nodi'r camau y mae'r awdurdod lleol yn bwriadu eu cymryd i ddiwallu'r angen hwnnw' a mewnosoder 'pennu sut y bydd yr awdurdod lleol yn mynd i'r afael â'r angen hwnnw mewn ffordd effeithiol, gan gynnwys yr amserlen ar gyfer gwneud hynny'.



**\*Darren Millar**

**106**

**Gyda chefnogaeth / Supported by: Lindsay Whittle, Kirsty Williams**

Section 91, page 52, after line 14, insert –

- ‘() The timescale specified under subsection 2(b) must be a reasonable timescale having regard to the circumstances.
- () A local authority must implement its local toilets strategy in full within the timescale specified in the strategy.’.

Adran 91, tudalen 52, ar ôl llinell 14, mewnosoder –

- ‘() Rhaid i’r amserlen a bennir o dan is-adran 2(b) fod yn amserlen resymol sy’n rhoi sylw i’r amgylchiadau.
- () Rhaid i awdurdod lleol roi ei strategaeth toiledau lleol ar waith yn llawn o fewn yr amserlen a bennir yn y strategaeth.’.

**\*Darren Millar**

**107**

**Gyda chefnogaeth / Supported by: Lindsay Whittle, Kirsty Williams**

Section 91, page 52, after line 32, insert –

- ‘() implementing a local toilets strategy,’.

Adran 91, tudalen 52, ar ôl llinell 32, mewnosoder –

- ‘() rhoi strategaeth toiledau lleol ar waith,’.

