

Agenda Item No: 7 **Report No:** 28/15
Report Title: Western Road Lewes Public Toilets Petition Response
Report To: Council **Date:** 25th February 2015
Cabinet Member: Cllr Andy Smith
Ward(s) Affected:
Report By: Gillian Marston, Director of Service Delivery
Contact Officer(s)-
Name(s): Bee Lewis
Post Title(s): Head of Property & Facilities
E-mail(s): bee.lewis@lewes.gov.uk
Tel No(s): 01273 661101

Purpose of Report:

To respond to the petition submitted to Council on 15th October 2014 in relation to the public toilets at Western Road Lewes.

Officers Recommendation(s):

- 1 To note that the site known as Western Road Public Conveniences is earmarked to provide 2 units of affordable housing within the Property Regeneration Portfolio Project (also known as the 49 sites).
- 2 To maintain the site in its current condition, as per Option A and establish a community toilet scheme within the area of Western Road and the High Street to alleviate the current (and potential future) loss of the site.

Reasons for Recommendations

- 1 At the meeting on the 15th October 2014, Council received a petition from Councillor Wischhusen (Catlin) of Lewes Town Council; Councillor O'Keeffe; and Jackie Bishop, Churchwarden of St Anne's Church, Lewes; containing 1503 signatures. The petition stated:

"We the undersigned call upon Lewes District Council to re-open and maintain the Public Toilets on Western Road in Lewes as they are a much appreciated and needed public facility, used by both local residents and by visitors to the town. They are an asset both to local council tax payers and to tourists who contribute to the economic wellbeing of the town".

Information

2

- 2.1** The public toilets at Western Road Lewes are owned by LDC. The site is a single storey building believed to be built between 1930 & 1950. The facility was once popular with race-goers but in the intervening years usage has reduced.
- 2.2** The site, prior to its closure in January 2014 on health and safety grounds, was open 24 hours a day as a public convenience with disabled, ladies (with baby change facilities) and gents facilities.
- 2.3** The site is listed on a schedule of circa 49 sites currently under discussion with the Council's Property Regeneration Partner and has been provisionally earmarked for 2 housing units.
- 2.4** The site was closed in January 2014 as a result of water ingress from the roof causing electrical faults, water on the floors, and falling masonry and wall tiling. Following inspections by electrical and roofing contractors in January and February 2014, it was considered uneconomical to undertake repairs. The following concerns were raised by the contractors:

 - (a)** Roofing contractor: "In our opinion there have been so many attempts at repairing this roof it now will need replacing. This is likely to involve removing all the copings to allow for new trays. We would suggest that a surveyor will need to put together an itemised specification for internal and external remedial works."
 - (b)** Electrical contractor: "Replace all light fittings in the male, female and disabled WC's and all external light fittings".
- 2.5** Following a number of complaints from the Church Warden at St Anne's Lewes, stating users of the church were unable to use the facilities at Western Road, together with complaints from Councillor Wischhusen (Catlin), Councillor O'Keeffe and members of the public contacting the Council; the accessible toilet was reopened on the 24th May as a unit for all users.
- 2.6** The accessible toilet is open and the ladies and gents facilities remain closed. No further complaints have been received since the 24th May 2014 regarding the ongoing closure of the remainder of the site, although the Church Warden has asked whether it is possible to close the site later than 6pm and the request has been passed to the cleaning contractor.
- 2.7** The Director of Service Delivery (DofSD) met Councillor Catlin on site on the 10th June 2014 to review the condition of the facilities. At the meeting, the DofSD set out the need to provide more housing and that the site could help to contribute to meeting that need.

2.8 In consultation with Councillor Catlin, to ascertain the level of usage at Western Road public toilets, a door counter was fitted on the disabled\single facility on the 24th June 2014. The readings taken to mid-November 2014 and the daily average usage figure is shown below.

Date	Days	Reading	Advance	Daily Average (incl cleaning*)
24/06/2014	0	0	0	
07/07/2014	13	352	352	14
15/07/2014	8	589	237	15
30/07/2014	15	1000	411	14
13/08/2014	14	910	910	33
26/08/2014	Counter reset due to vandalism			
01/09/2014	6	263	263	22
04/09/2014	3	127	127	21
06/10/2014	32	1408	1281	20
14/11/2014	39	2295	887	11

* The door counter counts on door closing, therefore assume 2 counts per use (one to enter and close & one to leave and close).

2.9 A condition survey of the public toilets at Western Road was undertaken on the 4th September 2014, details of the defect schedule of costs totalling £21,171 + VAT are shown at Appendix A. The condition survey shows repair costs of £15,401 in Year 1, plus a further £5,770 for lintels, brickwork and redecoration in Year 2. However, in terms of packaging the works, it would be preferable to include the lintel and brickworks in Year 1 also. It should be stressed that the costs provided are estimates for budgeting purposes and the estimates based on a detailed specification may be lower or higher accordingly. Key defects noted within the report are:

- (a)** Water ingress through junctions of pavement light units to roof.
- (b)** Lintel over rear windows failed.
- (c)** Spalling concrete around glass bricks to front elevation.
- (d)** Ceramic wall tiles lose and loss of key in isolated areas.
- (e)** Water ingress damage to electrical wiring and luminaires.
- (f)** Installations and equipment to be fully checked and commissioned before presently closed areas are re-opened.

2.10 The site has been listed under the Community Right to Bid (Assets of Community Value) scheme which allows interested parties time to raise money to bid for sites that become available for disposal.

2.11 Whilst it is not essential to replace the existing sanitary ware and floor tiling, the Wallgate hand drying units are over 20 years old and are rapidly becoming unserviceable, with frequent repairs needed.

Options

- 2.12** Option A: Continue as now. The site is ear-marked for redevelopment but in the meantime could still be used as a single unit and the usage figures would seem to indicate that the single toilet is meeting demands, although the opening hours may require some adjustment. This is the recommended option.
- 2.13** Option B: Re-open the site following repairs. Whilst this option has the advantage that the site re-opens, there would be a capital commitment needed of £21,000 which would divert capital money from other sites requiring improvement and may not be the best use of capital if the proposed redevelopment occurs.
- 2.14** Option C: Re-open the site following repairs and partial refit. This option has the same advantage as option (b) but has the added disadvantage of increased capital costs of up to £40,000 in addition to the £21,171 identified in the condition survey all in year 1 to allow for the refit costs. Should this be the preferred option, there would be a further delay in opening the site to accommodate a tender exercise and construction period.
- 2.15** Option D: Close the facility pending the future disposal of the site. There would be no capital expenditure required and there would be a small revenue saving as the site would no longer require cleaning. While Western Road would lose the facilities, the impact could be mitigated by establishing a community toilet scheme whereby local business are paid a service fee by the Council annually (usually of between £500 and £1,000) to allow members of the public to use their facilities freely. One local business has already indicated that they would be interested in participating.

Financial Appraisal

3

- 3.1** The cost of each of the options for this site is shown above. The recommended option is to maintain the site in its current condition, which will have no budgetary impact.
- 3.2** If the preferred option is to choose to repair and refurbish the public conveniences, the cost would be funded from the general provision in the capital programme for asset maintenance.

Legal Implications

4 Legal comments are contained within the exempt Appendix C.

Sustainability Implications

5

5.1 I have completed the Sustainability Implications Questionnaire and there are no significant effects as a result of these recommendations

Risk Management Implications

6

6.1 There is a risk to LDC reputation with the loss of any facility. The Public Health Act 1936 gives local authorities a power to provide public toilets, but there is no statutory duty to do so.

6.2 This risk could be mitigated by establishing a community toilet scheme within the Western Road \ High Street area of Lewes. Further work would be needed to compare how similar schemes operate in neighbouring authorities.

Equality Screening

7

7.1 The recommendation has a small impact on equalities within the community, across several user groups who may rely on the facility. However this could be mitigated by establishing a Community Toilet Scheme. An Equality Impact Assessment was carried out in early in 2014 and made specific recommendations concerning such a Scheme in the Western Road area.

7.2 Redeveloping the site would mean the loss of disabled, ladies and gents facilities. However, the door counter/usage review has shown that the daily usage is minimal which could be mitigated by using other public toilets in Lewes e.g. Market Tower and Greyfriars. It could be further mitigated if a Community Toilet Scheme was implemented in the area.

7.3 The Equality Assessment for Western Road public toilet showed that the majority of user groups were catered for, with the exception of baby change facilities for men with young children (existing facilities within the ladies) and families.

Background Papers

8 None

Appendices

9 Appendix A: Condition Survey extract

Appendix B: Site photographs

Appendix C: Legal comment (Exempt)

Appendix A: Condition Survey extract

Location	Element	Feature	Attribute	Defect Narrative	Remedial Narrative	Priority Grade	Year Allocation	Health & Safety	Cost Total
Main rear area	Roofs	flat roof : coverings/insulation	pavement lights	Water ingress through joints of pre-cast concrete pavement light panels. Causing damage internally	Rake out seals between pavement light units, grout with epoxy mortar and specialist waterproof compound.	1	1	N	€ 2,520.00
Main rear area	Roofs	flat roof : coverings/insulation	pavement lights	Damaged lens	Specialist repair of damaged lens light or consider continuing waterproof membrane over	1	1	N	€ 350.00
Main rear area	Roofs	flat roof : coverings/insulation	asphalt perimeter to pavement lights	Splits and fractures to perimeter asphalt, water ingress and evidence of repair	Prepare and coat with Decothane and marry to pavement lights and underside of parapet cappings	1	1	N	€ 1,000.00
GEN	Roofs	flat roof : cappings/parapet	concrete cappings	Concrete capping spalled and reinforcement corroded in isolated areas	Concrete repair of spalled copings subject to planning consent provide new powder coated aluminium over lay cappings	1	1	N	€ 1,386.00
South	External Walls	other	other	Precast concrete surround to glass blocks to front elevation. Fractures and spalling to concrete surrounds and cill	Specialist concrete repairs to concrete surrounds and cill	1	1	N	€ 1,800.00
GEN	Ceilings	Ceilings : ground floor	concrete	Water ingress has caused spalling, fractures and staining to beams and ceiling under pavement lights	Specialist concrete repair to beams and ceiling	1	1	N	€ 1,800.00
04	Electrical Services	installation	wiring	Wiring and luminaires have been damaged by water ingress	Rewire to existing conduits and renew luminaires	1	1	Y	€ 2,000.00
GEN	Internal Walls	walls/partitions : linings/finishes	ceramic wall tiles	Multiple areas of fallen tiles and areas with loss of key. Repairing in patches will be difficult as tiles are the old imperial size and sourcing may not be	Renew areas of missing tiles and hollow areas with loss of key. Consider entire renewal	1	1	N	€ 1,575.00
GEN	Redecorations	redecorations : internal	previously painted surfaces	Following repair works full internal redecoration will be required	Internal redecorations	1	1	N	€ 1,590.00
Asphalt covered front area	Roofs	flat roof : coverings/insulation	asphalt	Front area roof. Splits and fractures to asphalt surface, water ingress	Prepare and coat with Decothane or similar liquid membrane with guarantee	2	1	N	€ 1,300.00
North	External Walls	walls : structure	traditional stone, brick or block	Steel lintels over two rear windows have corroded damaging brickwork, up to 12mm horizontal fracture to pier and reveals of windows	Renew lintels and reconstruct brickwork over including parapet and make good internal surfaces	2	2	N	€ 3,500.00
South	External Walls	finishes	pointing	Isolated areas of eroded pointing to brick parapet	Rake out and re point brickwork	2	2	N	€ 520.00
GEN	Redecorations	redecorations : external	previously painted surfaces	External decorations in mixed condition, but becoming due	External redecorations as part of planned programme	2	2	N	€ 1,750.00

Appendix B: Site Photographs









15/05/2014 13:42



15/05/2014 11:40