

# Policy and Sustainability Committee

10.00am, Thursday, 6 August 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 that Committee notes the measures and investment required in order to reopen further public conveniences in the city.

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# Report

## Re-opening of public conveniences

### 2. Executive Summary

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- 2.1 In March 2020, City of Edinburgh Council closed all its public conveniences in response to the outbreak of COVID-19. On 13 July 2020, seven conveniences were reopened. This report sets out the measures and investment required to reopen further public conveniences in the city.

### 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 The approved amended recommendations as follows - Committee:
- 3.2.1 Note the public health guidance which has been issued by the Scottish Government in respect of the reopening of public conveniences;
  - 3.2.2 Note the operational risks and arrangements to mitigate these which are being put in place for Council owned public conveniences;
  - 3.2.3 Approve the limited reopening of Council owned public conveniences at this time as set out in in paragraphs 4.6 and 4.7;
  - 3.2.4 Remains dissatisfied with the rationale for keeping all other public conveniences closed and requests a further report in two cycles, describing what measures and investment would be required in order to allow these important public facilities to be opened as a priority;
  - 3.2.5 Note that a review of operations following reopening will be presented to the appropriate Committee in October 2020;
  - 3.2.6 Note that information currently available on the reopening of bars and restaurants as outlined in paragraphs 4.29 – 4.33;
  - 3.2.7 Note that there are not currently any national representative groups for local authorities to discuss such matters but that officers have been engaging with counterparts in other authorities in developing the plans; and

3.2.8 Agree that Edinburgh should be represented if a national group is established.

### **Public Health Guidance**

- 3.3 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.
- 3.4 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.
- 3.5 There has been no update to the guidance since Committee considered the previous report on 9 July 2020, therefore this report assumes that the same measures taken to reopen the seven facilities on 13 July would also need to be in place if any further facilities are to be reopened.

### **Reopening of Cafes, Bars and Restaurants**

- 3.6 The Scottish Government Routemap enabled cafes, bars and restaurants with outdoor areas for tables and chairs to begin reopening from 6 July 2020, with indoor facilities reopening from 15 July 2020.

### **City of Edinburgh Council Public Conveniences**

- 3.7 The age and design of the Council's public conveniences increase the risk of virus transmission. Further, many 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 Since 9 July 2020, seven facilities have been reopened in the city's premier parks and seaside locations.
- 4.3 Early feedback from the reopened facilities has indicated that generally the measures put in place are working well and that they are operating effectively. However, demand is extremely varied, mainly based on the weather.
- 4.4 On days where the weather is sunny and bright, particularly in the Meadows and at Portobello, there is demand for facilities to be open longer. However, on wet or cold days, demand has been low.

- 4.5 It is difficult to provide more flexible opening hours, managing opening on the basis of demand, therefore it is not proposed to make any changes to the operational hours of the open facilities at this time.
- 4.6 A report on the operations of these facilities is due to be presented to Committee in October 2020.

**Measures to reopen other facilities**

- 4.7 Following the meeting on 9 July, the remaining public conveniences have now been assessed and details of the measures and investment required has been prepared and is set out in Appendix 1.
- 4.8 The measures outlined for each facility are based on public health, health and safety and remedial works which would be required to enable the facility to be reopened.
- 4.9 There are three facilities which have not been used for a number of years, or where significant improvements to the facilities would be required before consideration to reopening could be given. These are:
  - 4.9.1 Hunter Square;
  - 4.9.2 Hermitage of Braid; and
  - 4.9.3 The Mound.
- 4.10 In addition, the Council had previously leased a building in Middle Meadow Walk. This property has been significantly damaged by water ingress and would require significant improvement before it could be reopened. However, a review of the property ownership for this building shows that the land has been acquired by Quartermile and included within a planning application for development within this site.
- 4.11 On that basis, officers consider that these facilities should not be considered for reopening at this time.
- 4.12 As reported previously, while it is not possible to eliminate the risk of transmission of COVID-19 without the closure of public conveniences, the following should be considered in deciding whether to reopen facilities:
  - 4.12.1 The safety and wellbeing of staff and customers being paramount;
  - 4.12.2 The public conveniences would always need at least one member of staff on site during opening hours to maintain public safety. The attendants for the seven reopened facilities are agency staff, employed through Pertemps, as there were no volunteers for repurposing. (Committee is asked to note that Pertemps may not be able to provide adequate staffing to reopen all of the remaining conveniences and that recruitment and retention of agency staff can be difficult);
  - 4.12.3 Critical control points need to be identified at each facility for both customers and staff with appropriate measures introduced to support

physical distancing, particularly to ensure safe physical distancing can be maintained while customers are queuing;

- 4.12.4 Appropriate supplies of hand sanitisers, soap, paper towels and cleansing products will be required;
- 4.12.5 Adequate Personal Protective Equipment (PPE) will be required for staff at each facility;
- 4.12.6 At some locations, restrictions will be required to limit the number of people allowed within the facility at any one time. Based on the officer assessment of the facilities which remain closed, this would apply to all of the remaining facilities;
- 4.12.7 Additional signage will be required in and around the facilities to remind customers of the current guidance on hygiene and hand washing. This will need to be updated if guidance changes;
- 4.12.8 Customers need to be aware that the facilities are not open to anyone displaying symptoms of the virus;
- 4.12.9 Each facility will require an operational plan which sets out the cleansing regime, the physical distancing arrangements and other local arrangements;
- 4.12.10 Appropriate risk assessments and safe working practice arrangements will be required; and
- 4.12.11 Issues of people urinating or defecating in public places are continuing in some locations, even where conveniences have reopened.

4.13 A number of minor repairs are required at many of the conveniences before they could be reopened. For the seven which were previously reopened, the Council's Housing Property team undertook the remedial works required extremely quickly. However, they have confirmed that it would not be possible to do remedial works at the other facilities so quickly and therefore external support may be required.

#### **Pentland Hills Regional Park**

- 4.14 In addition to the 21 public conveniences owned by City of Edinburgh Council, there are two facilities within the Pentland Hills Regional Park. One of these facilities, at Harlaw House Visitor Centre is the responsibility of City of Edinburgh Council, with the other, at Flotterstone, the responsibility of Midlothian Council. As responsibility for the management of the Pentland Hills Regional Park rests with City of Edinburgh, Midlothian and West Lothian Councils, any decision to reopen public conveniences would need to be considered by the Pentland Hills Regional Park Joint Management Committee to ensure consistency of approach.
- 4.15 Officers are reporting particular issues around Harlaw Reservoir while this toilet is closed.

## **Patronage**

- 4.16 In 2019, sensors were installed in the majority of the Council's public conveniences. The data provides a high level analysis of the number of people using these facilities.
- 4.17 Due to COVID-19 it is difficult to use this data for comparator purposes. In some cases for example at Hawes Pier, Castlehill and Castle Terrace, footfall is likely to be significantly lower than in previous years. While for other locations, patronage is likely to have increased as more people are exercising and relaxing closer to home.

## **Public Conveniences on Bus Routes**

- 4.18 The table in Appendix 1 highlights the public conveniences which are on bus service routes in the city. Lothian Buses have indicated that these play a key part of driver welfare.
- 4.19 However, as set out in paragraph 4.9, a small number of these toilets have been closed and would require significant investment to reopen.

## **Alternative Arrangements**

- 4.20 Officers are currently investigating options for utilising other methods of cleaning for facilities, as part of a wider corporate approach to cleaning Council buildings.
- 4.21 An update on these investigations will be included in the October 2020 report.

## **5. Next Steps**

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- 5.1 If Committee decides to reopen any additional public conveniences, arrangements will be made to implement this as soon as it is safe to do so.
- 5.2 Officers will continue to monitor all open 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.
- 5.3 A follow up report will be presented to the appropriate Committee in mid-October

## **6. Financial impact**

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- 6.1 Officers estimate that the average cost of reopening each facility would be in the region of £12,000 for 10 weeks (to 31 October 2020), excluding the cost of any minor remedial works.
- 6.2 If Committee were to decide to reopen all of the remaining facilities (with the exception of the three which would require significant repair works to be carried out) the maximum anticipated cost would be in the region of £152,000 (excluding the cost of any minor remedial works).
- 6.3 Any further costs associated with the reopening of public conveniences cannot be met from the service budget.

- 6.4 The public conveniences which remain closed may be subject to empty property relief.

## **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 - Public toilet usage including usage data.

## Appendix 1: Public Conveniences with 2019 Patronage Information

### Public Conveniences - Reopened 13 July 2020

Toilet	Bus Route	Average daily patronage (July – August 2019)
Bruntsfield Links	*	270
Cramond		168
Hawes Pier (South Queensferry)	*	615
Hope Park	*	267
Pipe Lane		314
Ross Bandstand (PSG)	*	293
The Courtyard (Saughton Park)		This facility was not open in 2019

### Public Conveniences – Measures to Reopen

There are a number of measures required to reopen any of the listed facilities in addition to ensuring adequate staffing is in place. These are:

- Legionella flushing;
- Installing public health signage;
- Deep clean of facilities;
- Minor remedial repair works to enable facility to reopen (e.g. installation of hand sanitiser dispensers, hand towel boxes, replacing toilet seats); and
- Internal adjustments (e.g. closing cubicles if more than one to maintain physical distancing).

In addition, the following table shows the specific measures which would require to be addressed before reopening, with information on the operating measures which would be required once open.

<b>Toilet</b>	<b>Specific Measures</b>	<b>Operating Measures</b>	<b>Bus Route</b>	<b>Average daily patronage (July – August 2019)</b>
<b>Bath Street</b>		Only one person in facility at any time		273
<b>Cammo</b>	Facility normally only open when visitor centre is open (Thursdays and Sundays). Visitor centre currently closed.	Single cubicle with limited space available to queue		Usage data not available but anecdotal information suggests usage numbers are low
<b>Castle Terrace</b>		Only one person in facility at any time		227
<b>Castlehill</b>		Only one person in facility at any time		994
<b>Colinton</b>		Only one person in facility at any time	*	60
<b>Hamilton Place</b>	Scottish Water have repaired water main. Some on-going leakage has been reported to Scottish Water.  Arrangements to enable safe queuing outside of the facility are required.	Only one person in facility at any time The Spaces for people programme is introducing additional pedestrian space outside the facility which will be monitored to ensure that this can support safe queuing.	*	123
<b>Hermitage of Braid</b>	Has been closed for significant time due to extensive damage and repairs required.	Not applicable	*	This facility was not open in 2019
<b>High Street (South Queensferry)</b>		Only one person in facility at any time		109
<b>Hunter Square</b>	Has been closed for significant time due to extensive damage and repairs required.	Not applicable	*	This facility was not open in 2019
<b>The Mound</b>	Has been closed for significant time due to extensive damage and repairs required.	Not applicable	*	This facility was not open in 2019
<b>Nicolson Square</b>	Engagement with Police Scotland required in advance of opening due to previous issues with anti-social behaviour.	Two attendants would be required in this facility during opening hours.	*	514

		Only one person in facility at any time		
<b>Winter Gardens (Saughton Park)</b>	Physical distancing in queues outside building difficult to maintain.	Would require queuing arrangements outside of the building to provide a safe space for queuing.  Only one person in facility at any time		This facility was not open in 2019
<b>Taylor Gardens</b>	Engagement with Police Scotland required in advance of opening due to previous issues with anti-social behaviour.	Only one person in facility at any time	*	432
<b>West End (Princes Street Gardens)</b>	Physical distancing in queues outside building difficult to maintain.	Unable to maintain appropriate arrangements for queuing.	*	404

#### **Pentland Hills Regional Park**

<b>Toilet</b>	<b>Measures to reopen</b>	<b>Operation</b>	<b>Average daily usage (July – August 2019)</b>
<b>Harlaw House Visitor Centre</b>	Legionella Flushing Public Health Signage Deep clean of facilities Minor remedial repair works to enable facility to reopen Internal adjustments	Single person in at one time.	Information not collected