



**Council 25 July 2024**

## **FUTURE OPERATION OF MONSAL HEAD PUBLIC CONVENIENCES**

### **Report of the Director of Community and Environmental Services**

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#### **Wards Affected**

Bakewell

#### **Report Summary**

Following an urgent decision taken on 29<sup>th</sup> May 2024 for the District Council to take over temporary operation of Monsal Head public conveniences from 3<sup>rd</sup> June 2024, this report outlines and seeks agreement to take back permanent operational control of the facility from the date of this Council meeting.

#### **Recommendations**

1. That the urgent decision to take over temporary operation of Monsal Head Public Conveniences from 3<sup>rd</sup> June is noted.
2. That the Council takes permanent operational control of the public conveniences at Monsal Head from the date of this Council meeting.
3. That the Committee thanks current and past Directors of the community interest company for their efforts.

#### **List of Appendices**

n/a

#### **Background Papers**

n/a

#### **Consideration of report by Council or other committee**

n/a

#### **Council Approval Required**

Yes

#### **Exempt from Press or Public**

No

## FUTURE OPERATION OF MONSAL HEAD PUBLIC CONVENIENCES

### 1. Background

- 1.1 In May 2018, the Council ceased operating Monsal Head public conveniences.
- 1.2 An agreement was reached with Monsal Head Community Toilets Community Interest Company (MHCIC) in which to continue to operate those toilets via a tenancy at will.
- 1.3 On 1 June 2024, the Council received notice from the sole remaining Director of MHCIC that they wished to terminate the tenancy.
- 1.4 Using the Council's Urgent Decision arrangements, agreement was reached in which the toilets were kept open by the MHCIC until Sunday 2 June with the Council taking control on 3 June 2024.
- 1.5 The toilets were closed on 3 June to allow for the District Council to undertake necessary risk assessments, minor repairs and put in place daily cleaning and re-stocking arrangements with the facility re-opening to the public on Friday 7 June 2024.

### 2. Key Issues

- 2.1 The Council has a stated ambition in which to review public convenience provision across the District.
- 2.2 That review is nearing completion, but an opportunity has presented itself in which to move forward with taking operational control of these assets as a result of an offer to do so from the sole remaining director.
- 2.3 The estimated costs of operating the facility are approximately £16,000 per annum as per the table below. Whilst some additional budgetary provision will be necessary should the recommendations of the overall public conveniences review be approved, some of the additional cleaning costs will be spread across a number of sites. For that reason, it is considered that the additional costs can be accommodated within existing budgetary provision until the overall review report is considered.

Item	Estimated Annual Cost
Electricity	£1,000
Water	£1,750
Repairs and Maintenance	£1,750
Business Rates	£0 (due to public toilets rate relief)
Stock	£2,000
Cleaning Service	£9,500
<b>TOTAL</b>	<b>£16,000</b>

### **3. Options Considered and Recommended Proposal**

- 3.1 Members could decide not to operate the public conveniences at Monsal Head. The impact would be to not deliver on a stated priority for the Council.

### **4. Consultation**

- 4.1 Consultation with the existing director of MHCIC and a former Director has taken place. They are supportive of the report and its recommendations.

### **5. Timetable for Implementation**

- 5.1 The Council owns the freehold of the site and, since the determination of the Tenancy at Will under which the CIC operated the facility, has put arrangements in place to continue to maintain and operate the site.
- 5.2 Should this report be approved, the existing arrangements would continue permanently.

### **6. Policy Implications**

- 6.1 A review of public conveniences is due to report to Community and Environment Committee in the first quarter of the new municipal year. A decision on these public conveniences will not change the policy direction set by Members.
- 6.2 The review covers a number of issues including charging and the associated tariffs. It is proposed that this site remains free to use at the current time and the introduction of charging either directly through paddle gates or indirectly via a levy on the car park tariff will be considered as part of the review report to ensure consistency with other sites.

### **7. Financial and Resource Implications**

- 7.1 The financial implications are set out in paragraph 2.3 of this report. It is considered that the additional costs of operating these public conveniences can be accommodated within existing budgetary provision until the overall review report is considered. Therefore, the financial risks are assessed as low.

### **8. Legal Advice and Implications**

- 8.1 This report provides for Members consideration and approval for the District Council to take back permanent operational control of the Monsal Head public conveniences from the date of this Council meeting.
- 8.2 There are 3 recommendations, the first and third are noting and thanks. The second recommendation requires consideration and a decision. The legal risk of challenge should the decision be made to take back permanent operational control of the public conveniences at Monsal Head from the date of this Council meeting is assessed as low.

## 9. Equalities Implications

- 9.1 Reopening public toilets is a direct opportunity in which to strengthen equalities in the district. The toilets are situated in an area heavily frequented by walkers and families. Public toilets support those with disabilities to better participate in society and support families with children, pregnant women, the elderly and women who can disproportionately require toilet access.

## 10. Climate Change and Biodiversity Implications

- 10.1 Taking back operational control of this asset means that the Council will be responsible for the costs in relation to the utilities at the site, outlined in paragraph 2.3. There will therefore be an increase in the Council's carbon footprint linked to the increased use of electricity across the Council building portfolio. This is projected to be minor given the low electricity use. As an indication, based on 2016/17 use this increase would be in the region of 0.5t carbon/year.
- 10.2 As the site will require cleaning and general maintenance there will also be an increase in travel associated with servicing this site. This increase will also be reflected in the Council's carbon footprint in terms of the amount of fuel used by the fleet. Again, this is expected to be relatively small, but is more difficult to quantify.
- 10.3 There are not considered to be any implications for biodiversity in respect of the recommendations of this report.

## 11. Risk Management

- 11.1 The required water hygiene and health and safety inspections were completed ahead of re-opening on 7 June 2024.
- 11.2 The site is included in the Council's planned maintenance programme for public buildings. It is inspected daily by the cleaning staff and any defects are reported for action.

### Report Authorisation

Approvals obtained from Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Paul Wilson	15/07/2024
Director of Resources/ S.151 Officer	Karen Henriksen	09/07/2024
Monitoring Officer (or Legal Services Manager)	Helen Mitchell	17/07/2024