

Crawley Borough Council

Report to Cabinet 31st January 2024

Installation of Toilet Facilities – Cherry Lane and Millpond Unsupervised Adventure Playgrounds

Report of the Head of Community Services **HCS/071**

1. Purpose

- 1.1 The purpose of this report is to consider approval of the installation of permanent toilet facilities at Cherry Lane and Millpond Unsupervised Adventure Playgrounds (UAP) and the associated growth annual revenue requirement.

2. Recommendations

- 2.1 To the Cabinet:

The Cabinet is recommended to:

- a) Install permanent toilet facilities at both Cherry Lane and Millpond unsupervised adventure playgrounds.
- b) Approve the virement of £107,827 existing capital budget to support the delivery of the project.
- c) Approve a virement of £25,000 to fund the revenue implications of the scheme from within Community Services budgets.
- d) Subject to approval to proceed, delegate to the Head of Community Services the undertaking all necessary processes as required for the installation of the toilets, including (and not limited to), any negotiation and approval of tenders and other documentation, subject to consultation with the Statutory Officers (Generic Delegations 2 & 3 will be used to enact this recommendation).

3. Reasons for the Recommendations

- 3.1 To ensure compliance with the council's constitution and associated decision-making processes to approve the allocation of capital funds and annual revenue budget for installation of permanent toilets at Millpond and Cherry Lane unsupervised adventure playground sites.
- 3.2 The Council is not under a legal duty to provide public conveniences. It does however have the discretionary power to provide them pursuant to section 87 of the Public Health Act 1936 (as amended)

4. Background

- 4.1 Full Council on 20th October 2021 ratified the Cabinet decision to convert Cherry Lane and Millpond adventure playground sites into unsupervised adventure playground sites and to “mothball” Creasys Drive and Waterlea sites, pending a further options appraisal.
- 4.2 A capital budget allocation of £400,000 was earmarked to undertake the necessary works. This included;
 - Adaptations and / or investment in Cherry Lane and Millpond Adventure Playground to make the sites suitable for unsupervised play.
 - Removal of equipment / make the sites safe at Creasys Drive and Waterlea sites.
- 4.3 The adaptations at Cherry Lane adventure playground were completed in 2022 with the site opening during Easter 2022. This was reasonably straightforward since the facility had undergone major investment in 2016/17, with the site requiring adaptations rather than wholesale refurbishment.
- 4.4 The equipment at Creasys Drive UAP site has been removed and the site made safe. Much of the equipment had reached the end of its life.
- 4.5 The equipment at Waterlea UAP has been removed and the site made safe. The site currently has a pre-school hiring the building during term time, no other activity takes place at the site which remains closed to the public.
- 4.6 Millpond UAP has recently been fully re-developed into an unsupervised play area, the site opened to the public on 31st May 2023.
- 4.7 Portaloo’s have been in place at both sites since their re-opening thus providing a temporary solution at a cost of £11,151 to date however this is funded from a temporary budget available until the 31 March 2024. However, the portaloo’s at Cherry Lane UAP site have been vandalised on numerous occasions.
- 4.8 Work to install toilet provision at both sites was scheduled to commence in November 2023, this is currently on hold pending approval from Cabinet as outlined in this paper.

5. Description of Issue to be Resolved

- 5.1 The Cabinet Member for Leisure and Wellbeing has requested that members of the public have access to permanent toilet provision at Cherry Lane and Millpond UAP sites.
- 5.2 The buildings at Cherry Lane and Millpond play areas are no longer used to deliver council services and there are lease agreements in place which do not permit public use of these building including their toilet facilities.
- 5.3 Toilet provision at Cherry Lane UAP would be achieved through the re-design of the existing vacant building on site. This currently has two toilet facilities which require additional work to create a new, standalone entrance whilst partitioning them from the main building. The toilets will also need upgrading to meet the required standard.

- 5.4 Toilet provision at Millpond UAP would be achieved through a bespoke new standalone facility next to the main building. Separate services would be installed to ensure utilities are charged correctly and not as part of the main building charges.
- 5.5 Proposed Budget requirement
- 5.5.1 £107,827 remains from the original £400,000 capital budget for the re-development of the UAP sites.
- 5.5.2 The total capital budget required for the installation of toilet facilities at both sites is outlined in the table below, thereby utilising all the remaining funds:

	Budget
Cherry Lane	£47,695
Millpond	£47,513
Contingency	£12,619
TOTAL	£107,827

- 5.5.3 The capital budget includes provision at both sites for one accessible and one unisex toilet.
- 5.5.4 In addition to the installation costs there would be an annual revenue cost of approximately £25,000 for cleaning and maintenance at both sites.

6. Information & Analysis Supporting Recommendation

- 6.1 Following the transition to unsupervised adventure playground sites, the service no longer collates visitor information and therefore is unable to provide data regarding access and usage of both sites including the portaloo's.
- 6.2 Of the £400k capital available:
£67,425 has been spent on alterations at Cherry Lane prior to opening as an unsupervised play area. £224,748 has been spent on the redevelopment of Millpond Adventure Playground (installation of play equipment and associated groundworks). This leaves an unallocated balance of £107,827.
- 6.3 Options for allocation of the remaining capital budget are:
- a Allocate for permanent toilet provision at Millpond and Cherry Lane sites as outline in this report.
 - b Reallocate to another activity within the portfolio e.g. Unsupervised Play Improvement Programme to bring forward additional schemes earlier
 - c Deletion of the remaining £107,827 budget (saving)
- 6.4 Options to meet the required growth revenue budget of £25,000 per annum are:
- a Fund from revenue savings within Community Services portfolio.
 - b Request a supplementary estimate from Full Council and include in budget for 2024/25.

7. Implications

- 7.1 Financial: £107,823 capital requirement and £25,000 per annum revenue for permanent toilets at Millpond and Cherry Lane UAP sites (as contained within the report).
- 7.2 The budget implications are set out in the report. However, it should be noted that the Council is facing significant financial pressure and non-essential revenue growth should be avoided. The Council's usable capital receipts have also reduced significantly due to the slow down of Right to Buy Receipts and there is currently a review of the capital programme with view to affordability and alignment with the Council's priorities.
- 7.3 Legal and Procurement: the procurement process will be adhered to prior to commencement of any work contracts being undertaken in accordance with the Council's Procurement Code and The Public Contracts Regulations 2015. Delivery timescales are contingent upon contractor availability.
- 7.4 Environmental: no impact / risks identified.
- 7.5 Staffing: there are no known implications. This will be delivered through existing council officer capacity.
- 7.6 Equality Impact Assessment

The Council must have regard to section 149 of the Equality Act 2010. The public sector equality duty requires public authorities to have due regard to the need to:

- *eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under that Act;*
- *advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and,*
- *foster good relations between those who share a protected characteristic and those who do not share it, which involves having due regard, in particular, to the need to:-*
 - *(i) tackle prejudice; and,*
 - *(ii) promote understanding.*

8. Background papers

[Meeting of Full Council 20 October 2021](#)

Report author and contact officer:

Georgina Bouette, Head of Community Services
Georgina.Bouette@crawley.gov.uk