

Merton Council

Cabinet

18 September 2023

Supplementary Agenda

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| 3 | Minutes of the previous meetings | 1 - 6 |
| | - Minutes of the meeting held on 17 July 2023 | |
| 4 | Reference from the Sustainable Communities Overview and Scrutiny Panel – Community Toilets | 7 - 70 |
| | - Updated cover report and Appendix | |

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Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

CABINET

17 JULY 2023

(7.15 pm - 7.56 pm)

PRESENT Councillors Councillor Ross Garrod (in the Chair),
Councillor Eleanor Stringer, Councillor Stephen Alambritis,
Councillor Billy Christie, Councillor Caroline Cooper-Marbiah,
Councillor Brenda Fraser, Councillor Natasha Irons,
Councillor Andrew Judge, Councillor Sally Kenny and
Councillor Peter McCabe

ALSO PRESENT Councillor John Oliver

Lewis Addlington-Lee (Head of Leader's Office), Zara Bishop (Communications Manager), Keith Burns (Assistant Director, Commissioning), Polly Cziok (Executive Director of Innovation & Change), Jen Davis (Cabinet Support Officer), Hannah Doody (Chief Executive), Anthony Hopkins (Head of Library, Heritage and Adult Education Services), Nazifa Islam (Cabinet Support Officer), Roger Kershaw (Assistant Director Finance and Digital), Jane McSherry (Executive Director of Children, Lifelong Learning and Families), John Morgan (Executive Director, Adult Social Care, Integrated Care and Public Health), Asad Mushtaq (Executive Director of Finance & Digital), Lucy Owen (Executive Director of Housing & Sustainable Development), Louise Round (Managing Director, South London Legal Partnership) and Amy Dumitrescu (Democracy Services Manager)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

The Leader of the Council opened the meeting and thanked those in attendance.

The Leader spoke to thank Louise Round, Managing Director South London Legal Partnership at her last meeting of Cabinet for her work and Cabinet Members spoke to express their thanks to Louise.

No apologies were received from members.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 19 June 2023 are agreed as an accurate record.

4 REVIEW OF BUILDING CONTROL AND PROPOSED INCREASE TO BUILDING CONTROL FEES (Agenda Item 4)

The Cabinet Member for Housing and Sustainable Development presented the report noting that fees had not been increased for the service for four years and it was necessary to increase them to ensure they covered the costs of the service and became in line with other London Boroughs. The fees would be reviewed annually in April.

A review of the service had been undertaken with a draft structure devised which would include two trainees for three years at no cost to the Council.

RESOLVED:

- A. That Cabinet noted the ongoing Review of the Building Control Service to make it fit for purpose.
- B. That Cabinet approved an increase to Building Control Fees as set out in the report and detailed in the Appendix.
- C. That Cabinet noted the current position with regard to legislative changes affecting the Building Control Service, following the outcome of the investigation into Grenfell and Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety.

5 MERTON'S CIVIC PRIDE FUND – INVESTING IN NEIGHBOURHOODS AND MERTON'S COMMUNITY CLIMATE ACTION FUND (Agenda Item 5)

The Cabinet Member for Local Environment, Greenspaces and Climate presented the report and provided an overview of the recommendations.

RESOLVED:

That Cabinet

- 1. Approved the proposed approach to launching and administering Merton's new Community Climate Action Fund alongside Merton's Civic Pride Fund – Investing in Neighbourhoods.
- 2. Approved the amended assessment criterion B set out at para 2.13 for Merton Civic Pride Fund – Investing in Neighbourhoods so that it refers to the Council Plan – "Building a Better Merton Together" which confirms the context for the council's strategic objectives.
- 3. Approved the proposed criteria for Merton's new Community Climate Action Fund.
- 4. Noted the new prioritisation guidance for both funds, as well as the additional information requirements for projects which have already received council funding.
- 5. Approved the proposed timetable set out in Section 5 of the report.

6 THE ROLE OF MERTON'S LIBRARIES AS COMMUNITY HUBS (Agenda Item 6)

The Cabinet Member for Sport and Heritage presented the report, noting that there were seven libraries in the Borough which attracted up to 1.1 million visits per year and the intention to increase their offer and improve the current network.

The Cabinet Member gave an overview of the recommendations and thanked officers for their work.

The Leader of the Council thanked the libraries team and the 750 volunteers who work across Merton's libraries for their work.

RESOLVED:

A. That Cabinet noted the progress made with establishing Merton's libraries as community hubs.

B. That Cabinet agreed the direction of travel for Merton's libraries as community hubs and the kinds of services and partnerships that will be provided through them.

7 PRIVATE SECTOR HOUSING ASSISTANCE POLICY (Agenda Item 7)

The Cabinet Member for Housing and Sustainable Development presented the report on the adoption and publication of the policy noting there was a statutory responsibility to award DFGs and to provide a service in this regard to enable persons with disabilities to have adaptations installed within their homes. The Cabinet Member provided an overview of the support included.

The Cabinet Member for Health and Social Care spoke to welcome the report and stated that keeping people in their homes was a key objective.

RESOLVED:

That Cabinet approved the adoption and publication of the Housing Assistance Policy

8 A MODERNISED APPROACH TO ENGAGING RESIDENTS (Agenda Item 8)

The Deputy Leader and Cabinet Member for Civic Pride presented the report thanking officers for their work. The Cabinet Member gave an overview of the key recommendations including reforming face to face engagement, the proposed changes to Community Fora and improving work with residents associations.

In response to questions, the Cabinet Member advised that the proposals had been taken to all Community Forum meetings and some were keen to continue in their own way and they would be supported with this.

RESOLVED:

A. That Cabinet agreed the proposals for a more resident-facing approach to community engagement, through a new model for community forums as well as additional support for resident associations

B. That Cabinet agreed to the proposals to supplement the biennial residents survey with a new digital engagement platform that includes a citizens panel

9 DRAFT EQUALITIES, DIVERSITY AND INCLUSION STRATEGY 2023 - 2026 (Agenda Item 9)

The Deputy Leader and Cabinet Member for Civic Pride presented the report noting that the consultation was starting on the draft strategy and set out how the Council would fulfil a wide range of objectives. The Cabinet Member noted that the consultation would be open until October 2023.

RESOLVED:

- A. That Cabinet agreed to go out to public consultation on the draft Equality, Diversity and Inclusion Strategy prior to a final version being presented to Council for adoption in November 2023.
- B. That Cabinet delegated the authority to agree the final version of the Strategy, for submitting to Council, to the Cabinet Member for Civic Pride in order to enable a longer consultation timescale.
- C. That Cabinet noted that in addition to the nine Protected Characteristics defined by the Equality Act the scope of the strategy has been extended to include care experienced young people, armed forces veterans, single parent households and socio-economic status.
- D. That Cabinet noted the proposed consultation timeline.
- E. That Cabinet noted the proposed duration of the Strategy is intended to align both with the end date of the new Council Plan and to the Equality and Human Rights Commission's requirement that Councils publish updated equalities objectives every four years.

10 THE PROVISION OF EDUCATIONAL OCCUPATIONAL THERAPY FOR CHILDREN AND YOUNG PEOPLE OF THE LONDON BOROUGH OF MERTON (Agenda Item 10)

The Cabinet Member for Education and Lifelong Learning presented the report, thanking officers for their work. The Cabinet Member gave an overview of the report and the Executive Director for Children, Lifelong Learning and Families advised that the report recommendations were within part of the plan to have more children educated in provision in Merton and expanding therapy provision to meet the needs of those children.

RESOLVED:

- 1 That Cabinet approved the award of the contract for Educational Occupational Health Services, (Ed OT), for the initial contract term of four (4) years, with the option to extend for up to two (2) years for Merton children and young people with Education, Health and Care plans, (EHCP). The identities of the preferred and unsuccessful bidders are set out in Appendix A
- 2 That Cabinet noted the spend for the Educational Occupational Therapy services for an initial term of four (4) years, with the option to extend for two (2) years, with a total contract value as shown in Appendix A for the full six years.
- 3 That Cabinet delegated the authority to approve the two (2) extension to the Executive Director of CLLF Department.

11 QUARTER 1 FINANCIAL MONITORING REPORT (Agenda Item 11)

The Cabinet Member for Finance and Corporate Services presented the report, thanking officers for their work including reformatting the reports to separate figures into the six new directorates. It was noted that the Council was currently projecting a net unfavourable variance of just over £8m, and members were working closely with officers to ensure the budget was monitored to work towards a more balanced net position by the end of the financial year. It was noted a number of changes to the capital programme were also included.

RESOLVED:

- A. That Cabinet noted the financial reporting data for quarter 1, June 2023, relating to revenue budgetary control, showing a forecast net adverse variance at 30th June on service expenditure of £8.186m when corporate and funding items are included.
- B. That Cabinet noted the contents of Section 5 and Appendix 5b of the report and approved the adjustments to the Capital Programme in the Table below:

	Budget 2022-23	Budget 2023-24	Budget 2024-25	Budget 2025-26	Narrative
	£	£	£	£	
<u>Children, Lifelong Learning & Families</u>					
Hillcross - Capital Maintenance	1,950				Virement from the Unallocated Capital Maint. Budget
Wimbledon Park - Capital Maintenance	(67,850)				Virement to the Unallocated Capital Maint. Budget
Abbotsbury - Capital Maintenance	96,980				Virement from the Unallocated Capital Maint. Budget
Malmesbury - Capital Maintenance	(1,990)				Virement to the Unallocated Capital Maint. Budget
Liberty - Capital Maintenance	(430)				Virement to the Unallocated Capital Maint. Budget
St Marks Primary - Capital Maintenance	(650)				Virement to the Unallocated Capital Maint. Budget
Sherwood - Capital Maintenance	(17,200)				Adjustment to Budget as Lighting Scheme not progressed and school contrib reduced
Unallocated - Capital Maintenance	(28,010)				Virement to Various Capital Maint. Schemes
Raynes Park - Capital Maintenance	(36,790)				Virement to the Rutlish Capital Maint. Budget
Rutlish - Capital Maintenance	36,790				Virement from the Raynes Park Capital Maint. Budget
Perseid School Expansion	(50,000)	50,000			Re-profiled in accordance with projected spend
Second school ARP expansion 4	(20,000)	20,000			Re-profiled in accordance with projected spend
Second school ARP expansion 3	(20,000)	20,000			Re-profiled in accordance with projected spend
Primary school ARP expansion	(10,000)	10,000			Re-profiled in accordance with projected spend
Ricards Lodge - 6th Form Expansion(a)	50,000	3,550,000			DfE Post 16 Capacity Funding £3,235,706 and School Contrib £364,294 match funding
<u>Environment and Regeneration</u>					
Parks Investment - New Green Flag	12,000				New Grant from GLA for Schools Suprezones
Sports Facilities - Tennis Big Screens	60,000				Funded from Reserves
Morden Leisure Centre - New Running Track	(350,000)	350,000			Re-profiled in accordance with projected spend
Parks Investment - Abbey Recreation Ground	(7,210)				£7,210 Spent in Revenue
CCTV Investment - CCTV cameras & infrast upgrade	(439,730)	439,730			Re-profiled in accordance with projected spend
Raynes Park Area Roads - Raynes Park Station Pub Realm	5,870				Additional S106 Funding
Highways and Footways - Casualty Reduction & Schools	(9,100)				TfL budget reduced as moved to Revenue Budgets
Parks Investment - Tennis Court Major Resurfacing	185,590	(35,590)	(75,000)	(75,000)	Re-profiled in accordance with projected spend

Housing & Sustainable Development					
Major Projects - Affordable Ho - Affordable Housing Fund	(4,522,490)	4,522,490			Re-profiled in accordance with projected spend
Mitcham Area Regeneration - Knowledge Exchange Mitcham	266,500				Funding from South London Partnerships
Wimbledon Area Regeneration - Wimbledon Hill Rd	92,000				Virement between interlinked schemes
Wimbledon Area Regeneration - Wimb Public Realm Implement	(92,000)				Virement between interlinked schemes
Total	(4,865,770)	8,926,630	(75,000)	(75,000)	

(a) Requires Council Approval

C. That Cabinet recommended to Council to approve Ricards Lodge Sixth Form Expansion scheme of £3,600,000 noting the information contained in 5.2b(ii)

12 EXCLUSION OF THE PUBLIC (Agenda Item 12)

The meeting proceeded entirely in public and therefore this item was not required.

Committee: Cabinet

Date: 18 September 2023

Wards: All

Subject: Reference from the Sustainable Communities Overview and Scrutiny Panel – Public toilet provision in Merton

Lead officer: Rosie Mckeever, Scrutiny Officer

Lead member: Councillor Stuart Neaverson, Chair of the Sustainable Communities Overview and Scrutiny Panel

Contact officer: Rosie Mckeever, Scrutiny Officer, 0208 545 4035

Recommendations:

1. The Sustainable Communities Overview and Scrutiny Panel requests that Cabinet note its reference set out in paragraphs 2.7 to 2.23 below.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. During the 26 June 2023 meeting of the Sustainable Communities Overview and Scrutiny Panel, Members were asked to consider the Community Toilet Scheme review undertaken by Cllr Stephen Mercer.

2 DETAILS

2.1. Scrutiny process

- 2.2. The Panel welcomed Councillor Mercer to the meeting to speak to his report and provide an overview of the work and research undertaken by himself and Honorary Alderman Peter Southgate.

- 2.3. The Panel also heard from representatives from 'More Loos for Merton' and Age UK who wholeheartedly endorsed the report's recommendations and appreciated the highlighting of the issue.

- 2.4. Cabinet member for Civic Pride, Cllr Eleanor Stringer, congratulated and thanked Cllr Mercer on his report, and agreed on the need for a refresh of the expired community toilet scheme. Ideally Council buildings need to be included and communications and visibility improved but a feasibility study will need to be conducted.

2.5. Scrutiny response

- 2.6. The Panel were in support of the report's recommendations and RESOLVED to send the following recommendations to Cabinet.

- 2.7. Adequate provision of toilets for public use should be recognised as an essential aspect of Merton's public health policy, the fulfilment of which is a matter of civic pride.

- 2.8. Merton should work with London Councils and London Assembly Members to argue that the provision of toilets available for public use should become a statutory duty on local authorities, to be supported by ring-fenced government funding. In addition, it should act in anticipation of a statutory duty, commit funding for such provision and ring-fence it until 2026.

- 2.9. Merton's existing Community Toilet Scheme (CTS) has failed. The CTS should be relaunched and adequately resourced to ensure it is effective and serves a useful purpose.
- 2.10. How should the new Community Toilet Scheme be operated in order to make it successful and enduring? The evidence suggests the following:
- 2.11. (i) To demonstrate its commitment to Merton, the Council should take the lead by being the first to pledge its assets to the new CTS. Public sector organisations like the NHS should then be asked to pledge their assets, followed by the voluntary sector and not for profit organisations eg. churches. No payments are proposed.
- 2.12. (ii) Use case studies from Wimbledon and other London boroughs with successful CTS's to demonstrate the value of toilet provision in attracting customers to town centres as retail and leisure destinations, especially holders of the "grey £" who are otherwise likely to stay at home.
- 2.13. (iii) The need for toilets in each town centre should be mapped based on footfall, and compared with existing provision. A plan should be drawn up to address the shortcomings, using information such as the audit carried out by Age UK in Merton (AUKM) to identify potential members for a new CTS.
- 2.14. (iv) In seeking candidates for a new CTS for Merton, learn from the membership profile of successful CTS's such as Richmond, and select pubs, supermarkets and larger retailers likely to provide high quality facilities for their customers.
- 2.15. (v) Examine the strengths and weaknesses of each town centre to decide how best to present the positive case for CTS membership. Payment may be more influential in some town centres than others.
- 2.16. (vi) Employ signage, print and on-line channels to build awareness and usage of the new CTS
- 2.17. (vii) Payment for enrolling businesses into the CTS can be used selectively and proportionately, to ensure coverage where there would otherwise be gaps
- 2.18. (viii) It cannot be assumed that the CTS concept is familiar or understood, so a new scheme for Merton will require extensive publicity when it is launched to build awareness. Assurances of hygiene and cleanliness will be needed to win acceptance, especially among the vulnerable groups who have the most to gain from the scheme
- 2.19. (ix) Given the evidence of commitment of volunteers to improving toilet provision in Merton, the opportunity should be given to involve them in the ongoing monitoring of the standards of toilets maintained by CTS members in Merton. In addition, Councillors should be encouraged to "buy into" the CTS in their own wards by publicising it to their residents and visiting their CTS members. The Council's formal Scrutiny processes can be used to check the development and performance of the new CTS.
- 2.20. Maintain pressure at the highest level, using all levers available to ensure TfL honours its commitment to the feasibility study to restore toilets at Morden station, and press for the reintroduction of provision as a matter of urgency.

- 2.21. Explore the use of the licensing system to make the grant of late-night licences conditional upon access to staff toilets for delivery drivers.
- 2.22. Information published on CTS members must clearly indicate the type of facilities available, particularly in relation to disabled users. As the leader of place and principal driver of the new CTS, the council should review its property assets in Merton to identify one or two realistic potential candidates for accommodating Changing Places Toilets (CPT's), related to the areas of greatest need.
- 2.23. Look for opportunities to amend Supplementary Planning Documents (SPDs) that would encourage businesses to join the CTS when applying for planning permission. Consider the use of CIL funds to provide public toilets in vacant town centre premises where the CTS fails to achieve adequate coverage. Instruct the Planning department to use S106 agreements to ensure more than minimal provision in new developments.

3 ALTERNATIVE OPTIONS

- 3.1. None – Cabinet is required under the council's constitution to receive, consider and respond to references from overview and scrutiny.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purpose of this report.

5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 5.1. None for the purpose of this report.

6 LEGAL AND STATUTORY IMPLICATIONS

- 6.1. Cabinet is required under the council's constitution to receive, consider and respond to references from overview and scrutiny. The Local Government and Public Involvement in Health Act 2007 requires Cabinet to respond to reports and recommendations made by scrutiny committees within two months of written notice being given.

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 7.1. There are no human rights, equalities and community cohesion implications as a result of this report.

8 CRIME AND DISORDER IMPLICATIONS

- 8.1. There are no crime and disorder implications as a result of this report.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 9.1. There are no risk management and health and safety implications as a result of this report.

10 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Appendix A – Public Toilet Provision in Merton v3.

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**PUBLIC TOILET PROVISION
IN MERTON**

Report on a Scrutiny Enquiry

Prepared for:

Sustainable Communities
Overview & Scrutiny Panel

Rapporteur: Cllr Stephen Mercer
Adviser: Honorary Alderman Peter Southgate

June 2023

Public Toilet Provision in Merton

- Report
- Appendix I – Toilets visited by Age UK Merton February – March 2023
- Appendix II – Survey Results – Review of Toilet Provision
- Appendix III – The costs of Toilet Provision
- Appendix IV – Community Toilet Review Scheme report by London Borough of Richmond
- Appendix V – Letter from Cllr Bokhari to the Mayor of London regarding toilets at Morden underground station
- Appendix VI – Merton CIL’s response to the consultation
- Appendix VII – Mitcham Society Response to Consultation

FOREWORD

I believe the subject matter of this report is one of the identifiers of a civilised society and one in which we demonstrate our concern for our fellow human beings. I am grateful for the support of Councillors Foley and Neaverson in encouraging and enabling me to undertake the enquiry.

I must acknowledge with gratitude the contribution of the many LB of Merton officers who made it possible, such as the Scrutiny team (Rosie McKeever in particular), Kris Witherington who facilitated the survey and all those who contributed their expertise that I have listed separately.

Most of all I need to record the time and energy, support, encouragement, invaluable advice and expertise of Alderman Southgate, without whom I doubt this report could have been produced.

I hope everyone who reads it finds it thought provoking and will join me in looking for significant change.

RECOMMENDATIONS

1. Adequate provision of toilets for public use should be recognised as an essential aspect of Merton's public health policy, the fulfilment of which is a matter of civic pride.
2. Merton should work with London Councils and London Assembly Members to argue that the provision of toilets available for public use should become a statutory duty on local authorities, to be supported by ring-fenced government funding. In addition it should act in anticipation of a statutory duty, commit funding for such provision and ring-fence it until 2026.
3. Merton's existing Community Toilet Scheme (CTS) has failed. The CTS should be relaunched and adequately resourced to ensure it is effective and serves a useful purpose.
4. How should the new Community Toilet Scheme be operated in order to make it successful and enduring? The evidence suggests the following:
 - (i) To demonstrate its commitment to Merton, the Council should take the lead by being the first to pledge its assets to the new CTS. Public sector organisations like the NHS should then be asked to pledge their assets, followed by the voluntary sector and not for profit organisations eg. churches. No payments are proposed.
 - (ii) Use case studies from Wimbledon and other London boroughs with successful CTS's to demonstrate the value of toilet provision in attracting customers to town centres as retail and leisure destinations, especially holders of the "grey £" who are otherwise likely to stay at home.
 - (iii) The need for toilets in each town centre should be mapped based on footfall, and compared with existing provision. A plan should be drawn up to address the shortcomings, using information such as the audit carried out by Age UK in Merton (AUKM) to identify potential members for a new CTS.
 - (iv) In seeking candidates for a new CTS for Merton, learn from the membership profile of successful CTS's such as Richmond, and select pubs, supermarkets and larger retailers likely to provide high quality facilities for their customers.

- (v) Examine the strengths and weaknesses of each town centre to decide how best to present the positive case for CTS membership. Payment may be more influential in some town centres than others.
- (vi) Employ signage, print and on-line channels to build awareness and usage of the new CTS
- (vii) Payment for enrolling businesses into the CTS can be used selectively and proportionately, to ensure coverage where there would otherwise be gaps
- (viii) It cannot be assumed that the CTS concept is familiar or understood, so a new scheme for Merton will require extensive publicity when it is launched to build awareness. Assurances of hygiene and cleanliness will be needed to win acceptance, especially among the vulnerable groups who have the most to gain from the scheme
- (ix) Given the evidence of commitment of volunteers to improving toilet provision in Merton, the opportunity should be given to involve them in the ongoing monitoring of the standards of toilets maintained by CTS members in Merton. In addition, Councillors should be encouraged to "buy into" the CTS in their own wards by publicising it to their residents and visiting their CTS members. The Council's formal Scrutiny processes can be used to check the development and performance of the new CTS.

Special cases

5. Maintain pressure at the highest level, using all levers available to ensure TfL honours its commitment to the feasibility study to restore toilets at Morden station, and press for the reintroduction of provision as a matter of urgency.
6. Explore the use of the licensing system to make the grant of late-night licences conditional upon access to staff toilets for delivery drivers.
7. Information published on CTS members must clearly indicate the type of facilities available, particularly in relation to disabled users. As the leader of place and principal driver of the new CTS, the council should review its property assets in Merton to identify one or two realistic potential candidates for accommodating Changing Places Toilets (CPT's), related to the areas of greatest need.
8. Look for opportunities to amend Supplementary Planning Documents (SPDs) that would encourage businesses to join the CTS when applying for planning permission. Consider the use of CIL funds to provide public toilets in vacant town centre premises where the CTS fails to achieve adequate coverage. Instruct the Planning department to use S106

agreements to ensure more than minimal provision in new developments.

INTRODUCTION AND OBJECTIVES

Public toilets meet a fundamental human need, yet there is no statutory requirement on local authorities (or any level of government) to ensure adequate provision. This is an astonishing omission, given that other aspects of public health are subject to extensive regulation. Yet the subject is hardly ever discussed; The Merton Story (2021) makes just one incidental reference to toilets in its 131 pages.

The London Loos Paper, a research study published by Age UK in 2022, highlighted the consequences of inadequate provision in the capital, and stimulated our interest in conducting a review of toilet provision specifically in Merton. Further to a meeting on 9th November 2022, the Sustainable Communities Scrutiny Panel authorised Cllr Stephen Mercer, a member of the panel, to undertake a rapporteur enquiry into toilet provision with the following terms of reference:

1. To understand the impact of toilet provision on perceptions and behaviour of older residents in Merton, plus the disabled and those with health conditions requiring more frequent visits to the toilet.
2. To map toilet provision in Merton (cf. websites such as the Great British Toilet Map), including toilets in retail and commercial premises as well as public toilets.
3. To measure awareness of the Community Toilet Scheme (CTS) in Merton, and its history since it was introduced in 2009.
4. To explore ways of expanding and increasing awareness of the CTS, including barriers to its extension such as business attitudes and public reservations about using toilets intended for customers only.

METHODOLOGY

The enquiry used a range of data collection techniques, as follows:

1. **Focus groups** – to get participants to describe their coping mechanisms and behaviours if they need the toilet while out, and whether they felt inhibited from going out.
 - Merton Park Ward Residents' Association (MPWRA)
– 17 January 2023
 - Wimbledon Guild (WG) - 25 January
 - Age UK Merton (AUKM) – 30 January

- Merton Centre for Independent Living (MCIL) – 31 January The focus groups were moderated by Peter Southgate.
2. **Desk research**, including the following published reports:
- The Provision of Public Toilets – Department for Communities and Local Government (DCLG) 2007/8
 - An Urgent Need – the State of London’s Public Toilets – Greater London Authority (GLA) 2006
 - The Toilet Paper – Improving London’s Loos- GLA 2021
 - The London Loos Paper – Age UK London (AUKL) 2022
 - Still Dying to Spend a Penny – Greenwich LB 2022
 - Taking the P*ss – the Decline of the Great British Public Toilet – Royal Society for Public Health (RSPH) 2019
 - Community Toilet Scheme Review – Richmond LB 2023
 - Improving Public Toilet Provision in Times of Financial Hardship – Age UK/ London Councils seminar – April 2023
 - London Loos in Focus: Local Authorities’ Community Toilet Schemes – AUKL 2023
3. **Expert witnesses**, including:
- Sarah Xavier (Future Merton)
 - Barry Causer and Dan Butler (Merton Public Health)
 - Alan Goode and Megan Hatton (Safer Merton)
 - Mark Humphries (Infrastructure and Technology Division)
 - Jonathan Turner and Alan Trumper (Greenspaces) and Andy Robinson (idVerde)
 - Jonathan Berry (Planning)
 - Cllr Alan Juriansz (Richmond LB)
 - Laura Tilbury (Lewisham Local)
 - John Merriman (Love Morden)
 - Craig Hurring (Love Wimbledon)
 - Marc Doherty (Centre Court)
 - Victoria Norman (Wimbledon Village Business Association)
 - Chris Larkman (Raynes Park Association)
 - Gregory Hamilton (Elys)
 - James Pickard (TfL) and Leonie Cooper (AM for Merton and Wandsworth)
 - John McGeachy (Age UK London)
4. **Mystery shopper** and visits to CTS and other Merton sites with toilets, predominantly undertaken by Julie Johns of Merton Age UK. A list of the sites visited is attached as APPENDIX I; some of these may be regarded as potential CTS members.

5. **On line survey** project managed by Kris Witherington (Community Engagement) and hosted on Merton's website. A total of 961 self-completion questionnaires were returned between 6 March and 17 April 2023. The survey was publicised in "My Merton" and email newsletters. The full results and the questionnaire are attached as APPENDIX II.

The questions for the survey were piloted in a Teams meeting with Merton's Community Champions on 22nd February and amended prior to publication.

The sample for the survey was self-selecting; it does not purport to be demographically representative of the population of Merton. However, it is representative of the target audience of people more likely to need public toilets in Merton.

- 73% say they need to use the toilet more often than other people
- 22% consider themselves to have a disability • 2 in 3 are age 55 plus (23% are 55 – 64, 30% are 65 – 74 and 11% are 75 and over).
- 2 in 3 (64%) are female (the recommended provision is twice as many toilet cubicles for women as for men)
- • Nearly all (98%) live or work in Merton.

The Mitcham Society's Response to the online survey was unfortunately processed late but has been considered and is attached as APPENDIX VII

FINDINGS

1. The consequences of inadequate provision

- 1.1 The provision of toilets has been called “the barometer of civilisation” in which case the readings for the London boroughs have been low and declining for the past 25 years.

“We are supposedly a civilised, progressive society – what happened?”
(Survey)

London had 486 public toilets in 2000, falling to 419 in 2005 and 393 in 2011. No estimates are available after 2011, but the decline has continued, because toilets that were closed during the pandemic have not re-opened.

- 1.2 Just as the number of public toilets in London has fallen dramatically in recent years, so the need for them has grown. Everyone needs to go to the toilet, just as they need to eat, sleep and breathe. It is a universal requirement, but it affects some more than others. The four groups more in need of public toilets are: - the elderly (65 and over), the disabled, mothers with babies and toddlers, and sufferers from Crohn’s disease and colitis.

- 1.3 The largest of these groups is the elderly (1.1m in London) and their numbers are growing. In Merton the population aged 65 and over is forecast to increase by 43% over the next 15 years, while those aged 85 and over will grow by 52%.
- 1.4 From our survey 77% of those aged 65+ said they need to use the toilet more often than other people. The lack of public toilets makes them think twice before going out; 50% “always” and 31% “sometimes” consider the availability of public toilets where they are going in Merton before leaving home.
- 1.5 The effects of this constraint are well documented. 20% don’t feel able to go out as often as they would like (RSPH), otherwise known as the “loo leash”. More than half (56%) restrict their fluid intake before going out to avoid the need to find a toilet. Such deliberate dehydration can have serious consequences, especially for those with existing medical problems such as cystitis.
- 1.6 Because these coping and avoidance mechanisms are hidden from view, the lack of toilet provision is not recognised as a

public health issue. Yet inadequate provision is preventing older residents from going out and taking part in activities that would improve their quality of life, both mentally and physically.

"I'm not even old, but I drive more because if I walk places I know I might get cut short. At least if you drive you can nip home quickly"
(Survey)

- 1.7 Ratings of public toilet provision in Merton are extremely low, with more than 9 in 10 rating it either "poor" (45%) or "very poor" (48%). If this measure were included in the Resident Satisfaction Survey, ratings as low as this would surely lead to demands for improvement. But because the lack of provision and its consequences for health and well-being are hidden from view, both have been effectively ignored in council policies over the years.

Recommendation 1.

Adequate provision of toilets for public use should be recognised as an essential aspect of Merton's public health policy, the fulfilment of which is a matter of civic pride.

2. Statutory provision

- 2.1 Local authorities are under no statutory obligation to provide public toilets. The Public Health Act 1936 gives them the power but not the duty to provide public toilets. Successive enquiries have highlighted the consequences of this omission, and pressed for legislation to address it.
- 2.1.1 The DCLG Select Committee report in 2007/8 recommended that “the Government imposes a duty on each local authority to develop a strategy on the provision of public toilets in their areas” while leaving it to each local authority to decide how to plan and utilise its own strategy.
- 2.1.2 In its 2021 report “The Toilet Paper” the GLA Health Committee endorsed the call for provision to be statutory, and went further on how this might be funded: “The government should make the provision of public toilets a statutory duty for local authorities, and the Mayor should be leading on this issue for London with London Councils for the provision of ring-fenced funding to enable this to be achieved”
- 2.1.3 The Levelling Up and Regeneration Bill 2023 is currently making its way through Parliament, and includes clauses to impose a statutory duty of toilet provision. However, at the time of writing it is feared that the relevant sections may not have survived as the Bill moves through its committee stages.
- 2.1.4 With financial pressures increased by the costs of Covid and the Ukraine war, once again the temptation is considerable to save money by avoiding expenditure where no statutory duty exists.

Recommendation 2.

Merton should work with London Councils and London Assembly Members to argue that the provision of toilets available for public use should become a statutory duty on local authorities, to be supported by ring fenced government funding. In addition it should act in anticipation of a statutory duty, commit funding for such provision and ring fence it until 2026.

3. Current toilet provision in Merton

- 3.1 The current Community Toilet Scheme (CTS) was launched in 2009 to plug perceived gaps in toilet provision in Mitcham and Morden: "There is less need for a formal CTS in Wimbledon than in Mitcham and Morden as the town centre is better served on an informal basis" (Cabinet - March 2009)
- 3.2 This selective approach coupled with a lack of resourcing meant that when a scrutiny review was undertaken later the same year there were just four participating businesses – three in Morden (including the Civic Centre) and one in Mitcham.

3.3 Currently five participants are listed on Merton's website, but none of them display signs to show they are CTS members, and two have signs on the door saying "Customer use only"

- 3.4 Unsurprisingly, awareness of the current CTS is extremely low. Just 2% of survey respondents describe themselves as "fully" and 14% are "partly" aware. That leaves 6 in 7 of the target audience totally unaware of the scheme.
- 3.5 It is clear that the existing scheme is not working and needs a complete overhaul.
- 3.6 Without a CTS to ensure decent provision of toilets, Merton is faced with financing and maintaining them from Council funds. Maintenance of a pair of toilets costs in the region of £5,000 per year, so that to add 50 or 60 such facilities across the Borough would cost over £250,000 extra per year (an estimate of maintenance costs is included as APPENDIX III). It has been made clear in discussions that this is not a realistic option, given current pressures on the Council and council tax payers.
- 3.7 An alternative for Merton is to stop its spending on the CTS and rely entirely on informal provision by the private sector. This would be to ignore the considerable evidence of unsatisfied need and run completely counter to the will of residents clearly stated in the recent survey.

- 3.8 The logical conclusion is that some type of CTS is the only way of adequately providing for need at a level of cost which is acceptable to the Council.
- 3.9 Richmond and Lewisham are examples of South London boroughs which have tackled the problem with reasonable degrees of success. Richmond is identified as the 'poster child' of CTS schemes, being the first borough to implement such a scheme. However, even there the scheme is currently under review; in the last few years membership has fallen from 70 participants to less than 50. A committee has been established to consider the problem and identifies the lack of a dedicated officer as a key cause of the decline (their report is attached as APPENDIX IV).
- 3.10 Lewisham by comparison has in the same time frame grown its scheme from 51 to 69 participants, supported by a funded officer from a charity, Lewisham Local. The Richmond/Lewisham comparison strongly suggests that even a well established CTS needs significant drive and ongoing support from an officer or equivalent.

Recommendation 3

Merton's existing Community Toilet Scheme (CTS) has failed. The CTS should be relaunched and adequately resourced to ensure it is effective and serves a useful purpose.

4. How should the new Community Toilet Scheme be operated in order to make it successful and enduring?

i. Role for Merton in new Community Toilet Scheme

- 4.1 Given near zero awareness of the present CTS, plans for a relaunched CTS start with a blank sheet. Although there is no statutory obligation on the council to provide toilets, people do expect it to take the lead:

"It should be the responsibility of local government to provide public toilets" (MPWRA)

As the leader of place, the council should take the opportunity to build its new CTS by starting with its own assets. Popular and well managed CTS's are a source of civic pride in Richmond and Lewisham. Merton can similarly build civic pride by committing its own assets and demonstrating its commitment to being the lead partner in the new CTS network. The council should be first mover in pledging its assets before asking others to do so.

- 4.2 At present only the Civic Centre in Morden opens its toilets to the public. **As a guiding principle, all council buildings that serve the public should make their toilets available.** This includes libraries, leisure centres, community centres, and parks and open spaces.
- 4.3 Currently only Wimbledon Park and Cannizaro have maintained toilets, but other parks can provide access to toilets when staffed for specific purposes eg. paddling pools during the summer, and events such as festivals and firework displays. Toilets are provided in changing rooms on recreation grounds when pitches are booked, and these should be open to the public for the duration of the booking.
- 4.4 The council has a further opportunity to increase toilet provision in the borough when granting "meanwhile" leases on its property assets. Enterprises in receipt of grant funding on condition of delivering social value outcomes often benefit from very low rents. The provision and maintenance of toilet

facilities open to the general public is a source of social value, and could be written into the terms of the lease.

- 4.5 Once the council has committed its assets to the new CTS, other public sector organisations that provide toilets for their customers should be requested to make their toilets available to the general public. These include NHS medical centres, DWP employment centres, DVLA test centres (etc) and other premises where security considerations do not preclude public access.
- 4.6 Many voluntary organisations in Merton (such as Wimbledon Guild and Age UK) have close working relationships with the council, and could be invited to make their toilets available to the public on request during the hours they are staffed. Not for profit organisations such as churches and charities will be open during the day for various activity groups, and could make their toilets available on request at these times, subject to adequate supervision.
- 4.7 Only when the council has secured the co-operation of the wider public and not-for-profit sectors should the business sector be approached to join the new CTS.

Suggestion 4(i)

To demonstrate its commitment to Merton, the council should take the lead by being the first to pledge its assets to the new CTS. Public sector organisations like the NHS should then be asked to pledge their assets, followed by the voluntary sector and not for profit organisations eg. churches. No payments are proposed.

- 4.8 There are economic as well as health consequences as a result of inadequate toilet provision. More than half (52%) of those in our survey say they would be "much" more likely to visit shops, cafes and other businesses in Merton with an improvement in public toilet provision, and a further 35% say they would be "somewhat" more likely – making nearly 9 in 10 more predisposed to shop or visit in Merton.

"An ageing population needs toilet provision. A borough that fails to provide toilets is missing out on business, people spend more money when they know they can stay out for longer"

(Survey)

The managers of Elys and Centre Court believe the availability of toilets on their premises attracts footfall and increases dwell time, making customer purchases more likely. Conversely, Age UK found that 40% spend less time in a destination because of the lack of loos.

4.9 The well documented success of Community Toilet Schemes in Richmond and Lewisham is because businesses are convinced they are integral to their attraction as shopper destinations. Wetherspoons' own surveys show that good toilet provision ranks high on customer requirements of a pub.

4.10 Wimbledon is the borough's only major shopping centre, and of its six town centres it is the only one where a majority (72%) of survey respondents are confident they could find a suitable toilet if they needed one. Correlation does not impute causality, but toilet provision is regarded by major retailers in Wimbledon as an essential pre-condition for attracting and retaining customers.

Suggestion 4(ii)

Use case studies from Wimbledon and other London boroughs with successful CTS's to demonstrate the value of toilet provision in attracting customers to town centres as retail and leisure destinations, especially holders of the "grey £" who are otherwise likely to stay at home.

4.11 Perceptions of how easy it is to find a toilet vary enormously across Merton's six town centres:

"If you needed one, could you find a suitable toilet in:

	n= 961
	%
Wimbledon town centre	72
Morden	22
Colliers Wood	14
Raynes Park	7
Wimbledon Village	4
Mitcham	1.5

This provides a starting point for mapping where the perceived shortcomings in provision are, which can be set against the Great British Toilet Map (GBTM) to identify actual gaps in

coverage. However, the fit is only approximate, as the GBTM has been found to be out of date and unreliable in some parts of the borough.

4.12 Although it does not cover the whole borough, members of Age UK in Merton (AUKM) have undertaken an extensive audit of toilets that could be accessible to the public in various areas. This demonstrates the potential for much increased provision via a new CTS. However, at present these are mostly toilets for customer use only.

Suggestion 4(iii)

The need for toilets in each town centre should be mapped based on footfall and compared with existing provision. A plan should be drawn up to address the shortcomings, using information such as the audit carried out by Age UK in Merton (AUKM) to identify potential members for a new CTS.

4.13 In the absence of signposted public toilets, those in need must rely on knowing where other toilets are to be found and asking permission to use them as a non-customer – or just using them anyway. This can pose an awkward dilemma; only a minority feel confident about asking to use the toilet if they are not a paying customer:

n=854	Café	Shop	Pub
	%	%	%
Very confident	5	4	9
Somewhat confident	15	16	32
Not very confident	45	39	33
Not at all confident	35	40	27

However, there is more variation in confidence to use pub toilets than for either shops or cafes. This may be to do with pubs being perceived as male domains; whatever the reason, women, the elderly, the disabled and those who need the loo frequently are all less confident about using the toilet in a pub.

4.14 Of the three types of outlets rated, pubs are more likely to instil user confidence than either shops or cafes. This is partly based on brand reputation:

"If I'm down the high street I usually use the one in Wetherspoons" (WG)

Confidence also has to do with size and how easy it is to find the toilet as a non-customer:

"I think I'd still feel obligated to buy something, but less so in Waitrose than in a café because they're bigger" (MPWRA)

Survey respondents cited other examples of sizable operations making toilets seem more accessible for non-customers such as Sainsbury's and Marks & Spencer in Colliers Wood, and Elys in Wimbledon (surely the most popular and best maintained toilets in the borough).

Analysis of the types of outlets selected in Richmond and Lewisham confirms the evident suitability of pubs, supermarkets and large retailers for CTS membership.

Suggestion 4(iv)

In seeking candidates for a new CTS for Merton, learn from the membership profile of successful CTS's such as Richmond, and select pubs, supermarkets and larger retailers likely to provide high quality facilities for their customers.

Building a new CTS for Merton in partnership with business

- 4.15 To be successful and sustained, a new CTS for Merton must be planned at the strategic level:
- Political commitment from the Cabinet by the portfolio holder and Director for Civic Pride
 - Recognition of toilet provision as a key aspect of public health policy and integration into borough planning
 - Growth item in the budget for a dedicated CTS officer (or equivalent C.I.C.) and annual payments to c.50 CTS partners
 - Appointment of dedicated officer or C.I.C with proven track record to work with BID's or equivalent organisations in each town centre to enlist businesses as CTS partners
- 4.16 Improving toilet provision in Merton can only be achieved through a reciprocal arrangement between the council and the business community i.e., a new CTS in some form. The council needs partners to offer their toilet facilities, as the cost

of building or re-opening its own toilets is prohibitive. In exchange, partners currently receive £600 in Merton, and £800 - £1000 in Richmond depending on the facilities offered eg. for the disabled. Larger payments might be appropriate depending on the circumstances.

- 4.17 However, the success of a CTS does not depend solely or mainly on the financial contract between council and partner. Both parties need to have a positive view of the value of the CTS, not only to the business community but also to the wider public. Elys and Wetherspoons provide toilets without payment from the council because they see it as a service to their customers and as part of their civic responsibilities to the wider community.
- 4.18 Persuading potential CTS partners to sign up will be more challenging in town centres where there are no positive role models as there are in Wimbledon. Small independents may take some convincing that the positives can outweigh the negatives for their business. But the benefits CTS membership can bring in terms of increased trade could exceed the value of any annual payment. A Tower Hamlets survey found 90% were "likely/ highly likely" to return as customers after being permitted to use the toilet.

Suggestion 4(v)

Examine the strengths and weaknesses of each town centre to decide how best to present the positive case for CTS membership. Payment may be more influential in some town centres than others.

- 4.19 Drawing on lessons learned from successful CTS's in Richmond and Lewisham, the council can assist CTS members through marketing support, giving them prominent positions in Merton Local for example. Both Richmond and Lewisham host on-line interactive maps allowing anyone searching for a toilet in a particular location to see what the identified CTS member offers such as specialist goods or services, and opening hours.
- 4.20 Not everyone looking for a toilet while out and about will have the resources or ability to search online, however. Older people in particular are more likely to be digitally excluded. For them there is no substitute for signs on the street, or on the premises themselves. This is evident when communication preferences are cross analysed by age.

Best ways to communicate toilet locations in Merton:

	All	<55	55-64	65+
	(888) %	(290) %	(204) %	(366) %
Signs on the street	75	68	70	82
Sign on the premises	60	60	64	59
Toilet location app	31	36	36	24
Map on council website	19	23	17	16
Large map eg. outside station	10	9	8	12
Small paper map	2	0	1	4

It is evident that information on the locations of CTS members needs to be communicated through multiple channels, digital and analogue. Given that awareness of the CTS will have to be built up from a near zero base, a multi-channel strategy offers the most chances of reaching the widest spread of the target audience.

Suggestion 4(vi)

Employ signage, print and on-line channels to build awareness and usage of the new CTS

4.21 A thriving CTS will improve the quality of life for the many who need the toilet frequently, and will assist in regenerating the borough's town centres. In acknowledgement of their contribution, the council should recognise CTS members as Community Champions, and use its media communication channels to thank and promote them.

4.22 Payment for signing up to the CTS may not be appropriate in many cases. Public sector, voluntary and not for profit organisations will take part out of a sense of civic responsibility. This will also be the primary driver for large retailers like Elys and Centre Court who provide toilets now, and meet the cost as a customer service. National or regional chains in retailing, pubs and restaurants, and entertainment cannot easily authorise payments to individual branches. So payments can only be made to independent, owner-managed

businesses, and should be kept to the minimum required to achieve adequate coverage of each town centre.

4.23 Inadequate coverage forces the burden of provision onto a smaller number of participants, who may then seek to withdraw from the scheme. Alternatively, the public recognition of the social value added by participants, financial compensation and increased business might make other businesses eager to participate. The CTS should incentivise where necessary, retain the option of accepting or excluding participants and adjust financial support up or down as necessary.

4.24 Apart from the need to achieve critical mass, the amount paid can be referenced to what other London boroughs are paying. Tariffs should reflect opening hours and the facilities available, with more paid for wheelchair access, mother and baby change options, a greater number of toilets and proximity to areas of high demand. The amount paid is not intended to meet maintenance costs on a stand-alone basis.

Suggestion 4(vii)

Payment for enrolling businesses into the CTS can be used selectively and proportionately, to ensure coverage where there would otherwise be gaps

4.25 A Community Toilet Scheme for Merton might be expected to overcome all the misgivings people have about using toilets in premises where they are not paying customers. In practice, it's not quite so simple; possibly because the CTS¹ concept is new and unknown to most people, only half would feel confident using it:

n=854		65+	Frequent	Disability	Female
	%	%	%	%	%
Very confident	20	18	18	12	21
Somewhat confident	30	26	30	28	31
Not very confident	28	28	28	31	28
Not at all confident	22	28	23	29	20

¹ Definition for survey: "The Community Toilet Scheme involves payments to private businesses such as cafes and shops in Merton, in return for making their toilets available to people who are not paying customers"

The irony is that those who might benefit most from a CTS seem to have less confidence about using it than others. So it is the elderly, the disabled and those who need the loo frequently who are more likely to express misgivings. However, women (52%) have more confidence than men (44%).

Users do differentiate between toilets they experience, and based mainly on accessibility and cleanliness, they adjust their preferences for future visits accordingly.

Suggestion 4(viii)

It cannot be assumed that the CTS concept is familiar or understood, so a new scheme for Merton will require extensive publicity when it is launched to build awareness. Assurances of hygiene and cleanliness will be needed to win acceptance, especially among the vulnerable groups who have the most to gain from the scheme.

Sustaining a successful Community Toilet Scheme

4.26 The new CTS envisaged for Merton will be a complex organisation with many partners drawn from the council itself, the wider public sector, the voluntary sector and not-forprofits, and the business sector. Staff and owners change constantly, creating a shifting landscape for the new CTS to track. Once established, it will need ongoing support if it is to be sustainable. Scaling back on officer support has proved a false economy in neighbouring boroughs.

4.27 While many council departments will be involved in the new CTS (i.e., waste, economy, facilities, licensing) one officer/ CIC must be responsible for its implementation and ongoing support. It is proposed they should report to the Director for Civic Pride. Health and hygiene standards for the CTS will be subject to policies overseen by the Director for Public Health, and maintained by the appropriate regulatory services.

- 4.28 Provision of public toilets (or more accurately, the lack of it) is a subject that has generated widespread interest in Merton, as evidenced by the survey attracting almost 1,000 responses. Merton members of Age UK London have devoted hours of their time and energy to mapping potential sources of toilet provision in the borough, although their work has not covered all town centres. Clearly, improving toilet provision is a cause that people care about passionately, and one ideally suited to the engagement of the voluntary sector.
- 4.29 It is proposed to invite the Age UK volunteers who have already done so much work to map Merton's toilet potential, to form the nucleus of a group of volunteers to monitor CTS members and file regular reports on the standards observed in their toilets. Volunteers can also help by reporting developments on the high street as businesses change hands. They would report to the officer/ CIC responsible for the CTS.
- 4.30 Members of the public can also report any concerns they may have about standards in toilets provided by CTS members, much as they can now to Environmental Health. These complaints should be seen by the officer/CIC responsible for the CTS.
- 4.31 Councillors should be encouraged to visit CTS members in their wards, promote them to their residents and feedback informally to the CTS officer. This would demonstrate their commitment to Merton's CTS and support for its members; it is as much about building relationships with businesses in their wards as it is about monitoring standards.
- 4.32 The ongoing performance of the new CTS should be monitored by scrutiny, and the Sustainable Communities Panel is the most appropriate body. The relevant officer should be asked to report initially at 6 monthly intervals, and thereafter annually.

Suggestion 4(ix)

Given the evidence of commitment by volunteers to improving toilet provision in Merton, they should be given the opportunity to involve themselves in the ongoing monitoring of the standards of toilets maintained by CTS members in Merton. Councillors should be encouraged to "buy into" the CTS in their own wards by publicising it to their residents and visiting their CTS members. The Council's formal Scrutiny processes can be used to check the development and performance of the new CTS.

Special cases/ special needs

5.1 Public transport

5.1.1 Although there is a need for public toilets at all transport interchanges, the need is especially acute at termini. On the Underground, passengers may have been travelling for an hour or more by the time they reach the end of the line, and some will be experiencing stress and discomfort if they cannot find a toilet immediately.

5.1.2 There are 28 termini on the London Underground network, of which 22 have toilets, either inside or outside the gateline. Of the six that do not, three have well signed toilets nearby eg. in the bus interchange. All three without toilets or alternative facilities are on the Northern Line, now approaching its centenary.

5.1.3 The most egregious example is Morden, the terminus for the Underground and a key interchange and terminus for several bus routes, including 24-hour services on routes 93 and 154, and night service on route N155. To make matters worse, toilets were available at Morden station within living memory:

"It drives me mad, because I know that station has a toilet"
(MPWRA)

5.1.4 Since 2016 the need has increased as a result of the all-night service on Friday and Saturday. Passengers who have spent the evening in central London travel southwards, with no station providing toilets south of Elephant and Castle, and arrive at Morden in the early hours of the morning with no toilet provision in the area of any sort.

5.1.5 The inevitable consequence of the lack of provision is the misuse or abuse of the short passageway leading through to the car park, otherwise known as "p*ss alley". This is notorious amongst local residents who see it as a disincentive to visiting Morden:

"It doesn't encourage anyone to go shopping in Morden"
(MPWRA)

5.1.6 Elected members from the former Leader of the council to Merton Park Ward councillors have been lobbying for more than 20 years for the toilets at Morden station to be reopened,

but without success. Progress was made on a very recent² site visit with the AM for Merton and Wandsworth, when the challenges were recognised and TfL confirmed there would be a feasibility study into how toilets might be reprovided at Morden station.

5.1.7 Local Assembly Member Hina Bokhari has acknowledged the problem and is supportive of efforts to secure new provision. Her recent letter on the topic is attached as APPENDIX V.

Recommendation 5

Maintain pressure at the highest level, using all levers available to ensure TfL honours its commitment to the feasibility study to restore toilets at Morden station, and press for the reintroduction of provision as a matter of urgency.

² 21st April 2023

6 Itinerant workers

6.1.1 A large and growing proportion of the workforce has no fixed place of employment, and therefore no certain access to toilets during their work shifts. They include key public sector workers such as policemen, ambulance crews and postmen, and also those who are employed as delivery drivers, sometimes precariously.

6.1.2 Anecdotal evidence suggests these itinerant workers come to informal arrangements that rely on their shifts following a regular route or pattern, so they know where the toilets are. While this may work well for public sector employees such as policemen and postmen who are generally held in high regard by the community, it works less well for delivery drivers who are not known to their customers.

- 6.1.3 Take away delivery drivers face a particular problem at night when toilet facilities available to them during the day are closed. The nature of their employment means they are generally classed as self-employed, and often on minimum wage, without the benefit of the terms and conditions applying to payroll workers.
- 6.1.4 Take away outlets are bound to provide toilets for their own staff, but these are rarely available to delivery drivers, especially at night time when the outlet is closed to walk in customers.
- 6.1.5 The licensing of food and drink outlets, and the amendment of existing licences, allows an opportunity to set conditions relating to toilet access that seem unlikely to be opposed.

Recommendation 6

Explore the use of the licensing system to make the grant of late-night licences conditional upon access to staff toilets for delivery drivers.

7. Disabled access

- 7.1 The survey shows that 22% consider themselves to have a disability, although this may not be visible² - just 1 in 4 (23%) of this group find their disability makes it difficult or impossible to use a toilet in a standard cubicle.
- 7.2 If people who need the loo frequently (73% of those surveyed) have to plan their outings around the availability of a toilet at their destination, imagine the additional planning involved for someone in a wheelchair, with fewer options open to them:

² Remember respondents to the survey are not representative of the population of Merton as a whole. The 2021 Census records 14% of Merton residents living with a disability. ⁴ Defined as “places of assembly, recreation and entertainment”

"We use it as a meeting place, but you have to make sure it's an accessible Starbucks, because not all of them are – it's a bit of a minefield" (CIL)

When health conditions are combined with a limited number of accessible toilets within wheelchair range, the disabled may find themselves stuck at home involuntarily:

"I have a condition, I ought to drink plenty of water, but I can't drink plenty of water if I know I'm going out, I have to limit myself ... I drink at home to try to get 2 litres in" (MCIL)

This underscores the extent to which a lack of accessible toilet provision for the disabled impacts their quality of life, and runs counter to Merton's equalities policies for those with protected characteristics, including age and disability.

7.3 The audit form used for "mystery shopper" visits to toilets in various locations across the borough recorded whether they were accessible to a wheelchair user, and whether they had baby change facilities. Toilets in small independent outlets were less likely to be accessible:

"It's got to be accessible as well, sometimes these places are out the back, it's difficult to manoeuvre – a very narrow opening" (MCIL)

7.4 Changing Places Toilets (CPT's) are now compulsory in new public buildings⁴ with a capacity of 350 or more, including

retail premises (2500m²+) and sports and leisure centres (5000m²+) . CPT's are spacious (12m²) to accommodate the needs of a severely disabled user and carer, and equipped with a hoist and changing table. The government has set up a fund to meet the cost of installing CPT's with grants administered by local authorities. 12 London boroughs applied in the second round of funding, and were awarded grants averaging £40,000-£50,000 per CPT. However, the full cost of purchasing and installing a stand-alone modular CPT unit is estimated at £88,000.

7.5 There are now 1839 CPT's in the UK. Merton has three, in Morden Leisure Centre, the AELTC grounds, and Tesco Extra in

New Malden. Romulus propose to instal a fourth as part of their re-development of Centre Court.

7.6 The Merton Centre for Independent Living (MCIL) makes the case for more accessible toilets across the borough, but especially in the East. More CPT's could improve the quality of life for the severely disabled, who are otherwise effectively trapped in their homes. MCIL nominates the Civic Centre, community spaces like Vestry Hall and local leisure centres as potential sites for CPT's. (Their submission to the review is attached as APPENDIX VI.)

Recommendation 7

Information published on CTS members must clearly indicate the type of facilities available, particularly in relation to disabled users. As the leader of place and principal driver of the new CTS, the council should review its property assets in Merton to identify one or two realistic potential candidates for accommodating Changing Places Toilets (CPT's), related to the areas of greatest need.

8 Planning

8.1 Merton's local plan includes the strategic health and well-being policy HW 10.1 which states "we will continue to improve and promote a more active and healthier lifestyle of our residents, tackle the causes of ill health (physical and mental), and health inequalities" The first section of our report shows how inadequate toilet provision militates against the achievement of an active and healthy lifestyle by limiting the time some people can spend away from home before they need the loo:

"I shop for elderly neighbours who do not feel confident to go out based on this issue alone" (Survey)

Yet the local plan makes no reference to public toilet provision as an essential element to the realisation of an active and healthy lifestyle.

8.2 Medium to long term improvement of the quality and number of facilities available to residents can be accelerated if private developments can become part of the solution. Building regulations set minimum levels of toilet provision for buildings. However, where visitors to buildings are concerned there is some room for interpreting the appropriate toilet provision narrowly or more generously; more than minimum provision can help those in need to 'go before you go'.

8.3 The London Plan (2021) includes policy S.6 – Public toilets, which requires large scale developments³ that are open to the public, and large areas of the public realm, to provide and secure the management of free publicly-accessible toilets suitable for a range of users. These should be available during opening hours, or 24 hours a day where access is from the public realm. Changing Places toilets are part of the requirement.

In smaller developments, the London Plan suggests accessible toilets may be provided as part of a CTS or through the Community Infrastructure Levy (CIL)

8.4 Merton's local plan is now in the final stages of approval and cannot be amended. Although they are not statutory, supplementary planning documents (SPD's) may offer scope to improve toilet provision as they come up for review. Specifically, A3 (Food and Drink) Use was adopted in 1999 making it the oldest SPD not to be revised. It stipulates that

businesses seeking a change of use from A1 (retail) or A2 (professional and financial services) to A3 (food and drink) must apply for planning permission. In most circumstances the introduction of food and drink services will require toilets being made available to customers, either from existing facilities or new build. Where local CTS coverage is insufficient, businesses can be encouraged to join Merton's scheme as part of the grant of planning permission.

³ Defined previously at 7.3.4

8.5 The Public Toilet Research Unit (PTRU) undertakes design research to improve toilet provision for all, including innovative projects to re-provide public toilets using vacant premises. Their research could be relevant to Mitcham and Morden, both town centres looking to restore their viability and vitality yet lacking obvious candidates to join Merton's CTS. In the absence of alternatives, vacant town centre premises could be re-purposed for new uses eg. start-up business hub or community centre, with public toilet facilities built on. Construction costs could be met from CIL because public toilets are being created in an area where none existed before, thus adding social value. Ongoing maintenance would be provided by the tenant, as a condition of the lease.

8.5 S106 agreements are concluded in relation to larger developments and these include obligations relating to material planning considerations. The Planning Department should be asked to identify more than minimal toilet provision as a material planning consideration when S106 agreements are being concluded.

Recommendation 8

Look for opportunities to amend SPD's that would encourage businesses to join the CTS when applying for planning permission. Consider the use of CIL funds to provide public toilets in vacant town centre premises where the CTS fails to achieve adequate coverage. Instruct the Planning department to use S106 agreements to ensure more than minimal provision in new developments.

Toilets visited by Age UK Merton February – March
2023

- Leon 5 Wimbledon Hill Road London SW19 7NF
- Dundonald Recreation Ground Dundonald Road SW19
- Wimbledon Station (South West TFL trains) the Broadway SW19 7NL
- Morden Park Leisure Centre London Road Morden SM4 site
- Waitrose 25 Coombe Lane SW20 OBS
- The Raynes Park (pub) 32 Coombe Lane Raynes Park, SW20 OLA
- Waffle Jacks 8 Merton Park Parade London SW19 3NT
- Costa Coffee Unit A, 213 Worple Road Raynes Park, SW20 8QY
- Costa Coffee 363-365 Kingston Road, Wimbledon Chase, SW20
- Starbucks Coombe Lane, Raynes Park, SW20 OJY
- Raynes Park Library 21 Approach Road, SW20 8BA
- The Leather Bottle, 277 Kingston Road, Wimbledon Chase, SW20 3NW
- Wimpy 56 London Road, Morden SM4 4EF
- Lower Morden Garden Centre/Blue Diamond Lower Morden Lane SM4 4SJ
- National Trust Morden Hall Park SM4 5JD
- Tesco KT 3 4PJ Different form format
- Sainsburys (formerly Savacentre) 1 Merton High Street /SW19 1DD
- Ely's 16 St .George's Road London SW19 4DP
- Waitrose Alexandra Road Wimbledon SW19
- John Innes Park Mostyn Road Merton Park
- Centre Court Wimbledon SW19 8YA

Colliers Wood - Dunelm

Aldi
Next/Café Nero
Nandos Starbucks
TK Maxx

Review of public toilet provision

	Question	Response	%				Figures
1:	Please tell us how you would rate public toilet provision in Merton?	Very good	1				n=961
		Good	1				
		Satisfactory	5				
		Poor	45				
		Very poor	48				
2:	How often do you consider the availability of public toilets where you are going in Merton before leaving home?	Always	50				n=957
		Sometimes	31				
		Occasionally	13				
		Never	6				
3:	If someone were to ask directions to the nearest public toilet in your local area, how confident of its location would you be?	Very confident	6				n=946
		Somewhat confident	12				
		Not very confident	26				
		Not at all confident	56				
4:	If you needed one, could you find a suitable toilet in the following town centres?		Yes	No			
		Wimbledon town centre	72	28			n= 928
		Wimbledon Village	4	96			n=886
		Morden	22	78			n=887
		Colliers Wood	14	86			n=865
		Mitcham	1.5	98.5			n=869
		Raynes Park	7	93			n=868
5:	The Community Toilet Scheme involves payments to private businesses such as cafes and shops in Merton, in return for making their toilets available to people who are not paying customers. Are you aware of the Community Toilet Scheme in Merton?	Fully aware	2				n=934
		Partly aware	14				
		Not aware at all	84				
6:	How confident would you feel going into each of the following where you are not a paying customer, and asking to use the toilets.		Very confident	Somewhat confident	Not very confident	Not at all confident	
	Café in Merton		5	15	45	35	n= 931
	Shop in Merton		14	16	39	40	n=917
	Pub in Merton		19	32	33	27	n=913
	Member of the Community Toilet Scheme in Merton.		20	30	28	23	n=898

Review of public toilet provision

	Question	Response	%	%	Figures
Page 46	7: Thinking about information available to help people locate toilets in Merton, which of the following would be the best ways to communicate that information?	Signs on the street	75		n=931
		Large Map on the wall	10		
		Small paper maps	2		
		Maps or list of locations on the council website	19		
		Toilet location app	31		
		Sign or sticker on premises	60		
8:6	Please tell us if an improvement in public toilet provision would make you more likely to visit shops, cafes or other businesses in Merton?	Much more likely	52		n=928
		Somewhat more likely	35		
		No more likely than now	11		
		Don't know	2		
9:	In order to encourage more toilet provision in Merton, would you be willing to pay for the use of toilets, as a contribution to the costs?	Yes	52		n=927
		No	48		
10:	What is the maximum you will be willing to pay?	20p	33		n=481
		50p	48		
		£1	17		
		£2	1		
		Other	1		

Review of public toilet provision

11.	Please tell us if you have any other comments about public toilet provision in Merton.	Listed verbatim – 531 responses			
About you					
Page 47	12: What is your age group?	15 or under		*	n=892
		16-24		1	
		25-34		4	
		35-44		10	
		45-54		17	
		55-64		23	
		65-74		30	
		75 or over		11	
		Prefer not to say		3	
13:	Please tell us if you have any children aged 5 or under?	Yes		10	n=887
	No		90		

Review of public toilet provision

14:	Would you say you or someone in your care need the toilet more often than other people?	Yes	73		n=886
		No	27		
About you					
15:	Do you consider that you have a disability?	Yes	22		n=882
		No	78		
16:	Does your disability make it difficult or impossible for you to use a toilet in a standard cubicle?	Yes	23		n=190
		No	77		
17:	Are you?	Male	33		n=871
		Female	64		
		Other	0		
		Prefer not to say	3		
18:	Which of the following options best describes your sexual orientation?	Heterosexual or straight	79		n=848
		Gay man	1		
		Gay woman or lesbian	1		
		Bisexual	1		
		Prefer not to say	17		
		Other	0		
19:	Do you.....?	Live in Merton	78		n=677
		Work in Merton	3		
		Live and Work in Merton	17		
		Do not live/work in Merton	2		

The Cost of Toilet Provision

During the enquiry various voices called for greater investment in public toilet infrastructure and in maintenance of toilets (eg by way of the provision of attendants). The following sets out some of the information gathered on the issue of cost.

Estimate of maintenance costs for a standard toilet (not Changing Places):

Assumptions:

2 toilets

5 minutes per clean (2.5 minutes each) – includes preparation etc.

10 cleans per day

360 days per year

Cost of labour, including employment costs, and assuming London Living Wage = £15.64/hour

$5/60 \times 10 \times 360 \times £15.64 = £4692$ for labour cost for 2 toilets per year

Toilet rolls and cleaning materials – approx. £1/day x 360 = £360/year. Total £5052/year

This cost assumes no significant non-standard cleaning time required (eg vomit), no travel time, no profit margin and a pair of toilets side by side. On average a single toilet will cost more, a larger group of toilets cost less.

Calculated by Stephen Mercer

Changing Places Toilets

The budget cost of installing a modular Changing Places toilet facility is detailed below, but it should be noted that these costs are subject to change and dependant on local site conditions. On that basis each site would require a detailed survey to be completed before a more detailed price could be provided.

For the purposes of providing a budget estimate, the following elements have been considered:

- Standard modular Unit - £52k
- Delivery - £3k
- Planning Permission - £1k
- Groundworks - £12k (including services connections)
- Electrical supply - £5k
- Fees - £7k (just under 10%)
- Contingency - £8k – (10%)

Total - £88k

Source: **Mark Humphries**, Assistant Director, Infrastructure & Technology Division, Merton Council

Toilets in Open Spaces

In order to open a toilet to the public the water has to be checked, cleanliness checked and paper and soap replenished. Hand drying equipment or paper needs to be checked. If toilets were opened even for RADAR key access only across the borough, this would need to be done every day. The estimated costs of such opening and closing, including travel time between venues, could quickly reach toward £40,000/year assuming 10-12 different venues.

Source: **Alan Trumper**, Open Spaces, Merton Council

Policy and Performance Review Board

Community Toilet Scheme Review

Foreword

Richmond was the first London borough to introduce a Community Toilet Scheme (CTS), an initiative that has received significant interest over the years from other councils seeking to emulate us. However, bars, restaurants and other CTS providers had to close during the Covid lockdowns, and some of them have not reopened. This review provides an opportunity to see how the scheme can be improved as well as revived now that normality has returned.

Toilet provision is a fundamental function of local authorities and a public health priority. It is important to ensure that everyone who needs a toilet can access one. For many people in our community, such as those with bladder and bowel conditions, parents with young children and pregnant women, they are more than just a convenience, they are a necessity.

As the Kings' Fund noted in their report, *A Lav Affair*, "At an individual level, there are physical and mental health consequences when adequate toilet facilities are not available." 'A lack of public toilets is a national issue that can lead to disabled people requiring otherwise preventable surgery', says the health charity. 'Many of us feel forced to plan when not confident of a public toilet being available and some of us simply never leave home at all.' We do not want that in Richmond upon Thames.

Our review of the CTS has been well received by residents, local groups, and businesses, and I am grateful to all those who have taken the time to respond to our surveys. Their input has been essential to helping us make recommendations for an expanded and well-signposted scheme that will benefit us all.

Cllr. Richard Warren
Chair of the Policy and Performance Review Board

Current Situation

The Community Toilet Scheme (CTS) was set up in 2008 and allows businesses across the Borough to be financially compensated in return for allowing non-paying customers to use their toilet facilities. Businesses are also promoted across the borough, informing visitors of the facilities on offer. They are paid based on the number of days that toilet facilities are available to the public with a minimum payment of £800 and a maximum of £1,000 (plus VAT) per annum. Participating businesses are required to display a Community Toilet Scheme sticker as provided by Richmond Council. Membership is subject to area need, types of facilities to be provided and other factors, and is not automatic. A review of the scheme was carried out by Environment & Community Services (ECS) in 2018 and found a number of issues including a lack of inspections of toilet sites and areas in the borough without sufficient community toilet facilities.

The Community Toilet Scheme enables local businesses like pubs, restaurants and shops, to work together with the Council to make more clean, safe and accessible toilets available to the public (in a cost-effective way). There are now nearly 50 premises taking part in the scheme. The Council displays information on [its webpages](#) on the scheme for residents and visitors. The scheme is managed by Environment and Community Services (ECS).

The public are able to access useful [interactive area maps](#) on the Council website which show who takes part in the scheme, what facilities they have and where they are. This includes all Council owned buildings such as libraries as well as private businesses. Participating premises display a sticker in their window showing male, female, baby changing facilities available and whether they are wheelchair accessible Community Toilet Scheme members. There is also street signage to indicate the name and direction of the participating businesses. Members of the public can use toilet facilities during the premises opening hours and without the need to make a purchase and businesses have the right to refuse entry in exceptional circumstances. Currently approximately half of the scheme members offer wheelchair accessible facilities and approximately one quarter provide baby changing facilities. Interactive maps indicate the types of facilities at each location.

Purpose of Review

At its meeting on 18th October, the Policy and Performance Review Board resolved to review the community toilet scheme and make recommendations to the Environment, Sustainability, Culture and Sport Committee.

Members of the Review Group

The members of the Review Group were:

Cllr Warren (Chair)
Cllr Juriansz
Cllr Gant
Cllr Wren
Cllr Mansfield

What the Review Group Investigated

The Review Group focussed their investigation under four headings:

1. How to promote the scheme to the public,
2. How to ensure the right type of facilities were available
3. Whether the facilities were in the right locations, and
4. How to encourage more businesses to join the scheme.

What the Review Group did:

The Review Group held four meetings across November, December and January. The review group was very pleased to hear from Dr Vivienne Press, on behalf of the Richmond Society, at their third meeting.

The review was publicised using Twitter, Facebook, Nextdoor, the council's business e-newsletter, RCVS newsletter, VCS newsletter sent through the Council and by email to ward councillors and local groups and organisations.

Ten responses were received from members, sixteen from local organisations and charities, twelve from members of the public and seven from participating venues.

What the Review Group Found:

The Review Group found that feedback comments were received relating to all the headings above, which after careful consideration led to the following recommendations:

Recommendation 1

Promoting the Community Toilet Scheme to the public

There were a substantial number of comments on this topic, including feedback from ward councillors, Richmond Business Improvement District, Richmond AID and AgeUK Richmond, highlighting a lack of knowledge of the scheme, lack of information about where the participating venues were (inadequate signage), lack of information about opening times, disability access and lack of information on the RADAR (Royal Association for Disability and Rehabilitation) scheme.

The Review Group therefore recommends that:

Information and publicity for the Community Toilet Scheme is refreshed and further on and off-line channels are included

Recommendation 1

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Information about the scheme should be readily available and regularly reviewed to ensure it is upto-date. Information should continue to be provided online on the Council's website ('Spend a Penny' map) and also using apps such as Google/Apple Maps, and the Great British Public Toilet Map: <https://www.toiletmap.org.uk/> Hard copy maps should be made available at visitor and transport hubs in the borough, and information given on Council noticeboards, in libraries as well as medical centres. A QR code system should also be considered.
- The information provided should include whether the facilities have disability access and changing facilities, their opening hours and information on the RADAR scheme, where appropriate.
- Subject to agreement, facilities provided by other organisations (eg Royal Parks, Network Rail) should be included in the information.
- Street signage should be improved, with pavement roundels to indicate direction of the nearest facilities and lamp-post signage for permanent facilities (such as those provided by the Council).
- The stickers provided for participating venues should be updated to be more eye-catching.
- Information provided should include advising that making a purchase from the participating venue is not necessary
- Local partners should be contacted to suggest that Community Toilet Scheme information should be included on their website 'visit' pages.

Recommendation 2

Location of facilities

There were over 30 comments on the location of facilities, including feedback from ward councillors on areas of the borough that were inadequately served by the scheme, whether chain outlets, churches and community centres could be included and the appropriateness of the participating venues (eg pubs not being suitable for young people). Feedback included the suggestion that the Council provided facilities in key areas and whether closed toilet blocks could be reopened such as in the Old Deer Car Park, Whittaker Avenue and at the top of Richmond Hill.

The Review Group therefore recommends that:

A measurable performance goal is agreed (such as an optimum number of facilities in each area/ward) with a review of the location and spread of facilities across the borough. This would be to ensure the spread/type of facilities offered is appropriate and that destination areas have adequate provision for visitors (destination areas being town centres, playgrounds and green spaces, for example).

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Other organisations with facilities in the borough (such as Royal Parks, GP surgeries, community centres, churches and railway stations) with facilities should be approached to encourage them to enable public access and extending the available hours where possible.
- Where appropriate, national retail chains should be encouraged to join the scheme on a goodwill basis.

Recommendation 3

Types of Facilities

Comments were received on this issue, including from Richmond AID and AgeUK Richmond, noting the need to focus more strongly on accessible facilities (wheelchair access), the lack of changing facilities for children and access to drinking water.

The Review Group therefore recommends that:

The spread of facilities across the borough should include equitable access to wheelchair accessible facilities and changing facilities.

Recommendation 3

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Council provided facilities should have disabled access, changing facilities and drinking water available.
- Drinking water should be available at as many venues as possible, including water bottle filling points.
- Where possible, sanitary protection should be made available.
- Where new public facilities are planned by the Council, consideration should be given to the design, for example, direct access facilities (where doors open on to the street).

Recommendation 4

Promoting the Community Toilet Scheme to Businesses and Organisations

Comments received on this issue (including from Richmond BID, AgeUK Richmond and Hampton & Hampton Hill Voluntary Care) included that large chain outlets might waive their payment by seeing their membership as being part of their corporate social responsibility, whether those in receipt of the business rate subsidy should provide facilities, the current financial offer being too low and that increased footfall might benefit the organisation.

The Review Group therefore recommends that:

A more proactive approach is taken from the team responsible for the scheme in conducting in-person visits to potential participating venues, prioritising areas of less provision.

Recommendation 4

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- Organisations such as churches, community centres and charities should be approached to join the scheme, as these venues would be more inclusive for example, for young people.
- The financial incentive should be reviewed with a view to improving funding for participating venues and considering whether businesses benefitting from the 50% subsidy could be linked to joining the scheme.
- Promotion of the scheme should include potential benefits, such as that joining is a way to give back to the community and that participating venues can benefit from increased footfall.
- Where businesses are located on Council-owned land, consideration should be given to the inclusion in the lease for public access to the toilets.

Recommendation 5

Management of the Scheme

Comments on this issue included that the scheme had suffered from lack of a designated officer, a visiting officer needed to check the facilities available, and that unannounced inspections would be useful.

The Review Group therefore recommends that:

A designated officer is allocated to be a central point of co-ordination for the scheme, and that consideration is given to which department of the Council has responsibility for the scheme (with business, parks, community and communication all being of considerable significance in the success of the scheme).

Recommendation 5

Feedback from the survey suggest the following should be given consideration regarding this recommendation:

- A designated officer would be a significant advantage to the scheme, enabling in-person promotion, responsive communication between all parties, arranging inspections, keeping information up to date, liaising with non-council sponsored providers (eg Royal Parks, Network Rail) and generally ensure the scheme runs smoothly. Review group members felt that ward councillors could also provide informal, occasional feedback on the scheme.

Recommendation 6:

Feedback from the Director of Public Health suggested that the Community Toilet Scheme could be brought into the Council’s Prevention Framework planning by members, with a view to ameliorating the disproportionate impact that the lack of toilets has on people with disabilities, certain long-term conditions and older adults.

The Review Group therefore recommends that:

Members engage with the Richmond Council Prevention Network planning process with a view to including the Community Toilet Scheme in future Council programmes.

Recommendation 6

Feedback from the survey included reference to the Kings’ Fund report, ‘A Lav Affair’, which highlighted the physical and mental health consequences when adequate toilet facilities were not available.

Review Group members recognised that increased resources were required to support the Community Toilet Scheme.

Appendices: Feedback

summary **Useful Links:**

[Council's Prevention Framework](#)

[Out and About](#)

[A lav affair: do we care enough about public toilets?](#) <https://www.richmond.gov.uk/services/spendapenny>

January 2023



Hina Bokhari AM

City Hall

Kamal Chunchie Way
London
E16 1ZE
Tel: 020 7983 4000

6th June 2023

Mayor Sadiq Khan
City Hall
Kamal Chunchie Way
London
E16 7ZE
[SENT BY EMAIL]

Dear Mayor,

The urgent need for public toilets at Morden Underground Station

I am writing to you regarding a longstanding issue which has for many years not been seen as a priority. I do so on behalf of the residents of Morden as well as passengers who make use of the Northern line on a regular basis.

At the time of writing, there are currently no toilets situated at Morden Underground Station. It is my view, and the view of many others, that this needs to change as a matter of urgency. Public access to toilets is crucial as a matter of accessibility, hygiene and safety, but also inclusivity, as many individuals have differing levels of need.

Although there is a need for public toilets at all transport interchanges, it is especially acute at termini. On the Underground, passengers may have been travelling for an hour or more by the time they reach the end of the line, and some will be experiencing stress and discomfort if they cannot find a toilet immediately.

There are 28 termini on the London Underground network, of which 22 have toilets, either inside or outside the gateline. Of the six that do not, three have well signed toilets nearby eg. in the bus interchange. All three without toilets or alternative facilities are on the Northern Line, now approaching its centenary.

The most egregious example is Morden, the terminus for the underground and a key interchange and terminus for several bus routes, including 24-hour services on routes 93 and 154, and night service on route N155.

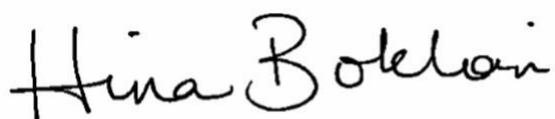
Since 2016 the need has increased as a result of the all-night service on Friday and Saturday. Passengers who have spent the evening in central London travel southwards, with no station providing toilets south of Elephant and Castle, and arrive at Morden in the early hours of the morning with no toilet provision in the area of any sort.

The inevitable consequence of the lack of provision is the misuse or abuse of the short passageway leading through to the car park. This is notorious amongst local residents who see it as a disincentive to visiting Morden.

It is my understanding that progress was very recently made during a site visit when TfL agreed to request a feasibility study into how toilets might be re-provided at Morden station.

I now call upon you, as the chair of TfL, to ensure that this study is taken seriously, and to consider the strong case for public toilets to be made available at Morden Underground Station. I do so for the sake of passengers and the local community, as a local councillor in Merton and as a London Assembly member representing the whole of London. I look forward to hearing back from you on this matter.

Yours sincerely,

A handwritten signature in black ink that reads "Hina Bokhari". The signature is written in a cursive, flowing style.

Hina Bokhari AM

Liberal Democrat London Assembly Member



Merton CIL's response to The London Borough of Merton's consultation on local toilet provision.

March 2023

Please tell us how you would rate public toilet provision in Merton?

Merton CIL and its members would like to see more accessible toilet facilities across the borough. Toilet provision in the East is worse than in the West. There are only three Changing Places facilities across the borough and Merton CIL are keen to see Changing Places facilities installed in the civic centre, community spaces like Vestry Hall, and all local leisure centres in particular.

How often do you consider the availability of public toilets where you are going in Merton before leaving home?

Merton CIL members have fed back that it is a regular occurrence to consider the availability of public toilets before leaving home. One member has said:

"Using a mobility scooter can limit my access to public toilets. I must plan carefully where to go and how long I can stay out."

For some Disabled people, health implications of a lack of accessible toilets are significant. A Merton CIL member shared that managing their condition is reliant upon an intake of over 2 litres of water each day.

However, when they have plans to leave their home, they have to limit their fluid intake to avoid having to use public toilets.

If someone were to ask directions to the nearest public toilet in your local area, how confident of its location would you be?

Mitcham, Morden & Raynes Park – Not confident at all

Wimbledon & Colliers Wood – Quite Confident

If you needed one, could you find a suitable toilet in the following town centres?

Wimbledon

Merton CIL would like to see more fully accessible toilet spaces in Wimbledon but recognise the provision is better than in many other locations across the borough. One member felt that Elys was a good location for toilets, but another member felt that the lift was too small for mobility scooters. Merton CIL are also excited by the plans to have more accessible facilities for Disabled people in the regeneration of Centre Court.



Wimbledon Village

We do not know of any accessible toilet space in Wimbledon Village. There is a changing places facility in AELTC but it is not accessible to the wider community.

Photo: Estifanos & Pippa at Metronome/Crown Lane Studios with their accessible toilet & hoist.

Morden

We recognise that there is a Changing Places facility in Morden Leisure centre, but this is quite a distance from the town centre. Metronome has an accessible toilet with a hoist, which is a good example of what small businesses could do to ensure their

facilities are accessible. Merton CIL would like to see a Changing Places facility installed in the civic centre.

Mitcham

Merton CIL members felt the public toilet provision in Mitcham was 'terrible' and this has been made even worse with the closure of Morrisons. A Merton CIL member wrote a poem about their experience of public toilets in Mitcham.

Image: Poem about toilet provision in Mitcham by Merton CIL member

Raynes Park

Merton CIL members felt that they would not be able to find an accessible toilet in Raynes Park town centre.

Colliers Wood

Merton CIL members felt the provision for toilets in Colliers Wood was good. They shared that the Starbucks/M&S has good toilet facilities and points which can be used charging electric wheelchairs and mobility scooters.

How confident would you feel going into each of the following where you are not a paying customer, and asking to use the toilets?

IF YOU WERE ME...

If you were me,
What would you do?
I'm on a scooter
But I'm just like you!
I fill my bladder
And I need the loo
I watch my intake
Not to require no 1 or 2
Because of you
I struggle to get through

Mitcham Sibthorpe road
Disabled access you say
Toilet is filthy
And so dark and grey
The Door is a pull
So I have to wait all day
To Ask for help
It takes my independence
away

**Poem by
A Merton CIL member**



Merton CIL members shared views that they were not confident that all accessible toilet spaces were fully accessible. Some public toilets have been labelled accessible but have a grab rail only. Some café's also require an entry code on receipt to access toilet, which can feel like an unhelpful barrier. Some people also feel obliged to buy something if they use the toilet.

Thinking about information available to help people locate toilets in Merton, which of the following would be the best two ways to communicate that information?

Accessible information in a variety of forms – Easy to read & accessible signs in community spaces could be useful.

Please tell us if an improvement in public toilet provision would make you more likely to visit shops, cafes or other businesses in Merton?

The total spending power of families with at least 1 Disabled person is estimated at £274 billion a year (Scope). Ensuring accessible toilets are available in town centres will promote engagement with the local community, build diverse customer bases for local businesses and make Merton a positive example for inclusivity.

Other comments:

There is limited awareness around community toilet facilities in Merton.

Disabled people already face a higher cost of living. We would not like to see the introduction of paid accessible facilities in Merton.

Some Disabled people require support when using toilet facilities and accessible toilets within gendered toilet spaces can cause embarrassment if the Disabled person and carer are of different genders.

Accessible toilets can often be left dirty, or used as baby changing facilities or storage places, which is unacceptable.

Toilet facilities at train stations needs to be improved.

APPENDIX VII



Web: www.mitthamsociety.org.uk
Email: TheMitthamSociety@gmail.com
Twitter: @MitthamSociety



Response to Merton Council Scrutiny Review of public toilet provision

March 2023

1. Mittham Society welcomes this review of public toilet provision in the borough.
2. The call for submissions and online survey responses had this preamble:

The provision of public toilets meets a fundamental need, yet the subject is hardly ever discussed. This survey aims to find out how the provision of public toilets in Merton affects people in their daily lives, especially older people and those with health conditions requiring more frequent visits to the toilet. The results will be used to review and improve the provision of public toilets in Merton.

3. Our response specifically relates to public toilet provision in Mittham Village. We include recent history on this matter in the form of the Rediscover Mittham public consultations in 2012 and 2013, and our 2021 walkabout with the Overview and Scrutiny Commission's Repurposing the High Street Task Group and its recommendations to council.
4. Mittham Society continues to be deeply disappointed in the lack of public toilet provision in Mittham Village. Public toilets are a vital part of any thriving hub. If people are to be encouraged to use the village for shopping, socialising, enjoying our green spaces and more, then access to public toilets is a necessity. Not having public

toilets is a deterrent. This is particularly the case for people whose need for toilet facilities is greatest, including some older people, those with young children and some people with disabilities. However anyone can find themselves in need of a public toilet. It is unconscionable to work to promote anywhere as a shopping, cultural and community centre while at the same time ignoring this fundamental fact. A report from the Royal Society for Public Health, [Taking the P***](#) explores this in detail. Please read it.

5. A community toilet scheme has operated with varying degrees of success in Mitcham Village, and we do not view such as scheme as a viable alternative to dedicated public toilets. Reasons include:
 - a. We are aware of participating businesses failing to publicise that they are in the scheme, leaving people unaware that toilet facilities are available.
 - b. A community toilet scheme by default only operates when a participating business is open, not when it is closed. Therefore availability is not 24 hours a day, seven days a week.
 - c. Pubs, which are open into the evening, are often cited as viable for community toilet provision. They can provide partial provision, but they do not serve the whole community. Many people find pubs intimidating places to enter, and some will not enter on the grounds of not wanting to enter establishments selling alcohol. Nor are they suitable for people with young children.

6. Merton Council is fully aware of the need for freestanding toilets in Mitcham Village. Ten years ago it came up with a costed plan to introduce public toilets here. This was an outcome of the "Rediscover Mitcham" public consultation in which members of the public were asked to comment on various proposals. The public identified public toilets as needed. Merton Council agreed and costed their provision at £50,000. They were then deemed unaffordable and removed from plans. We believe this scrappage to have been a false economy. It is a barrier to achieving a thriving and vibrant Mitcham Village.

7. The fact that, ten years on, Mitcham Village still lacks public toilets is more than upsetting. The review creates an opportunity which

should be grasped, and acted upon. Public toilet provision should be made a priority for Mitcham Village.

8. The new public toilets for Mitcham Village should:
 - a. Be free to use. Earlier suggestions from Merton Council have been for a charged public toilet. We strongly object to charging. It is exclusive and creates minimal revenue. Moreover current national trend is for public toilets to be free – to give just one example, Network Rail’s toilets are now free to use.
 - b. Be open and accessible for as many hours as possible with absolutely minimal time closed to the public.
 - c. Incorporate a radar key for disabled use at times when the toilets are closed to the public.
 - d. Include full disabled access facilities.
 - e. Include baby changing facilities.
 - f. Be subject to a rigorous and regular cleaning regime so that they are kept pleasant for people to use.
 - g. Not feature a separate urinal open 24 hours a day seven days a week – if the toilet cubicle facility / accessible toilet / baby changing facility is not open for the same period. We do not support a toilet facility which is discriminatory.

Additional information

9. For context we present two instances in the recent past where the importance of public toilets in Mitcham Village has been recognised but not acted upon. One from 2021/22 and one from 2012/13. We ask that the opportunity to address this necessity is not missed a third time in a little over ten years. Mitcham’s residents and visitors to the village deserve more than to be crossing their legs and crossing their fingers in the hope of being third time lucky.

The failure of Rediscover Mitcham to deliver its promise - 2012/13

10. In November / December 2012 a public consultation took place relating to a range of proposed interventions in Mitcham Village and its surroundings. A second consultation took place in June and July 2013 building on results from the first. In this second consultation document, the following text and image appears on the same page. The text to the left of the toilet image reads:

“This free standing coin operated facility can offer some toilet provision in the town centre”

Toilets

Unfortunately it is not realistic to re-open the toilets in Sibthorpe Road car park nor to provide a new toilet facility on a similar scale. However we recognise that an additional facility, to compliment the existing community toilet scheme, will benefit the town centre and encourage people to stay longer. As such we are proposing a small coin operated toilet with urinal in a central location close to the Fair Green and Market.

1. This free standing coin operated facility can offer some toilet provision in the town centre



11. A [report](#) went to the [Street Management Advisory Committee](#) on 18 September 2013. Our Chair made a representation to this committee. Section 3 of this report contains the Rediscover Mitcham consultation outcomes. Para 3.46, (p21) extract “The earlier consultation in 2012 identified some demand for a toilet facility. This would also correlate with the view that toilet provision can make the town centre a more practically attractive location and also address specific anti-social behaviour issues such as street urination. The location of the toilet, adjacent to the market and main shopping areas, reflects its role not only as a public convenience but also as a contributing factor to the wider regeneration objectives”

12. Section 5 of this report contains proposals, including:

- a. Para 5.15 (p39) “Provide a self-cleaning toilet cubicle with coin operated (20p charge) and radar key access (for disabled people) adjacent to Market Square. It is proposed that initially this facility is open from 08.00 to 18.00 to prevent anti-social behaviour and misuse”
- b. Alongside a photo of the following text:



the character of the Fair Green”

“In response to concerns regarding the aesthetic appeal of the toilet cubicle building, officers would work with the manufacturers to identify a method for “softening” its appearance that best suits

13. Section 7.3 of this report contains costings. The public toilet costing is reported at £50,000 (p53).

Overview and Scrutiny Commission Repurposing the High Street Task Group 2021/22

14. In July 2021 we hosted a walkabout in Mitcham Village to support Cllr Peter Southgate in his work on the Overview and Scrutiny Commission’s Repurposing the High Street Task Group exercise. We invited the members of this task group and other local ward councillors. Along with Cllr Southgate we were joined by Cllrs Alambritis, Macauley and Akyigyina for the entirety of the walkabout. Cllr Owen Pritchard joined briefly. We had a wide-ranging discussion about Mitcham Village and actions which could be taken to make it a more attractive place to visitors. The issue of public toilets inevitably came up, and our visit fed into the final report and recommendations.
15. A [paper](#) went to the [Overview and Scrutiny Commission on 16 February 2022](#). The paper notes in para 2.12 “The high street as a ‘place to dwell’ was a frequent term used in task group deliberations. Many of the conversations focused on how to create the environment for people to socialise in a safe, clean and attractive space.” One of the key points made in this paragraph: “The availability of toilets is also important.”
16. Sadly the recommendations failed to go far enough. Recommendation 5 simply states, “Reinstate the community toilet scheme, and also look at schemes like ‘20p for a pee’ (exemplars in

central London and the royal parks).” We have stated elsewhere that a community toilet scheme is not the solution for Mitcham Village.