

Decision Maker: EXECUTIVE

Date: For Pre-Decision Scrutiny by the Renewal Recreation and Housing Policy Development and Scrutiny Committee on Monday 7 August 2023

Decision Type: Non-Urgent Executive Key

Title: CHANGING PLACES FACILITIES ROUND 2 FUNDING

Contact Officer: Max Graham, Regeneration Project Manager
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Chief Officer: Director of Housing, Planning, Property and Regeneration

Ward: All Wards

1. Reason for decision/report and options

- 1.1 The team has been successful in the second round of DLUHC Changing Places funding and awarded a further £185k to be spent on installing a two Changing Places facilities in the borough.
- 1.2 Officers are seeking formal approval to accept and spend the grant monies in line with the parameters of the grant funding.
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2. **RECOMMENDATION(S)**

The Renewal, Recreation and Housing Committee is asked to note the contents of this report and make comments available to the Council's Executive.

The Council's Executive is asked to:

- 2.1 **Approve the allocation and spend of the Changing Places Fund grant monies which total £185k, in line with the interventions set out in the funding application and within this report, to enable the delivery of two further Changing Places facilities across the borough before 31 March 2024.**
- 2.2 **Approve the distribution of funds to MyTime Active and to the Metropolitan Police Hayes Sports Club to deliver Changing Places facilities at Biggin Hill Leisure Centre and The Warren subject to signed management and maintenance agreements.**
- 2.3 **Delegate authority to the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to agree any changes to the delivery of Changing Places programme within the boundaries of the grant funding available and legal contract with DLUHC.**

2.4 Approve a funding application for any additional funding rounds announced by DLUHC where suitable locations can be found and secured with no ongoing revenue costs.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The delivery of two further Changing Places facilities across the borough will have a positive impact upon vulnerable adults and children. The completion of these facilities will enable residents to access their local communities, enjoy days out and visit green spaces and leisure facilities in a safe manner.
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Transformation Policy

1. Policy Status: Existing Policy:
 2. Making Bromley Even Better Priority:
 - (1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
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Financial

1. Cost of proposal: £185k
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Changing Places
 4. Total current budget for this head: £185k
 5. Source of funding: Department for Levelling Up, Housing and Communities
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Personnel

1. Number of staff (*current and additional*):1
 2. If from existing staff resources, number of staff hours:36
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable
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Procurement

1. Summary of Procurement Implications: N/A
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Property

1. Summary of Property Implications: The Council will not be required to provide maintenance resource for the new facilities.
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: delivery of facilities will add social value.
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Impact on the Local Economy

1. Summary of Local Economy Implications: beneficial societal impact as those who are excluded from the local economy have more opportunities to partake.
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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Positive benefits for those with complex needs.
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Customer Impact

1. Estimated number of users or customers (*current and projected*): 1,290 estimated Changing Places users within the Borough
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Positive

3. COMMENTARY

- 3.1 In February 2023, the Council was awarded £185k grant funding from the Department of Levelling Up, Housing and Communities (DLUHC) following an application to the Changing Places Fund. The Changing Places Fund provides capital funding to local authorities to deliver Changing Places facilities in existing buildings and for the provision of standalone modular Changing Places facilities. The Council has previously received £220k from the same grant fund to deliver four changing places facilities across the borough which are already in delivery and have been reported to and agreed by the Executive.
- 3.2 The full background to this report is set out in report HPR2022/043 which was received by the Renewal, Recreation and Housing Committee in October 2022.
- 3.3 Changing Places facilities support people with complex and multiple disabilities whose needs are not met by a standard accessible toilet. Changing Places facilities are larger and contain specialist equipment including an adult-sized changing bench and ceiling track hoist.
- 3.4 Consultation with Changing Places users from the borough was carried out to determine the priority locations for new Changing Places facilities prior to the submission of the grant application. The results of the consultation determined parks and green spaces, and leisure facilities were the preferred locations for Changing Places provision. This is in line with national consultation carried out by Muscular Dystrophy UK which identified that parks and open spaces, leisure facilities and healthcare buildings were all key locations for provision.
- 3.5 Subsequently officers identified the following sites for Changing Places toilets in the second funding application: Biggin Hill Leisure Centre and The Warren (Hayes) this is in addition to the locations funded originally at Princess Royal University Hospital (PRUH), Crystal Palace Park, High Elms Country Park and the Pavilion Leisure Centre. All facilities will be completed by Spring 2024. All these sites have operators in place that will be responsible for the ongoing management and maintenance of the facility and will be required to sign a legal agreement committing them to this.
- 3.6 The delivery of these facilities will significantly improve the spread of Changing Places facilities across the borough, therefore increasing access to parts of the borough for people with disabilities that severely limit mobility, and those with profound and multiple learning disabilities.
- 3.7 Once a facility is complete, under the terms of the grant it requires registration by the Changing Places Consortium. The Consortium is working with DLUHC on the delivery of the Changing Places Grant Fund and is a group who work to support the rights of people with disabilities and the Changing Places Campaign in the UK. Registration of the facility ensures that the internal fitout and equipment meets the requirements of a Changing Places facility.
- 3.8 The Changing Places Fund provides capital funding to deliver the Changing Places facilities and does not include funding to cover any ongoing management and maintenance. The Council will not be responsible for the ongoing management and maintenance of the Changing Places facilities. External partners at each proposed location agreed in principle to cover the ongoing management and maintenance prior to the Council submitting the funding bid. Partners at each site will be required to sign a legal agreement which outlines their management and maintenance responsibility prior to the grant money being transferred.

- 3.9 Biggin Hill Leisure Centre requires £120k and the Warren requires £65k of grant funding in order to install a changing places facility. The entirety of this sum is funded via the DLUHC grant award.
- 3.10 MyTime Active and the Metropolitan Police will be responsible for the management and maintenance of their respective facilities at Biggin Hill Leisure Centre and The Warren and will be required to enter into a legal agreement with the Council which sets out their ongoing responsibility.
- 3.11 MyTime Active and the Metropolitan Police will be expected to undertake the works for the Changing Places facilities directly without Council involvement. On completion of the site, registration of the facility, and signing of the management and maintenance agreement the Council will transfer MyTime £120k and the Metropolitan Police £65k for the sites.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 There are over 250,000 people in the UK who require a Changing Places facility. The Changing Places Consortium provides a list of all registered publicly accessible Changing Places facilities within the UK. There are only Three registered Changing Places facilities in the borough listed by the Changing Places Consortium, two of which are in Bromley Town and the third is now at PRUH. The lack of provision of adequate facilities results in residents, their families, assistants and carers being excluded from their local communities, prevented from having days out and enjoying large areas of the borough. This leads to increased isolation and has negative impacts upon health and wellbeing
- 4.2 The delivery of two further Changing Places facilities across the borough will have positive impacts and enable people who use Changing Places facilities, including people with complex and multiple disabilities, their families, and carers, to enjoy days out in a safe and comfortable manner.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 Making Bromley Even Better: Ambition 1 Children and Families
- 5.2 Making Bromley Even Better: Ambition 2 Adults and Older People

6. FINANCIAL IMPLICATIONS

- 6.1 The service has been successful in securing a further £185k to be spent on installing a further two Changing Places facilities in the borough.
- 6.2 These facilities will be built using the secured grant funding at no cost to the council, with the ongoing maintenance being provided for by the venues where these toilets are being installed, this means there is no ongoing revenue cost for the council either.

7. LEGAL IMPLICATIONS

- 7.1 This report seeks approval to:
- i) Approve the allocation and spend of the Changing Places Fund grant monies which total £185k, in line with the interventions set out in the funding application and within this report, to enable the delivery of two further Changing Places facilities across the borough before 31 March 2024;

- ii) Approve the distribution of funds to MyTime Active and to the Metropolitan Police Hayes Sports Club to deliver Changing Places facilities at Biggin Hill Leisure Centre and The Warren subject to signed management and maintenance agreements;
 - iii) Delegate authority to the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to agree any changes to the delivery of Changing Places programme within the boundaries of the grant funding available and legal contract with DLUHC; and
 - iv) Approve a funding application for any additional funding rounds announced by DLUHC where suitable locations can be found and secured with no ongoing revenue costs.
- 7.2 The full background to this report is set out in report HPR2022/043 which was received by the Renewal, Recreation and Housing Committee in October 2022. The Portfolio Holder approved the decision to proceed to procurement via an exemption from competitive tender to the Contractor named in the Part 2 Report for two modular Changing Places facilities, one at Crystal Palace Park and one at High Elms Country Park.
- 7.3 Under section 19 of the Local Government Act 1976 the Council has the legal power to provide and maintain such facilities in connection with any other recreational facilities as the authority considers appropriate. This includes the delivery of Changing Places facilities as outlined in this report.
- 7.4 As set out in report HPR2022/043, a works contract of this value is below the Public Contracts Regulations 2015 (the Regulations) works threshold, a full procurement exercise under the Regulations is not required.
- 7.5 A direct award of a contract by way of an exemption between £100k and £1M must be approved by the Portfolio holder with the agreement of the Chief Officer, Assistant Director of Contracts and Governance, Director of Finance, and the Director of Corporate Services (CPR 13.1). Officers must ensure all Grant conditions are understood and adhered to at all times and site operators enter a management and maintenance agreement.
- 7.6 The Portfolio Holder for Renewal, Recreation and Housing may approve this report as the role of Policy Development and Scrutiny relating to Renewal, Recreation and Housing includes receiving reports, making recommendations and performance monitoring of services relating to leisure and culture.

8. PROPERTY IMPLICATIONS

- 8.1 This report confirms the successful receipt of grant funding for the installation of two changing places toilet facilities at two sites. Ownership and occupation of these sites is noted below:
- Biggin Hill Leisure Centre – owned freehold by the Council, and occupied on a commercial lease by MyTime Active commencing 1st April 2019, for a 40 year term, expiring 31st March 2059.
 - The Warren (Hayes) – the Council has no legal interest in this property. It is owned freehold by the Mayor’s Office for Policing and Crime and is held leasehold by the Metropolitan Police Hayes Sports Club Limited.
- 8.2 This report confirms that the occupiers of the two sites will utilise the grant funding to install changing place toilet facilities and that ongoing revenue required to maintain these will be at their expense. As the Council are the freehold owner of Biggin Hill Leisure Centre, should the lease be terminated (there are landlord and tenant break clauses within the lease), that

responsibility would fall back to the Council. However, the Council has no reason for foresee either party terminating the lease at present.

- 8.3 Any landlord consent required for alterations under the terms of the lease to Mytime will need to be followed in the usual way.

9. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 9.1. There are over 250,000 people in the UK who require the use of a Changing Places facility and current provision does not meet this need.
- 9.2. The Council obtained feedback from Changing Places users to determine the impact that new Changing Places facilities would have. Respondents stated that the provision of facilities would reduce anxiety and stress, would enable days out and would enable individuals to use facilities in a safe environment.

10. IMPACT ON THE LOCAL ECONOMY

- 10.1 Lacking in scale, it is difficult to monetise the benefits of providing Changing Places toilets. This difficulty is also acknowledged by the Government at national level. The intervention here is therefore neutral on impact on the local economy.

The substantial benefits are instead societal.

These include:

- That it supports people who are excluded from the economy to take part in everyday activities such as travel, shopping or attending leisure/sport events.
- The quality of life for disabled people and their carers is likely to be significant, increasing levels of dignity, autonomy and freedom.

11. IMPACT ON HEALTH AND WELLBEING

- 11.1 The delivery of two further Changing Places facilities across the borough will have positive impacts and enable people who use Changing Places facilities, including people with complex and multiple disabilities, their families, and carers, to enjoy days out in a safe and comfortable manner.

12. CUSTOMER IMPACT

- 12.1 The Council has set up a working group to progress the delivery of Changing Places facilities throughout the borough. The Changing Places Project Group is a cross-department group comprising Council officers from across the Departments, NHS South East London CCG and Need2Change who represent service users. Service areas represented from the Council include Adult Learning Disabilities and SEND; Environment and Community Services; Culture and Regeneration; and Occupational Therapy, as well as representatives from community organisations Need2Change, Bromley Mencap and Your Voice in Health and Social Care.
- 12.2 Changing Places users were consulted on priority locations for Changing Places facilities within the borough. These views informed the funding bid and the choice of locations for proposed facilities to ensure that local residents benefit from the delivery of the project.

13. WARD COUNCILLOR VIEWS

- 13.1 “We thank Officers for their time and support in sourcing this funding and especially for the funds to be spent in Biggin Hill. We look forward to working with MyTime and Officers in working up the plans and seeing the installation of this much needed and I am sure valued facility.” – Cllr Melanie Stevens
- 13.2 Ward Cllrs requested that the facilities were made available to all members of the public, however given the specialist facilities being provided and the grant conditions this is not possible – Hayes and Coney Hall Ward Councillors.

Non-Applicable Headings:	Personnel and Procurement Implications
Background Documents: (Access via Contact Officer)	HPR2022/043 (Part 1 and Part 2) and Executive Report No. HPR2023/011