

ABERDEEN CITY COUNCIL

COMMITTEE	Communities, Housing and Infrastructure
DATE	29 th August 2017
REPORT TITLE	Improving Accessible Toilets Provision within the City Centre
REPORT NUMBER	CHI/17/201
INTERIM DIRECTOR	Bernadette Marjoram
REPORT AUTHOR	Kelly Johnstone

1. PURPOSE OF REPORT:-

- 1.1 This report is in response to a motion put forward by Cllr Ironside to Council committee on 15th March 2017. The minute states:
“That the Council instruct the Interim Director of Communities, Housing and Infrastructure, in consultation with the Chief Officer - Aberdeen City Health and Social Care Partnership, to investigate the possibility of co-ordinating a scheme where businesses in the city centre would make available their toilet facilities to disabled and older people with medical conditions, and to report to the Communities, Housing and Infrastructure Committee on 29 August 2017.”
- 1.2 This report reviews how the Council could support and improve facilities provision by coordinating a scheme where businesses in the City Centre would make available their toilet facilities to disabled and older people with medical conditions. Adequate accessible toilet provision within Aberdeen will support and ensure that families and friends have equitable access to amenities and enjoyment of the City centre.

2. RECOMMENDATION(S)

- 2.1 **It is recommended that committee instruct officers to:**
- a) Develop a strategy with local partners and businesses to increase awareness of accessible toilet provision in the City centre and potential for a Community Toilet Scheme focussed on accessible facilities.
 - b) Carry out a further in depth review of Radar key user facilities in the city and increase awareness of facilities available.
 - c) Carry out an audit on the availability of Changing Places toilets as well as accessible toilets in the City centre.

- d) Work with current partners to develop a database of available accessible toilets within the City centre and their provisions and
- e) Explore the potential of holding a workshop in partnership with Aberdeen Inspire for local businesses, along with local support groups, access panels and the Disability Equity Partnership (DEP) to look at the positive impacts on business by improving accessible toilet provision for the public within the city and how to address any concerns.

3. BACKGROUND/ MAIN ISSUES

3.1 Consistency of Accessible Toilet Facilities

There is a lack of consistency in the provision and the standards of accessible toilets. The building regulations dictate minimum sizes of spaces and facilities within, and not one size fits all circumstances. Size in particular may mean that for many a toilet which is classified as “accessible”, is not accessible for many. As an example there may be insufficient space for a motorised chair to enter and for the user to move between chair and facility.

3.2 Changing Places toilets are in particular short supply in Aberdeen City. According to BS8300:2009 a Changing Spaces toilet includes (above the usual accessible toilet facility):

- adequate space for a disabled person when they are not in their wheelchair, their wheelchair and one or two carers – 12sqm (3m x 4m)
- an adult sized, height adjustable changing bench, wall mounted or free standing
- a ceiling tracking or a mobile hoist
- a peninsular (centrally placed) toilet
- a privacy screen or curtain
- a large bin for pads
- an emergency alarm
- a paper roll
- a non slip floor

3.3 Aberdeen City overall has a lack of public toilet provision within the City centre which is available to the public outside of working hours. Two Changing Places and seven public accessible toilets have been audited by Disabled Go and promoted on their website (an Aberdeen City Council contracted accessibility information site) and Euan’s Guide (a national disabled access review site). Publicity and general information on both accessible and Changing Places toilets are limited and this means that for many disabled and elderly members of the public, certain areas of the city are off limits.

3.4 Feedback from the Scottish Disability Equality Forum (SDEF) around the national network of access panel’s “standard” accessible toilets is that they vary in design. Whilst the cost is expensive for retrofitting a building to incorporate a Changing Spaces or larger accessible toilet, if architects and planners are encouraged to include it in their initial plans it does not cost any more if included in the original sq. foot price. It is important to also consider at

planning stages that the Council fully consider the design of the accessible toilet and its adequacy, particularly for the type of scheme and location.

3.5 **Approaches by Other Local Authority and Organisations**

There is a lack of cohesive approach within organisations and in partnerships regarding provision of accessible toilets. A review of other Scottish Local Authorities has found that there is no specific strategy that works with the local businesses in their area to improve accessible toilet provision. Some Local Authorities have provided funding over a period to increase accessible public toilet provision, specifically Changing Places toilets. This is the more expensive route to increasing provision.

3.6 **Partner Organisations**

Nationally most of the Shopmobility organisations provide accessible toilets near to their premises. These can be used by all members of the public and not only direct customers. However schemes with a mobile base rely on city centre provision being available. Currently there are no known schemes/ agreements in place between Shopmobility and local traders/ offices in these other areas.

3.7 The Access Panel network run by the SDEF (Scottish Disability Equality Forum) on behalf of the Scottish Government is currently running a campaign for Changing Places toilets and is linking with PAMIS (Promising A More Inclusive Society) to achieve their goal. Campaign successes include the Renfrewshire Access Panel managing to secure funding from their local Council for 5 new Changing Places toilets over the next 5 years. Falkirk Access Panel has also secured funding for 2 new Changing Places toilets in and around Falkirk. None so far have evidenced partnerships with local businesses and have been local authority funded.

3.8 **Radar Keys**

Radar keys, which can be used to access certain premises including locked public toilets, can be purchased by individuals from the Council directly or online for a fee (£3.50 - £5.00). Purchasing from the Council is currently more expensive than from Disability Rights UK, but both guarantee a non-counterfeit key. Unlike with Disability Rights UK, purchasing a key from the Council requires that some form of 'evidence' to 'prove ones disability' is submitted; this has caused frustration in the past from the public. Radar Keys are used for a variety of other accessible points across the city, such as the gates at Hazlehead cemetery.

There is still minimal publication of this scheme and research showed variation in how users had heard about the scheme, for example this was found to be mainly by chance, with some respondents finding out about the scheme at medical and care appointments.

One of the key benefits of the Radar key scheme is that it helps prevent the abuse and vandalism of accessible toilets without the costs of a full time attendant. However not everyone knows about the Radar key scheme or who is part of the scheme. Even within large franchises/ chains a Radar key is not always consistently required to access their accessible toilet.

4. FINANCIAL IMPLICATIONS

There will be a financial impact in maintaining a database and publicising the scheme. However the benefits should outweigh the costs.

5. LEGAL IMPLICATIONS

This proposal supports the principle of not discriminating against disabled people.

Whilst the Local Authority has specific duties under the Equality Act with regard to accessible facilities, this report seeks to review what can be done to support provision from the private sector, including local businesses and establishments. The private sector currently does not have the same level of legal responsibility to have provisions in place.

British Standard 8300:2009 recommends that Changing Places toilets should be installed in larger buildings and complexes, including large railway stations, airports and motorway services; sport and leisure facilities; cultural centres; stadia and large auditoria; shopping centres; key buildings within town centres; and educational and health facilities. In cases where a building warrant is being granted or is required for changes, where an accessible toilet is already in place it cannot be removed without review by the Council's building standard department.

There will be a requirement for legal liability by private businesses to be fully understood and addressed prior to any scheme being implemented.

6. MANAGEMENT OF RISK

6.1 Financial
None

6.2 Employee
None

6.3 Customer/ Citizen

Properly Publicised Scheme – Medium

It is important for any such scheme to be properly publicised or risks not being used due to lack of awareness. Joint coordination of the current schemes available (e.g. RADAR keys) and businesses to become part of any scheme would need to be properly publicised.

Business Sign Up - Medium

Encouraging a business with an accessible toilet to open it to the public as required could initially be difficult for fear of abuse and vandalism, additional costs (e.g. cleaning) and legal liability, of their facility if left unmonitored. Aberdeen Inspire is willing to work with the Council to encourage more

businesses to consider such arrangements and awareness workshop or session could be an option once a scheme has been devised.

Abuse and Vandalism – Medium

With all toilets used by the public, they are open to abuse and vandalism if not monitored. Many perceive unstaffed toilets as unsafe due to lack of security and monitoring. Accessible toilets already within local businesses will be regularly monitored as part of inspection processes; however the business may be required to challenge the use of an accessible toilet at point of use. This is difficult as users may have hidden disabilities. Radar keys could be the solution to this issue, as eligible users would already hold such a key, therefore reducing the possibility of abuse.

6.4 **Environmental**

None

6.5 **Technological**

None

6.6 **Legal**

None

6.7 **Reputational**

None

7. **IMPACT SECTION**

Economy

Accessible toilets provide an important and critical resource for members of the public to be able to enjoy the city centre facilities. If better advertisement and provision is created there would be more confidence to visit. The purple pound is used to describe the specific area of the economy that is spent by the disabled community. If more people can be encouraged to use Aberdeen City centre by increasing confidence that adequate toilet provision is available, this could support local businesses to improve their revenues.

People

Accessible toilets and Changing Places promote independence and create a confidence to visit places in the vicinity without worry for people. This includes those who may have hidden disabilities, such as Crohn's Disease, so they can have more privacy and space to attend to their needs as well as for carers to safely and with dignity support their clients. This specifically related to Equality Outcome 4 (EO4), which states 'Physical and social barriers are removed for those with a disability to access services and public space'.

An Equality and Human Rights Impact Assessment (EHRIA) has been completed for this report; no negative impacts have been recorded and positive impacts have been identified for the Age, Disability and Maternity characteristics.

The Council's Disability Equity Partnership is very supportive of this proposal and has commended Aberdeen City Council in giving this project such consideration, highlighting the benefits this will bring to people with hidden disabilities such as IBS. Encouraging businesses in the city centre to enable disabled patrons to use their facilities and having this accessibility promoted on these businesses' and the Council's website will be of enormous benefit.

Place

Currently there is no scheme in place in the rest of Scotland, but this could be an opportunity for Aberdeen City to lead the way as a standard for cities in Scotland on accessible toilet provision. This would be of benefit to visitors and residents.

Technology

None

8. BACKGROUND PAPERS

None

9. APPENDICES

None

10. REPORT AUTHOR DETAIL

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