

Report No. ES14094

**PROPOSED CLOSURE OF BECKENHAM, BROMLEY AND WEST
WICKHAM PUBLIC CONVENIENCES**

11TH February 2015

Decision Maker: EXECUTIVE

SUPPLEMENTARY INFORMATION

Equality Impact Assessment: Community Toilet Scheme 2015

Contact Officer: Peter McCready, Head of Area Management

COMMUNITY TOILET SCHEME 2015: EQUALITY IMPACT ASSESSMENT

Stage 1 – screening to establish if the function has any relevance to any equality issue and/or monitored group i.e.

- Could the function affect one or more equality group in a different way to another group?
- Establish whether different equality groups have different needs
- Establish whether the function contributes to or hinders equality of opportunity

1a	<p>Please give a brief description of the function and its purpose*</p> <p><u>Background</u></p> <p>The Community Toilets Scheme (CTS) which commenced in 2009 will, from 31 March 2015, fully replace the provision of traditional public conveniences with a greater number and variety of more modern, community-based, facilities.</p> <p>There is no statutory duty to provide public conveniences (it is a discretionary activity under section 87 of the Public Health Act 1936, as amended) but it is Council policy to work with a range of organisations to facilitate the wide provision of such conveniences.</p> <p>In addition to the Bromley's CTS:</p> <ul style="list-style-type: none">• the Mayor of London operates the 'Open London' scheme which encourages businesses to make their toilet facilities available to a wider public• RADAR (the disability rights network) operates a national network of ~9,000 lockable toilets, of which seven are in Bromley and one would be closed under this proposal <p>The Bromley CTS is now entering its final development phase with the replacement of the remaining three town centre public conveniences with a greater number and variety of community toilets: Report ES14094 (20/01/15) and supplementary information.</p> <p>The three conveniences proposed for closure will be replaced with 14 new and five existing CTS facilities: eight in Bromley; six in Beckenham; and five in West Wickham. A public consultation has formed part of this process to identify any concerns (inc. equalities issues).</p> <p>Beckenham</p> <ul style="list-style-type: none">• Beckenham Civic Halls (new entrant)• Costa Coffee (pre-existing arrangement)• Odeon Cinema (pre-existing arrangement)• Sainsbury's (new entrant, 'Open London' scheme)• Spa Leisure Centre (new entrant)• Waitrose (pre-existing arrangement, 'Open London' scheme) <p>Bromley</p> <ul style="list-style-type: none">• BHS (new entrant)• Central Library (pre-existing arrangement)• Civic Centre (pre-existing arrangement)• Marks & Spencer (new entrant, 'Open London' scheme)• McDonalds (new entrant, 'Open London' scheme)• Pavilion Leisure Centre (new entrant)• Sainsbury's (new entrant, 'Open London' scheme)• Waitrose (new entrant, 'Open London' scheme) <p>West Wickham</p> <ul style="list-style-type: none">• Caffé Nero (new entrant)• Marks & Spencer (new entrant, 'Open London' scheme)• Sainsbury's High Street (new entrant, 'Open London' scheme)
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- The Swan Public House (new entrant)
- West Wickham Leisure Centre (new entrant)

The continued success of the CTS is important for Bromley's residents and visitors. For this reason, the CTS will be actively monitored (e.g. in terms of checking opening hours are adhered to and standards of cleanliness upheld) to ensure all groups feel that the expanded provision is an improvement on the former town centre public toilets and does not discriminate any particular group.

Consultation

The Council consulted (through notices at the facilities concerned to directly target the service users) on the proposal to ensure their concerns, including in relation to equalities, had been identified and appropriately addressed.

By 31/1/15, 131 individual written responses had been received, together with two petitions (having 771 signatures in total) in respect of the proposed Beckenham toilet closure.

Written responses related to: a general objection to the closure; concern relating to the adequacy of alternative provision; specific concerns about the CTS; consideration of charging to retain the facilities; and support for the proposed closure.

Equalities issues *per se* did not appear to have been a significant concern.

62% (81) of the responses related to Beckenham, where the chief issue was the availability of alternatives given the closure of Kelsey Park toilet and also in relation to opening times.

25% (33) related to West Wickham, where again the chief concern was the adequacy of alternative provision. Only 2% (3) related to Bromley – one of which was supportive of closure. 11% (14) related to the closures in general – citing inadequate alternatives.

Equalities Issues

The Council's Equality Objective is to deliver 'Improved access and experience of Council services for those users and residents who are from one or more of the protected groups'.

The CTS was subject to an Equalities Impact Assessment when the scheme was first developed in 2008 and again in 2010. Because the scheme is 'tried and tested' it was not anticipated that any entirely new equalities issues would arise. Indeed this appears to be the case as the greater number and diversity of facilities should increase accessibility.

The principles underpinning the CTS's operation actively address residents' concerns by ensuring that the new provision: more than matches existing provision (e.g. in terms of opening hours and facilities); is not be solely provided through public houses (to avoid discriminating against those who for reasons of faith, or otherwise, do not wish to use such facilities); should positively attract visitors to the area; and be clearly signed.

The CTS is now well established and equalities issues have not been found to be a major issue in respect of the alternative facilities which have been provided to date.

**Function can mean process, service, policy or project*

1b How would you classify the function type?

The service is provided on the basis of an application and /or targeted then go to question 1c

The service is open to all go to question 1d

1c	Is the function accessible for all groups? Either tick the box 'Accessible to all groups' and provide <u>relevant evidence</u> OR tick the box for each group to whom the function is <u>not accessible</u> or for whom there may be needs or considerations to accommodate.	
	<input type="checkbox"/> *Accessible for all groups <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual

1d	Is it likely that there will be a negative impact on one or more of the equality groups, or is it clear at this stage that it will be equality neutral? (No negative impact on the groups) Please tick in the box equality neutral OR tick the box for the group(s) that will suffer a negative impact. If you have ticked the box 'equality neutral' please provide evidence.	
	<input checked="" type="checkbox"/> Equality neutral <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Pregnancy & maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion & belief <input type="checkbox"/> Transgender or Transsexual
	<i>If you consider that the impact is Equality Neutral then go to question 1h Otherwise go to question 1e</i>	

1e	<p><i>What are the negative impacts associated with this function? Please list and give details then go to question 1f</i></p> <p>It is considered that the proposal is essentially equality neutral (or even positive – see 1f) but, for completeness, consideration has been given to the groups set out in section 1d.</p> <p>Age: Children may not be able to access licensed facilities and, therefore, the CTS provides a range of alternative facilities. Elderly persons may have difficulty accessing facilities which have stairs and a lack of facilities may discourage some elderly people from travelling – which is precisely why additional provision has been identified.</p> <p>Disability: Although three disabled toilets will be lost as a result of this proposal, there is RADAR toilet provision throughout the borough (provided by organisations that do not form part of the CTS) and all bar two CTS facilities offer disabled access.</p> <p>Religion: some religious / faith groups prescribe the consumption of alcohol and, by extension, the location of community toilets in licensed premises may not be considered appropriate. This is another reason why the development of the CTS was predicated on having a range of types of facility in all town centres.</p> <p>Gender (including transgender), marriage, and race (equality groups) are not considered to be negatively impacted by the proposal.</p>
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1f	<p>Are there positive impacts associated with this function? If yes, please list and give details.</p> <p>On balance, the greater number and provision of equivalent facilities means that there is more choice and no group should be discriminated against.</p> <p>Importantly, the existing facilities are limited in terms of their opening hours and the CTS, as whole, offers extended opening hours (i.e. certain facilities will be open later than the exiting provision).</p> <p>Pregnancy & maternity: this group will be benefitted because facilities (e.g. for baby changing) will increase in number.</p>
1g	<p>At this stage, what plans could be built in to address any negative impacts, and/or to add measures which promote a positive impact, or could you consider an alternative approach which may better achieve the promotion of equality?</p> <p>See Action Plan</p>
1h	<p>The Council has a responsibility to promote positive attitudes to equal opportunities in public life. Has this responsibility been discharged in the application of this function? If yes give examples.</p> <p>Opening up a greater variety of conveniences is inclusive and demonstrates that all groups should be able to enjoy the same good quality facilities.</p>
1i	<p>Are there any Human Rights Issues? If so what are they?</p> <p>None</p>
1j	<p>Is a full impact assessment required?</p> <p><input type="checkbox"/> YES – If you have established that there may not be equality of opportunity in 1c or assessed that there would be negative impact on an equality group in 1 d go to Stage 2</p> <p><input checked="" type="checkbox"/> NO - please sign off the process (stage 3) and fill in any actions identified, if any in the action plan.</p> <p><input type="checkbox"/> Don't know. i.e. not enough evidence. Please go to stage 2.</p>

Stage 2 – full impact assessment

2a	<p>Does the function affect or impact on the public, whether directly or indirectly?</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Don't know</p>
	<p>Provide any relevant information here.</p>
2b	<p>Have complaints or feedback been received about the function and its effect on different equality groups?</p> <p><input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Don't know</p>
	<p>Provide evidence by documenting all reliable up to date information.</p>
2c	<p>Outsourced services - if the function is provided by external organisations/agencies on behalf of the Council please detail any arrangements you have to ensure that the function promotes equality; this may include contract conditions.</p> <p>Provide evidence by documenting all reliable up to date information.</p>
2d	<p>Does the function have employment implications for Council staff</p>

	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> Don't know
	Provide evidence by documenting all reliable up to date information.		
2e	If you have established that the function does have an adverse impact on one or more of the groups, then you must identify whether this is justifiable. If not, then the function must be changed. Please set out the adverse impact and the business justification for continuing with this situation.		
2f	Monitoring – give details of any monitoring being carried out on existing functions.		
2f (i)	If this is a new function, or not currently monitored, are you planning to monitor the impact of the function		
	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> Don't know
	If yes add details to action plan		
	If no please explain why it is not considered appropriate to do so.		
2g	Consultation – If you have not carried out consultation, or if you need to carry out further consultation who will you be consulting with and by what methods? Add details to action plan		
2h	Evidence – what further evidence do you have about considerations with regard to equality issues that you have made concerning this function? e.g. audit reports, minutes from meetings or survey results		
2i	Publishing – if the equality impact assessment forms part of an overall review then the results should be published as part of any report that goes forward to Elected Members. If not the findings of the impact assessment should be published on our Council's web site. Add details to action plan		
2j	Training and development - please list any staff training issues that have arisen as a result of conducting the impact assessment Add details to action plan		

Stage 3 - EQUALITY IMPACT ASSESSMENT ACTION PLAN please list actions that you plan to take as a result of this assessment, continuing on a separate sheet if necessary. If appropriate these actions should be added to any business/service plan for the function.

Issue	Action to be undertaken	Desired outcome	Action owner	Target date
The 14 new sites (in the three town centres) are not yet on the Council's public website	Add the 14 new sites when/if the Executive agrees the report's recommendation	A complete and up-to-date list of CTS facilities across the borough	Pete McCready / Andrew Rogers	Post 11 February 2015
The public needs information to be both up-to-date and reliable – which is an issue when a number of different organisations are providing CTS services	Ensure that web site is updated in respect of changes (e.g. opening hours) through annual reviews (linked to renewal of CTS agreements)	A complete and up-to-date list of CTS facilities across the borough	Pete McCready / Andrew Rogers	Each April
Need to publicise the new facilities and maintain an appropriate level of promotional activity	Consider press release, web information and items in <i>Environment Matters</i>	Greater awareness of extended range of CTS facilities	Pete McCready / Andrew Rogers	Spring 2015 and then ongoing
A number of complementary schemes exist and these need to be monitored for consistency / accuracy of data	Review RADAR , the Mayor's ' Open London ' and Changing Places schemes annually	The same message is given out by all organisations concerned	Pete McCready	Each March
There may be an issue relating to the adequacy of directional and on-site signage	Review the signage for new and existing facilities as part of monitoring regime	That the availability of public conveniences is clear to everyone	Pete McCready / Andrew Rogers	Part of monitoring regime
A facility may leave the CTS resulting in a locally reduced provision	Monitoring regime will identify sites which cease to operate and alternative provision should be sourced	That the scheme continues to provide good local facilities	Pete McCready	Part of monitoring regime

Signed: Peter McCready

Date: February 2015