

# Policy and Sustainability Committee

10.00am, Tuesday, 6 October 2020

## Re-opening of public conveniences

Executive/routine Wards Council Commitments	Executive All
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### 1. Recommendations

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- 1.1 It is recommended the Committee:
  - 1.1.1 Notes that the measures put in place are generally working well and that they are operating effectively;
  - 1.1.2 Notes the measures and costs associated with retaining the opening of seven public conveniences in the city over the winter months (in line with current COVID-19 guidance);
  - 1.1.3 Refers this report to Full Council for approval of the measures and investment required to continue with opening seven public conveniences to the end of the financial year; and
  - 1.1.4 Notes the approach to developing a public convenience strategy and approves commencement of assessment of possible locations for new public convenience facilities.

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## Re-opening of public conveniences

### 2. Executive Summary

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- 2.1 This report provides an update on how the public conveniences which were reopened in July 2020 are operating, provides information as requested in recent Motions and sets out next steps for developing a public conveniences strategy for Edinburgh.

### 3. Background

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- 3.1 On [9 July 2020](#) Policy and Sustainability Committee approved the reopening of seven public conveniences from 13 July 2020 to 30 October 2020. The proposed opening hours would be 11.00am until 6.00pm, seven days per week.
- 3.2 On [6 August 2020](#) Policy and Sustainability Committee considered the measures and investment required to reopen the remaining public conveniences and agreed that no further facilities would be reopened at that time.
- 3.3 The Committee approved the following adjusted motion:
- 3.3.1 To note the measures and investment required in order to reopen further public conveniences in the city;
  - 3.3.2 To note that in some places – in particular the Meadows, Bruntsfield Links, Portobello Beach and surrounding residential areas – despite toilet facilities being open, public urination was still a problem. Therefore:
  - 3.3.3 To agree that the Council work with local police to monitor local sites and take action to prevent the problems continuing including increasing opening hours of public conveniences;
  - 3.3.4 To agree that for the public conveniences reopened, there should be clear public notices at each site of the facilities, opening hours, and safety notices as detailed in the report (of 6 August 2020), and signage to the public convenience within a half mile radius as appropriate;

3.3.5 To note that a review of operations following reopening will be presented to the appropriate Committee in October 2020, and requested that this review include:

- 3.3.5.1 Information on the measures and investment of the public conveniences detailed in the report;
- 3.3.5.2 The measures and costs of opening the three public conveniences not given in the report;
- 3.3.5.3 A proposed annual schedule for the opening of public conveniences from October 2020;
- 3.3.5.4 Details of public access to toilet facilities in businesses across the city where public conveniences have been closed and the effects of Covid-19 on this scheme; and
- 3.3.5.5 Options for a revised public toilet facilities policy for the city.

3.4 At Council on [25 August 2020](#) Councillor Main requested an update on the public conveniences closed by the Council in the last 10 years. The response showed that 10 were closed in 2015 (with six sold, one agreed for Community Asset Transfer and one sale currently being negotiated). Three further facilities are closed:

- 3.4.1 Hunters Square was closed in 2017 at the request of Police Scotland due to anti-social behaviour;
- 3.4.2 The Mound was closed in 2018 as extensive repair works are required to the facility;
- 3.4.3 Middle Meadow Walk also closed in 2018. This property was not owned by the Council and is included in the Quartermile Ventures planning permission for development in this area.

3.5 In response, the Convener of Transport and Environment committed to asking officers to review the current status of all of the closed facilities, both in terms of the need for public conveniences and on the appropriate use of these facilities within the Council estate.

### **Scottish Government Guidance**

3.6 The Scottish Government released [guidance](#) on opening of public and customer toilets on 27 June 2020. This guidance recognises that the risk of transmission of COVID-19 is high in public conveniences given the low levels of natural light, lack of ventilation, the number of surfaces to touch and the purpose of a toilet. These risks are deemed by officers to be higher due to the age and design of public conveniences in the city.

- 3.7 The guidance calls for enhanced cleaning, over and above what is normally in place, but is not prescriptive, recognising that the requirements at each location will vary depending on a number of factors, including footfall, infrastructure and physical distancing arrangements. There is also a need to ensure that the facilities can be appropriately managed to protect customers and staff.

#### **Disability Discrimination Act Compliance**

- 3.8 In addition to the risk of transmission of COVID-19 (as outlined above) many of the Council's public conveniences are not compliant with the current Disability Discrimination Act (DDA) requirements.

## **4. Main report**

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- 4.1 The City of Edinburgh Council is responsible for 21 public conveniences across the city. There are two further public facilities within the Pentland Hills Regional Park which the Council is jointly responsible for, with Midlothian and West Lothian Councils.
- 4.2 In March 2020 all public conveniences were closed as a result of the outbreak of COVID-19 in the UK.
- 4.3 Of the 21, three have been closed for longer (Hunters Square; the Mound; and Hermitage of Braid (since December 2019)).

#### **Reopening of Public Conveniences – Review of Operations**

- 4.4 As reported to Committee on 6 August 2020, seven public conveniences reopened on 13 July 2020. A review of operations has shown that:
- 4.4.1 Generally, the measures put in place are working well and the facilities are operating effectively;
- 4.4.2 The operational plan for each facility which sets out the cleansing regime, the physical distancing arrangements and other local arrangements has been successful in managing the facilities on a daily basis;
- 4.4.3 Staff being deployed at the facilities during opening hours has helped to maintain public safety. The attendants for the seven reopened facilities are a mixture of full time public convenience and agency staff, employed through Pertemps, as there were no volunteers from repurposing;
- 4.4.4 Demand at the open facilities has been extremely varied, mainly based on the weather. On wet or cold days, demand has been low. It is difficult to predict usage therefore managing staffing on the basis of demand is not possible.
- 4.5 People counter sensors were installed in the seven facilities at the end of August to allow usage to be monitored. An update on usage for the facilities from installation to the end of September can be provided verbally at Committee if required.

- 4.6 Council officers and attendants have continued to monitor public urination around the Meadows, Bruntsfield Links and Portobello Beach and have worked with Police Scotland where incidents have been reported.
- 4.7 When particularly good weather has been forecast, arrangements have been put in place to extend the opening hours of the public conveniences. The ability to do this is dependent on staff agreeing to work overtime, often at short notice, so has not always been possible. The attendants in these areas indicate that the incidents of public urination has declined but not stopped entirely.
- 4.8 Signs have been installed at the facilities to ensure they are clearly visible to the public and posters put up in park notice boards indicating where the nearest facility is located. Information on safety measures are displayed within the facilities and further information is available on the Council's website.

**Measures and Investment Required to reopen other facilities now**

- 4.9 As detailed in the August report, the measures and costs associated with reopening a further 10 public conveniences include:
  - 4.9.1 Adequate staffing to maintain public health;
  - 4.9.2 Legionella flushing (as the facilities have not been used for so long);
  - 4.9.3 Installation of public health signage;
  - 4.9.4 Deep cleaning of facilities; and
  - 4.9.5 Minor remedial repairs to enable the facility to reopen (e.g. installation of hand sanitiser dispensers, hand towel boxes, replacing toilet seats); and
  - 4.9.6 Internal adjustments (e.g. closing cubicles if more than one to maintain physical distancing).
- 4.10 However, for West End (Princes Street Gardens) these measures would not be sufficient to reopen the facility at the current time as appropriate physical distancing arrangements could not be maintained for queuing.
- 4.11 As outlined above, there are three facilities which cannot currently be considered for reopening:
  - 4.11.1 Hunter Square;
  - 4.11.2 Hermitage of Braid; and
  - 4.11.3 The Mound.
- 4.12 The toilets located at Hunter Square were closed in April 2017 as part of a set of measures agreed with Police Scotland to tackle antisocial and criminal behaviour in the area. The measures have worked well and there are no current plans to reopen them. Further, Edinburgh World Heritage have high level plans to include the closed toilet area within their plans for the Tron Development.

- 4.13 The public toilets at the Hermitage of Braid have been closed since December 2019 due to blocked drains. Initially the blockage was attributed to paper towels being placed in the toilets however once this was cleared further investigation revealed blockages further down the sewer system and camera investigation was requested. This has not yet been undertaken so the extent of the works and associated costs are currently unknown.
- 4.14 The toilets at the Mound are located underground and protrude into Princes Street Gardens. In 2018 the toilets were closed when sewage started leaking into the gardens due to broken drains. Survey work has been undertaken but the full extent of the problem could not be identified. Costs are expected to be significant due to the underground location within Princes Street Gardens. These toilets are male only and are not compliant with the current DDA requirements. On this basis, there is clearly a need for a cost/benefit analysis of whether this investment is prudent or whether the toilets should be closed on a more permanent basis. A decision on the closure of the toilets would need to be taken by Transport and Environment Committee at the appropriate time.
- 4.15 There are only two of the facilities which were agreed for closure in 2015 which have not yet been sold:
- 4.15.1 Granton Square: remains unsold or unleased due to issues with its location as the facility is situated in the middle of the roundabout and title. The facility is in a low footfall area and will require substantial investment to re-open; and
- 4.15.2 Currie: A lease was being pursued but this has fallen through. The facility will now be put up for sale.

#### **Public Conveniences – November 2020 to March 2021**

- 4.16 Committee requested an annual schedule for opening public conveniences. In normal circumstances there are 18 public conveniences open and operated by City of Edinburgh Council on a year-round basis. These facilities are maintained by a mobile team.
- 4.17 As stated in previous reports, the only way to eliminate the risk of transmission in public conveniences would be to keep all of the facilities closed. Due to COVID-19, it is not possible to maintain all of the facilities in accordance with the public health guidance, with the safety and wellbeing of staff and customers paramount without introducing additional measures (as set out in paragraph 4.9).
- 4.18 An investigation has been undertaken to identify if there are alternative measures which could be introduced and minimise the cost to the Council. These included:
- 4.18.1 Considering moving away from staffed toilets to using 'mobile' teams who cleanse the facilities on a regular basis throughout the time the public convenience is open. Each facility would have to be risk assessed, taking into any account variation in footfall based on various factors such as day of the week, weather conditions, nearby events. As described in paragraph 4.4.4 it is difficult to staff toilets flexibly.

4.18.2 From a public health aspect, the Council promotes best practice which is the toilets being staffed unless there is sufficient evidence that the risk of transmission within un-staffed toilets is very low. If footfall figures show that toilets are not being used then the benefit of having these toilets open in the first place needs to be carefully considered and does that benefit outweigh the risk.

4.18.3 Other operational methods such as employing an electrostatic 'spray' at the start of the day. Spraying the toilets at the start of the day alone would not be sufficient as the toilets would only be clean until their first use and ensuring physical distancing is maintained would not be possible.

4.19 It is recommended that, subject to a review of the footfall numbers, the current seven facilities remain open until the end of this financial year, with the same measures as are in place in line with the public health guidance. A further review will be undertaken in the new year on arrangements from April onwards, based on the public health guidance at the time. These will be reported to Committee if normal operating arrangements cannot be reintroduced.

### **Community Toilet Scheme**

4.20 The Community Toilet Scheme was set up in 2015 and includes toilets available in over 60 Council and Edinburgh Leisure buildings and a number of local businesses across the city. Businesses that choose to participate in the scheme allow members of the public to use their toilet facilities without expecting them to make a purchase. In exchange, the Council makes an annual payment to each business of £500. In 2015 hospitality businesses were approached in the locations where ten public conveniences were being closed. At the time ten businesses (cafes and pubs) signed up to the scheme.

4.21 Appendix 1 shows the current status of buildings which participate in the Community Toilet Scheme.

4.22 Scottish Government [guidance](#) for the hospitality sector highlights that the management of toilet facilities during the COVID-19 pandemic presents an added challenge and is an area of increased risk, particularly in contained and narrow spaces, such as small cafes, where physical distancing is difficult. All hospitality businesses are required to collect customer contact details to support Test and Protect. It is therefore reasonable to assume that further businesses are unlikely to sign up for the Community Toilet Scheme in the near future.

4.23 Current businesses which participate have been contacted and most have confirmed that they would like to remain members of the scheme. However, some are currently unable to provide facilities for non-customers due to the restrictions which they have had to implement to adhere to the public health requirements arising from COVID-19. It is not expected that further businesses will be willing to sign up for the Community Toilet Scheme at this time.

## **Public toilet facilities strategy for Edinburgh**

- 4.24 As has previously been acknowledged, the age and design of the Council's public conveniences means many are no longer fit for purpose, nor actually in the best locations for residents and visitors. A strategic plan for the development and ongoing provision of public toilets is now required.
- 4.25 Whilst not a statutory service, public toilets are generally expected wherever there are likely to be people from home or their workplace for a sustained period of time. The availability of toilets makes an area a viable place to visit for a longer period of time, in particular areas such as:
- Premier parks, which may have play areas, a skate park, a picnic area or other features, which then need the infrastructure around to function at its best;
  - A location, such as Portobello beach or the Pentland Hills Regional Park, which wishes to promote itself as a place for higher numbers of visitors;
  - Each of Edinburgh's official town centres; and
  - Travel centres where people arrive after journeys on which facilities are typically limited.
- 4.26 An assessment of locations where toilets facilities are required in Edinburgh should be undertaken to understand the requirement. It should be acknowledged that these areas will be subject at different times to intense periods of use, and some will have extended quiet periods, and they will be expected to be open and cleaned when each user arrives. The type of location will have different features which need to be considered in what styles and amount of facilities offered.
- 4.27 The assessment may identify where current facilities should be refurbished, where facilities are no longer required or where a new building should be installed in a new location.
- 4.28 The refurbishment or installation of new facilities would provide an opportunity to introduce features that reduce the spread of viruses (e.g. non-touch flushes and taps), reduce anti-social behaviour and potentially provide additional space for productive use which will can add value in terms of either revenue or utility value of the building. The addition of space for a concession, such as a small café, could be built into one end of the toilet. This could generate income to support the service, provide a more reassuring presence at the location to prevent anti-social behaviour and potentially provide a dedicated maintenance and cleaning resource for the facilities.
- 4.29 Refurbished or new facilities should all be compliant with the current DDA requirements and there is an opportunity to include Changing Places at these locations to ensure that they are accessible for all.



- 4.30 Current public conveniences in Edinburgh all have male and female areas. Having two areas and often three with an accessible toilet, creates a significant cleaning and maintenance burden, and can lead to one area being crowded while the other is empty meaning real inefficiencies. It is recommended that new or refurbished facilities are unisex or “gender neutral” toilets to provide facilities which are easy to clean and allow easier management of physical distancing (given that all toilets would be cubicles) whilst maintaining proper privacy and dignity and are cost effective.
- 4.31 Charging for the use of toilet facilities will need to be carefully considered. Whilst introducing a charge reduces running costs and, if the access controls are in place, reduces vandalism and general misuse, there will be higher level of security standards required in and around the cash collection process. Should charging for facilities become an option than it is advised that a contactless entry approach is used as this has the benefit of being both fair for the customer and is easier to manage for the Council.

## **5. Next Steps**

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- 5.1 If Committee decides to close the seven open toilets over winter months then the Council’s website needs to be updated accordingly. Officers will continue to monitor the facilities, to deal with any immediate issues as they arise (in accordance with the decision-making process set out in each operational plan) and to respond to requirements to change arrangements if the need arises.
- 5.2 If Committee agrees that the seven facilities should remain open to the end of this financial year, this report should be referred to Council for approval of the measures and the financial investment required. The opening of further public conveniences would also require Council approval due to the further costs associated with this.
- 5.3 A report will follow in Spring 2021 if public conveniences are unable to return to normal operations for the new financial year.
- 5.4 An officer will be identified to take forward the strategic assessment should this be approved.

## **6. Financial impact**

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- 6.1 The cost of reopening the seven public conveniences has been £107,653 for staffing, personal protective equipment and consumables. The cost of repairs and maintenance are not included. These additional costs could not be met from the service budget and therefore are classified and reported as a cost attributable to COVID-19.
- 6.2 If Committee were to decide to retain the opening of the seven toilets over the winter months until end of financial year, the additional cost is expected to be in the

region of £140,358 (excluding repairs and maintenance). These costs cannot be met from the service budget.

## **7. Stakeholder/Community Impact**

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- 7.1 An integrated impact assessment is being developed for the facilities which have already reopened. Equality issues remain an important consideration; disabled people may be particularly disadvantaged if public toilets are not reopened.
- 7.2 There are wider local environmental impacts if public toilets are not reopened, in areas where people are congregating.

## **8. Background reading/external references**

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- 8.1 None

## **9. Appendices**

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- 9.1 Appendix 1: Community Toilet Scheme.

## Appendix 1: Community Toilet Scheme

\* There is a phased approach to the re-opening of libraries, community centres and leisure facilities and access to the toilets will be reviewed when they re-open.

Premises	Address	Current status
<b>Colinton Library</b>	14 Thorburn Road, Edinburgh EH13 0BQ	*
<b>Currie Library</b>	210 Lanark Road West, EH14 5NX	*
<b>Kirkliston Library &amp; Local Office</b>	16 Station Road, EH29 9BE	*
<b>Gilmerton Library</b>	13 Newtoft Street, EH17 8RG	*
<b>Moredun Library</b>	92 Moredun Park Road, EH17 7HL	*
<b>Morningside Library</b>	184-186 Morningside Road, Edinburgh EH10 4PU	*
<b>Newington Library</b>	17-21 Fountainhall Road, EH9 2LN	*
<b>Stockbridge Library</b>	11 Hamilton Place, Edinburgh EH3 5BA	*
<b>Granton Library</b>	29 Wardieburn Terrace, EH5 1DD	*
<b>Muirhouse Library</b>	15A Pennywell Road, EH4 4TZ	*
<b>Central Library</b>	7-9 George IV Bridge, EH1 1EG	*
<b>Blackhall Library</b>	56 Hillhouse Road, EH4 5EG	*
<b>Piershill Library</b>	30 Piershill Terrace, EH8 7BQ	*
<b>Portobello Library</b>	14 Rosefield Avenue, EH15 1AU	*
<b>Ratho Library</b>	6 School Wynd, Ratho, Newbridge, Midlothian EH28 8TT	*
<b>Fountainbridge Library</b>	137 Dundee Street, EH11 1BG	*
<b>Oxgangs Library</b>	343 Oxgangs Road North, EH13 9LY	*

<b>Sighthill Library</b>	Gate 55, 55 Sighthill Road, EH11 4PB	*
<b>Wester Hailes Library</b>	1 West Side Plaza, EH14 2ST	*
<b>Ainslie Park Leisure Centre</b>	92 Pilton Drive, Edinburgh EH5 2HF	*
<b>Braid Hills Golf Course</b>	15 Braid Hills Approach, Edinburgh EH10 6JY	*
<b>Carrick Knowe Golf Course</b>	27 Glendevon Park, Edinburgh, Midlothian EH12 5UZ	*
<b>Craigentenny Golf Course</b>	Fillyside Road, EH7 6RG	*
<b>Craiglockhart Leisure and Tennis Centre</b>	177 Colinton Road, Edinburgh EH14 1BZ	*
<b>Drumbrae Leisure Centre</b>	30 Drum Brae Terrace, Edinburgh, Midlothian EH4 7SF	*
<b>Edinburgh International Climbing Arena: Ratho</b>	South Platt Hill, Newbridge EH28 8AA	*
<b>Glenogle Swim Centre</b>	Glenogle Road EH3 5JB	*
<b>Gracemount Leisure Centre</b>	22 Gracemount Drive, Edinburgh, Midlothian EH16 6RN	*
<b>Jack Kane Sports Centre</b>	208 Niddrie Mains Road EH16 4ND	*
<b>Kirkliston Leisure Centre</b>	1 Kirklands Park Street, Kirkliston EH29 9EY	*
<b>Leith Victoria Swim Centre</b>	Junction Place, Edinburgh, Midlothian EH6 5JA	*
<b>Meadowbank Sports Centre</b>	139-143 London Road, Edinburgh, Midlothian EH7 6AE	*
<b>Meadows Tennis</b>	Melville Drive, Edinburgh EH8 9NL	*
<b>Meggetland Sports Complex</b>	Meggetland Wynd, Edinburgh, City of Edinburgh EH14 1AS	*
<b>Portobello Golf Course</b>	Stanley Street, Edinburgh, City of Edinburgh EH15 1JJ	*

<b>Portobello Swim Centre</b>	57 Promenade, Edinburgh, Midlothian EH15 2BS	*
<b>Royal Commonwealth Pool</b>	21 Dalkeith Road, Edinburgh, Midlothian EH16 5BB	*
<b>Silverknowes Golf Course</b>	118 Silverknowes Road, EH4 5ET	*
<b>Tumbles at Portobello Gymnastics and Softplay Centre</b>	20 Westbank Street, Edinburgh EH15 1DR	*
<b>Warrender Swim Centre</b>	55 Thirlestane Rd EH9 1AP	*
<b>East Neighbourhood Office and Craigmillar Library</b>	101 Niddrie Mains Road, EH16 4DS	No access to toilets at this time
<b>South Neighbourhood Office and Library</b>	40 Captain's Road, Edinburgh, EH17 8QF	No access to toilets at this time
<b>South West Neighbourhood Office</b>	10 Westside Plaza, EH14 2ST	No access to toilets at this time
<b>The Drumbrae Library Hub (West Neighbourhood)</b>	81 Drum Brae Drive, EH4 7FE	No access to toilets at this time
<b>North Neighbourhood Office</b>	8 West Pilton Gardens, EH4 4DP	No access to toilets at this time
<b>Royston Wardieburn Community Centre</b>	11 Pilton Drive North, EH5 1NF	*
<b>Drumrae Leisure Centre</b>	30 Drum Brae Terrace, Edinburgh, Midlothian EH4 7SF	*
<b>City Art Centre</b>	2 Market Street, EH1 1DE	*
<b>Hermitage of Braid Local Nature Reserve</b>	EH10 6JF	Closed
<b>Craigentinny Community Centre</b>	9 Loaning Road, EH7 6JE	*
<b>Jack Kane Community Wing</b>	208 Niddrie Mains Road, EH16 4ND	*

<b>Northfield/Willowbrae Community Centre</b>	10 Northfield Road, EH8 7PP	*
<b>Royston/Wardieburn Community Centre</b>	Pilton Drive North, EH5 1NF	*
<b>West Pilton Neighbourhood Centre</b>	19 West Pilton Grove, EH4 4BY	*
<b>Gilmerton Community Centre</b>	4 Drum Street, EH17 8QG	*
<b>Inch Community Centre</b>	Inch House, 225 Gilmerton Road, EH16 5UF	*
<b>Valley Park Community Centre</b>	37 Southhouse Road, EH17 8EU	*
<b>Pentland Community Centre</b>	Oxgangs Brae, EH13 9LS	*
<b>Kirkliston Community Centre</b>	Queensferry Road, Kirkliston, EH29 9AQ	*
<b>Rannoch Community Centre</b>	Rannoch Terrace, EH4 7ER	*
<b>Nelson Hall Community Centre</b>	5 Spittalfield Crescent, EH8 9QZ	*
<b>Magdalene Community Education Centre</b>	106b Magdalene Drive, EH15 3BE	*
<b>Subway</b>	121 B St Johns Road, EH12 7SB	Unknown
<b>Cramond Kirk Hall</b>	Kirk Cramond, EH4 6NS	No longer able to participate due to covid-19 restrictions
<b>The Railway Inn</b>	542 Lanark Road EH14 5EL	Open
<b>CJ's</b>	137 - 139 Dalry Road EH11 2EA	Open
<b>Troy Café</b>	18 - 20 Dalry Road, EH11 2BA	Open
<b>The Bluebird Café</b>	5 Canonmills EH3 5HA	Open
<b>Orchard Bar</b>	1 - 2 Howard Place, EH3 5TZ	Open
<b>Treehouse Café</b>	44 Leven St, EH3 9LI	Unknown

<b>The Open Door Café</b>	420 Morningside Road, EH10 5HY	Not able to participate, at this time, due to covid-19 restrictions.
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