

Committee(s):	Date(s):
Port Health & Environmental Services	13 Nov 2012
Subject: Public Conveniences Strategy – Update	Public
Report of: Director of the Built Environment	For Decision
<u>Summary</u>	
<p>This report provides your Committee with a progress update on the Public Conveniences Strategy, it aims to ensure that toilets are provided of a type, in locations and at a time that suit potential users. It recognises, for example, that staffed conveniences work well during the day, but are not suited to night-time users. Its aims are therefore to provide adequate toilet provision for commuters, shoppers and tourists as well as address the additional needs of a growing night-time economy.</p>	
<p><u>Staffed toilets and agency staff</u> These continue to operate successfully with high standards of cleanliness maintained; however the previously reported implementation of the Agency Workers Regulations 2010 (AWR) has had a significant impact on the cost of the service, currently estimated at £158k.</p>	
<p><u>Barriers and the Introduction of Charging Tower Hill and Paternoster Square.</u> Barriers have been in operation for over two years now and the income from these has increased, suggesting that the charge is not excessive and the facilities are being well used. The income supports the overall operating costs of the public conveniences helping to maintain the current levels of provision.</p>	
<p>A review of other locations suggests that the introduction of barriers at Eastcheap and Royal Exchange could generate an estimated income of £100k. The estimated installation costs of £126k would be subject to a capital bid. This project would fit with the 'spend to save' category and fits well within the 5 year pay-back criteria.</p>	
<p>Officers will be exploring other areas where savings can be made within the service including a soft market test of the service to ensure value for money. This will be done over the next twelve months with any proposals being presented to this Committee.</p>	
<p><u>Automatic Public Conveniences (APC)</u> The City currently has 10 APC units. Whilst APCs are relatively expensive to provide and maintain, in terms of cost per user, their real benefit is that they provide a 24 hour, 7 days a week facility for both men and women. This helps support the needs of the growing night-time economy. Four of the units are fully accessible for disabled use. Long-term viability will be assessed over the next twelve months.</p>	
<p><u>Community Toilet Scheme (CTS)</u> The Community Toilet Scheme has been a huge success with membership now at 75. This supplements the provision at a low comparable cost across the City of London and is in line with GLA strategies on public conveniences. Premises are regularly visited and checked for cleanliness, appropriate documentation, and visible signage. This is undertaken by the dedicated resource approved by your Committee.</p>	
<p><u>Urilifts</u> The installation of the three units at Watling Street, Cornhill and Bishopsgate has been very successful, and the facilities are being well used particularly at times</p>	

when public houses are closing. There have been no complaints about these units since they were installed.

Officers will be progressing the proposed installation of a Urilift in Charterhouse Street, this area having been identified as suffering significantly from street urination. Information will be presented to the Smithfield Market Traders Association to gain their support for the installation of a unit. Officers are also exploring a location in the Aldgate area as a possible site for a unit. This area is being explored with the Street Enhancement Team as there are plans for redevelopment of the area and a unit could be part of the design features.

Contactless Payment Technology

Officers have investigated the possibility of using the Oyster card system and credit card contactless technology to pay at the barriers.

It was found that the Oyster card system is only valid TfL currency and this system is not available to other organisations. The use of credit card contactless technology incurs a 29p transaction fee by the bank. Based on a 50p charge contactless payment would therefore not be viable at this present time. We will monitor the costs of this technology and others that are developed as they may become more widely used in the hope that the transaction fee reduces to become a viable method of payment at our barriers.

Recommendations

That your Committee agrees:

1. To receive this progress report and note the actions taken and continues to support the Public Convenience Strategy.
2. To continue with the current charging policy at Tower Hill and Paternoster Square with a 50p charge.
3. To agree the introduction of a 50p charge at Royal Exchange and Eastcheap conveniences, subject to a capital bid for the installation of barriers (at an estimated £126k) being approved through the corporate Project Procedure.
4. That Officers explore further options to offset the impact of the AWR including undertaking a soft market test of the service over the next twelve months and report back to this Committee with the findings.
5. To acknowledge the successful development of the Community Toilet Scheme in achieving 75 members.

Main Report

Background

The Strategy

1. On 11 March 2008 your Committee agreed a report titled 'Public Conveniences Strategy', which proposed a framework and timescale upon which to review the provision of public conveniences within the City. Over previous years this Committee has reassessed the service's provision of public conveniences which has resulted in modifying the opening hours of attended conveniences and reducing the provision of automatic public conveniences (APCs).
2. The Strategy aims to ensure that toilets are provided of a type and in locations that suit potential users. It recognises, for example, that staffed conveniences work well

during the day, but are not suited to night-time users. Its aims are therefore to provide adequate toilet provision for commuters, shoppers and tourists as well as address the additional needs of a growing night-time economy.

3. The Strategy provides daytime toilet provision delivered via the staffed (agency and direct employed) conveniences; this is supplemented by provision through the Community Toilet Scheme (CTS) in which local businesses make their toilets available to the public in return for a small financial reward. Night-time provision is provided via the installation of 'pop up' style Urilift toilets with all provision being further supplemented by APCs.
4. On 27 January 2009 your Committee agreed to the installation of Urilifts in four locations which had been identified as suffering most from street urination, the closure of Bishopsgate attended convenience (other than on Sundays) from April 2009, to deploy single attendant management of public conveniences at appropriate locations, to introduce a 50p charge at both Tower Hill and Paternoster Square attended public conveniences, and to develop a Community Toilet Scheme to expand the availability of provision at a low cost with establishment of a dedicated post of scheme manager.
5. The Strategy aims to achieve these demands whilst also maintaining or reducing operating costs for the service. To achieve this, the service has reduced the opening hours of low usage staffed conveniences and by introduced a 50p charge for the use of Paternoster Square and Tower Hill toilets. The installation of barriers and the introduction of charging at Tower Hill and Paternoster Square happened in April 2010.

Current Position

Review of the Barriers and Charging at Tower Hill and Paternoster Square.

6. Where many other authorities are closing public conveniences as a result of budget reductions, the City has resisted this option acknowledging their value and importance for tourists, visitors, workers and residents. This view is shared by the Mayor of London who promotes a strategy to encourage authorities to maintain levels of provision and improve toilet facilities across greater London.
7. The barriers/charging systems have been successfully operating since 2010 at Tower Hill and Paternoster Square conveniences. A charge of 50p at these locations generates an income which goes to support the operational running and maintenance of the whole public convenience service across the City of London. This charge is in line with our nearest comparable neighbour, Westminster, who also charge 50p.
8. Now that charging has been in place for some time we have been able to review the impact of this approach. The findings of this review are that:
 - Income levels over the last 2 years have been on the increase, and income targets have over-achieved. This suggests that the 50p charge is not excessive and has not deterred people from using the facilities. See summary table below.

Summary Table of Tower Hill and Paternoster Square Barrier income

Toilet Barrier income 2011-12-13			
Year	Budget	Outturn	
	£000	£000	
2011/12	360	377	
2012/13	360	384	1
Note:			
1) Projection 2012/13, based on current level of income from both Tower Hill and Paternoster. Income split is around 80/20 respectively			

- As would be expected with the introduction of a charging policy, there were initially some complaints, however overall the number has been very low. During the first year of operation (2010) Cleansing Services received fifteen written complaints and approximately twenty phone complaints.
- In 2011 we received three written complaints and approximately six phone complaints.
- To date, in 2012 we have received five written and approximately five phone complaints. Of these only two complaints were related to the charging policy with one coming from a school party and the other from an individual member of the public. This indicates further that payment for usage is widely accepted amongst the facilities users.
- In the financial year 2011/12 income from Tower Hill and Paternoster conveniences equated to 756,578 service users. The number of complainants therefore only represents 0.0012% of paying service users.

Staffed public conveniences and changes in legislation - Agency Workers Regulations 2010 with effect from 1st October 2011.

9. The City has eight attended public conveniences. The hours that these facilities are open to the public range from 7.00am to 9.00pm depending on the location. They are open seven days a week all year round (except Christmas Day). The locations and opening times are listed in Appendix 1.
10. Due to the variability of the service the City has, since the early 1990s taken the view that as convenience attendants left the City's employment, they were replaced by agency staff. This has given greater flexibility to cover the variety of non-standard shift patterns. This arrangement has also ensured that cover was provided if an agency worker was off on annual leave or sick as the agency would provide a replacement at no additional charge, unlike a directly employed worker where it would be an additional cost to cover these periods of absence. This way of working has resulted in significant savings for the service over the years and passed much of the management of administration of these workers to the agencies.
11. Currently there are four full time City of London attendants with an additional ten to thirteen agency staff required daily to cover these hours working variable shift patterns and hours each week. Due to the number of events hosted by the City each year hours of opening vary significantly including weekend opening as necessary.

12. The Revenue and Capital Budgets 2011/12 and 2012/13 report to your Committee on 24 January 2012 advised that with effect from 1st October 2011, the Agency Workers Regulations 2010 (AWR) were introduced. The purpose of this legislation was to give agency workers some parity with other employees. It gave agency workers who complete twelve continuous weeks in the same role entitlement to comparable terms and conditions in relation to pay, holiday entitlement, working times, rest breaks/ periods and night work as directly recruited staff.

Impact of Change in Legislation and Actions Taken.

13. The original impact of this legislation was that the additional costs for agency workers would increase by an estimated £200k per annum. Initial work was undertaken and as reported to your Committee in May 2012, Officers negotiated a reduction in staffing costs to £180,000. Lengthy negotiations have continued to take place with the agencies to try to reduce this increase in cost further, and Officers have since been able to agree an additional reduction in agencies fees.
14. Officers have also made changes to the weekend rota arrangements to further reduce operating cost by using agency staff where possible to cover weekend working rather than using City staff and thereby incurring overtime costs which would be significantly higher.
15. As a result of these actions the City has reduced the overall increase in labour costs incurred due to the implementation of the AWR and now estimate it to be £158k.
16. These additional costs will be met this year by utilisation of a combination of any under spend within the local risk budget, the projected over-achievement of the income from the public convenience barriers, and as previously agreed by your Committee any shortfall in 2012/13 and 2013/14 from the £300k Landfill Allowance Trading Scheme (LATS) Reserve.
17. For 2012/13 it was anticipated that £150k would be required from the LATS Reserve. However, as a result of forecast underspendings and additional income both within the service and elsewhere in the Department, it is currently not envisaged that this will be required. The Reserve will be used to cover the full AWR impact for 2013/14.
18. This approach to funding the gaps is not sustainable and Officers have started to explore options to meet the shortfall in resources in 2014/15.

Proposed Introduction of charging to further offset the impact of the Agency Workers Regulations (AWR).

19. As described in paragraph 15 the introduction of the AWR has had a budget impact on staff costs estimated at £158k. Work has been undertaken to explore how the service can generate additional income to cover the increase in costs. An analysis has been done of all of the public conveniences to establish the viability of introducing further charges at other locations as shown in the table below:

Table analysing the viability of public convenience sites through the introduction of charging.

		Base line Data				
		APR 11 - MAR 12				
		TOTALS				
		Beam Counter	40% of 11/12 Count	Estimated income at 50p	Time to recover the costs of installation (YRS)	
ROYAL EXCH.	Ladies	68485				
	Gents	247086				
	Total	315571	126228	£63,114	1.32	[Note 1]
BISHOPSGATE [Only open on Sunday]	Ladies	12994				
	Gents	19859				
	Total	32853	13141	£6,571	6.54	[Note 2]
EASTCHEAP	Ladies	49232				
	Gents	101803				
	Total	151035	60414	£30,207	1.42	[Note 2]
SMITHFIELD	Ladies	10712				
	Gents	143816				
	Total	154528	61811	£30,906	4.63	[Note 3]
BLACKFRIARS [Only open Apr - Sept]	Ladies	19087				
	Gents	32890				
	Total	51977	20791	£10,395	4.14	[Note 2]
Note 1 - 4 Gates, 2 Change machines. est £83K.						
Note 2 - 2 Bi-directional gates, 2 change machines. Est £43K.						
Note 3 - 2 Bi-directional gates, 2 change machines. Est £43K. However major structural work would be required if at all possible £100k estimated.						

20. From this information it can be seen that there are two locations that would appear to be viable, these are at Royal Exchange and Eastcheap. This is based on the same assumptions and calculations applied when identifying Tower Hill and Paternoster Square income levels in the original exercise. The locations of Royal Exchange and Eastcheap could generate an income estimated at £100k if a 50p charge were to be introduced.
21. The installation of similar style barriers to those fitted to Tower Hill and Paternoster Square can be fitted at an estimated cost of £126k, this would be subject to a capital bid. The return on investment period shown in the table would be less than 1.5 years. This is similar to both Tower Hill and Paternoster Square. If Members are in agreement with the introduction of charging via barriers at these locations, a separate report would be prepared in accordance with the corporate Project Procedure. This project would fit with the 'spend to save' category and fits well within the 5 year pay-back criteria.
22. It can be seen that the facilities at West Smithfield are well used and may have been considered, however, as these facilities are below ground level (essentially a concrete block hollowed out) and have a narrow and confined design layout it would be extremely difficult to physically install any barrier equipment without major structural changes if at all possible. It would therefore be prudent to set aside a significant estimated budget (£100k) for this work in the calculations. This would increase the installations costs and therefore would extend the pay-back period making this unviable as an 'invest to save' project.

23. The other locations do not experience an adequate footfall to being a viable option under an 'invest to save' project.
24. Officers will be exploring other areas where savings can be made within the service to meet the impact of the AWR on the local risk budget. To ensure value for money and effectiveness of service delivery is achieved a soft market test of the service provision may be undertaken within the same time scales of 12 months. This may include exploring the market for different delivery models, shared services, outsourcing etc; any proposals being presented to this committee.

Automatic Public Conveniences (APCs)

25. Following approval at November 2011 the two APC units located near St Paul's Cathedral were removed on 22nd January 2012 as part of the street scene enhancement project at Festival Gardens. This produced a saving of £36,000 that has now been invested into a fixed-term part-time post for two years providing administrative support for the Community Toilet Scheme (CTS) and to fund the expansion of the scheme by an additional 25 members.
26. The City currently has 10 APC units. While APCs are relatively expensive to provide and maintain, in terms of cost per user, their real benefit is that they provide a 24 hour, 7 days a week facility and are available for both men and women. This helps support the needs of the growing night-time economy. Four of the units are fully accessible for disabled use. The table below summarises the location and type of facilities available and shows the cost per user (a detailed breakdown of the costs per use can be seen in Appendix 2:

J C DeCaux	Facility		Cost per User
Location			
ALDERMANBURY	Unisex Facility		£ 1.63
ALDGATE HIGH ST.	Unisex Facility		£ 2.24
CHARTERHOUSE ST.	Unisex Facility		£ 3.44
HARROW PLACE	Unisex Facility		£ 1.88
MONUMENT ST.	Unisex Facility		£ 1.35
ST. PAULS WALK	Unisex Facility		£ 1.97
Danfo			
Location			
LONG LANE	Unisex & Disabled Facility		£ 2.39
MONUMENT PAVILION	Disabled Only Facility		£ 26.90
TOWER PLACE	Unisex & Disabled Facility		£ 9.19
WATERMARK PLACE	Unisex & Disabled Facility		£ 6.05

Urilift 'pop up' units

27. Urilifts are now established in three locations in the City - at Watling Street, Cornhill (South East of the Royal Exchange Buildings) and Bishopsgate near the junction with Middlesex Street. These new facilities are being well used particularly at times when public houses are closing. One of the success indicators of these units is that is that we have not received a single complaint about any of them since their installation.

28. The Urilift units are operational to respond to the growing night-time economy, these times are:

	Raised	Lowered
Monday - Thursday	8 – 9pm	4 – 5am
Friday	8 – 9pm	6 – 7am
Saturday	8 – 9pm	6 – 7am

29. The table below gives an example of daily Urilift usage at our three locations. Figures indicate that Urilifts are being used throughout the week with usage numbers peaking from Thursday to Saturday. The higher use of the Cornhill Urilift can be explained by the number of large pubs, bars and clubs within the local vicinity, these include large establishments such as Counting House and Pitcher & Piano public houses in addition to Abacus & Anthologist night clubs nearby which shut in the early hours of the morning.

Uri-lift Usage Breakdown (Operational time of approx 7 - 8 hours per night)									
Sample weeks to reflect an average usage									
Date Period in Raw Data		Sun/Mon	Mon/Tue	Tue/Wed	Wed/Thu	Thu/Fri	Fri/Sat	Sat/Sun	Total
25 Jun - 1st July 2012	Cornhill	96	56	37	37	12	87	60	385
21 - 27 May 2012	Watling St	24	21	29	16	49	41	25	205
16 - 22 April 2012	Bishopsgate	46	55	37	24	17	23	17	219

30. Officers are currently exploring potential locations for a fourth Urilift for which funding has already been approved. Charterhouse Street has always been an area that suffers from significant amounts of street urination; it is therefore proposed that the City pursues this location as a matter of priority. Officers are now working with the Department of Markets and Consumer Protection to engage with Smithfield Market Traders Association to hopefully gain support for the installation of a unit at this location.
31. The Charterhouse Street location has the support of the Safer City Partnership via the Anti-social Behaviour working group. Officers raised street urination at this location as an issue at a recent meeting on 1st October 2012, and all agencies in attendance, including the City Police, agreed that it was a significant and on-going problem and welcomed the proposal to install a Urilift.
32. Currently at Charterhouse Street we provide temporary 'portaloos', putting these out on a Friday night and bringing them in during the early hours of Monday morning. This incurs staff time equating to 3hours per week (£225). The annual cost of this is £11,700 and has been happening for around four years. Placing out, removal and emptying of the temporary units is clearly not a sustainable solution.
33. A second location being considered for a Urilift is in the Aldgate area as there have been complaints of street urination problems. This general area forms a part of the Aldgate Area Strategy and is likely to be redeveloped; therefore Officers will be working with the Street Enhancement Team to explore opportunities in the area.

34. Officers have explored the use of female Urilift units at the request of this Committee. When the first units were installed in the City female units were not available in the UK. However, a female Urilift is now available, see Appendix 3.
35. It can be seen from the design of the unit that it is virtually the same as an APC. From a construction and installation view point, unlike the traditional Urilift, a considerable hole or excavation is required into which the female Urilift retracts and therefore makes it extremely difficult to install without underground services being encountered. In addition to this the cost of purchase and installation is estimated to be around double the cost of a conventional Urilift.
36. Intelligence from night shift Officers and the City Police suggest that street urination is predominantly undertaken by men. Women in need of a late night toilet are more likely to seek one of the City's ten automatic public convenience (APC) facilities or a late night CTS member.
37. In examining the need for female Urilifts, we have considered our duty under the Equalities Act 2010 and an Equalities Impact Assessment has been carried out.
38. Intelligence from night shift Officers and the City Police suggest that street urination is predominantly undertaken by men. Women in need of a late night toilet are more likely to seek a late night CTS member or one of the City's 10 APCs which operate 24/7, and therefore these male Urilift proposals would not appear to have any significant negative impact on other groups.
39. In conclusion, it is not proposed that the existing provision be supplemented by 'female Urilifts' in the City at present.

Community Toilet Scheme (CTS)

40. The development of the CTS has proved challenging however with dedicated resources in place the membership target of 50 was achieved in May of this year (2012). A comprehensive database and inspection regime has been developed and work is now on-going to develop the communication strategy. This is being progressed by means of applications used with mobile phone technology and we are currently looking at including toilet locations into the new 'Visit the City' app. We have also developed interactive web based information using Geographic Information System (GIS) to help guide people to the nearest facilities.
41. As reported to your Committee in November 2011, the City successfully achieved a membership of 50, it was then agreed that we would set a challenging target of 75 members for the Scheme. This has proved to be extremely challenging but the target was achieved in early September 2012. A summary of members by business type, and details of late venues are shown, in Appendix 4. A table showing the CTS members by ward is shown in Appendix 5.
42. Resources will now be concentrated on regular inspections, twice a year, of CTS members' facilities to ensure they continue to meet the criteria of the Scheme. We will be checking such things as the display of stickers and standards of cleanliness and current public liability insurance cover. As part of the administration and monitoring of the Scheme it is envisaged that a customer satisfaction survey will be developed to try to gain some feedback on the Scheme. Officers will explore this over the winter and spring with a view to undertake an exercise over the summer of 2013.
43. A pocket map showing all of the City's toilet facilities, including where disabled facilities are located, was produced in time for the Olympics and is available from the tourist information centre and other public reception areas. This has proved to be

very popular, with over 5,000 maps being distributed. An interactive map is also available on the City's website showing the same information.

New Technology for payment.

44. To try to keep abreast of modern technology Officers have looked at how we might improve payment options, including the possibility of using contactless technology to pay at the barriers. The technologies investigated were the use of Oyster cards and credit card contactless technology.
45. Having discussed these with our barrier supplier, it was found that the Oyster Cards are only valid TfL currency and this system is not available to other organisations. If other new systems are developed in the marketplace, for example, Google Wallet, being developed in the USA, then we will take an active interest to see if it can be used as a payment method for services used in the City.
46. The use of credit card contactless technology will incur a 29p transaction fee by the bank. Based on a 50p charge contactless payment would therefore not be viable at this present time. We will monitor the costs of this technology as it becomes more widely used in the hope that the transaction fee reduces to become a viable method of payment at our barriers.

Corporate & Strategic Implications

47. This strategy supports tourism in the City and through the Urilift programme seeks to address anti-social behaviour associated with the City's growing night-time economy.

H.R. Implications

48. As stated in Paragraph 4, on 1st October 2011, the Agency Workers Regulations 2010 (AWR) were introduced. The purpose of this legislation was to give agency worker some parity with other employees. It gave agency workers who complete twelve continuous weeks in the same role entitlement to comparable terms and conditions in relation to pay and holiday entitlement as directly recruited staff.

Legal Implications

49. No other legal implications other than the new legislation of the Agency Workers regulations 2010, this report has been in consultation with the Comptrollers department.

Financial Implications

50. The financial implications have been covered within the main report in consultation with the Chamberlains department.

Background Papers:

Toilet Strategy

Revenue and Capital Budgets 2011/12 and 2012/13 - Port Health Committee

24 January 2012

Department of the Built Environment Unidentified Savings 2012-2013 - Port Health

Committee 1 May 2012

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