



TO COUNCILLOR:

Mrs R H Adams
N Alam
L A Bentley
G A Boulter (Chair)
J W Boyce

Mrs L M Broadley
F S Broadley
D M Carter
M H Charlesworth
F S Ghattoraya

Mrs S Z Haq (Vice-Chair)
Miss A Kaur
K J Loydall JP
Mrs S B Morris
R E R Morris

Dear Sir or Madam

I hereby **SUMMON** you to attend a meeting of the **SERVICE DELIVERY COMMITTEE** to be held at the **COUNCIL OFFICES, STATION ROAD, WIGSTON** on **TUESDAY, 28 JANUARY 2020** at **7.00 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices
Wigston
20 January 2020

Mrs Anne E Court
Chief Executive



<u>ITEM NO.</u>	<u>AGENDA</u>	<u>PAGE NO'S</u>
1.	Apologies for Absence	
	To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 of Part 4 of the Constitution.	
2.	Appointment of Substitutes	
	To appoint substitute Members in accordance with Rule 26 of Part 4 of the Constitution and the Substitution Procedure Rules.	
3.	Declarations of Interest	
	Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.	
4.	Minutes of the Previous Meeting	1 - 3
	To read, confirm and sign the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.	
5.	Action List Arising from the Previous Meeting	
	The Action List arising from the previous meeting on 26 November 2019 will be	



considered at the next standard quarterly-reporting meeting on 03 March 2020.

6. Petitions and Deputations

To receive any Petitions and, or, Deputations in accordance with Rule(s) 11 and 12 of Part 4 of the Constitution and the Petitions Procedure Rules respectively.

7. Future Provision of Public Conveniences within the Borough

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Report of the Corporate Asset Manager

8. Footpath at Tendring Drive, Wigston Update (January 2020)

10 - 12

Report of the Head of Law & Democracy / Monitoring Officer

For more information, please contact:

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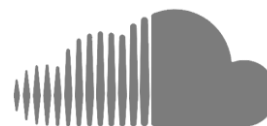
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MINUTES OF THE MEETING OF THE SERVICE DELIVERY COMMITTEE HELD AT THE COUNCIL OFFICES, STATION ROAD, WIGSTON ON TUESDAY, 26 NOVEMBER 2019 COMMENCING AT 6.00 PM

PRESENT

G A Boulter Chair
Mrs S Z Haq Vice-Chair

COUNCILLORS

Mrs R H Adams
N Alam
L A Bentley
J W Boyce
Mrs L M Broadley
F S Broadley
M H Charlesworth
F S Ghattoraya
Miss A Kaur
K J Loydall JP
Mrs S B Morris
R E R Morris

OFFICERS IN ATTENDANCE

D M Gill Head of Law & Democracy / Monitoring Officer
S Hinds Deputy Chief Executive
Miss J Sweeney Democratic & Electoral Services Officer

27. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor D Carter.

28. APPOINTMENT OF SUBSTITUTES

None.

29. DECLARATIONS OF INTEREST

None.

30. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 03 September 2019 be taken as read, confirmed and signed.

31. ACTION LIST ARISING FROM THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The Action List arising from the previous meeting held on 03 September 2019 be noted.

32. PETITIONS AND DEPUTATIONS

None.

33. COUNCIL PERFORMANCE UPDATE (Q2 2019/20)

The Committee gave consideration to the report (as set out on pages 5 – 24 of the reports pack) which asked it to note the update regarding the progress during quarter two of the 2019/20 financial year towards achieving the priorities of the Council's Objectives.

Members requested that as part of the next Council Performance Update report, further details should be provided with regards to Lightbulb.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The contents of the report be noted.

34. OADBY AND WIGSTON HOUSING STRATEGY (2019-2024)

The Committee gave consideration to the report (as set out on pages 25 – 38 of the reports pack) which asked it to approve the Housing Strategy (2019-2024) and note the report which identified the current and future housing issues in the Borough and sets out the Council's priorities for dealing with them.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

- (i) Housing Strategy (2019-2024) be approved; and**
- (ii) The contents of the report be noted.**

35. HOMELESSNESS AND ROUGH SLEEPING STRATEGY (2019-2024)

The Committee gave consideration to the report (as set out on pages 39 - 53 of the reports pack) which asked it to approve that the Homelessness and Rough Sleeper Strategy (2019 - 2024) for public consultation.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

- (i) The Homelessness and Rough Sleeper Strategy (2019-2024) be approved for public consultation; and**
- (ii) The contents of the report be noted.**

36. HOUSING SERVICE IMPROVEMENT PLAN (NOVEMBER 2019)

The Committee gave consideration to the report (as set out on pages 54 – 63 of the

reports pack) which asked it to note and consider the improvements recommended for the Council over 2020/21 as set out through the Housing Services Improvement Plan.

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The Housing Services Improvement Plan be considered.

THE MEETING CLOSED AT 6.50 PM



Chair

Tuesday, 28 January 2020

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Agenda Item 7



Service Delivery Committee	Tuesday, 28 January 2020	Matter for Information and Decision
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Report Title: **Future Provision of Public Conveniences within the Borough**

Report Author(s): **Margaret Kind (Corporate Asset Manager)**

Purpose of Report:	To inform Members of the costs associated with operating Public Conveniences so that they can make an informed decision as to whether these should be permanently closed or remain open.
Report Summary:	That a revenue saving of £21,000 be made per annum if the public conveniences were closed permanently which would negate the need to spend upwards of £28,000 on essential repairs and upgrades over the next eighteen months.
Recommendation(s):	A. The public conveniences within the Borough are closed permanently from 1 April 2020; and B. Officers continue to pursue a Community Toilet Scheme.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Clive Mason (Chief Finance Officer / Section 151 Officer) (0116) 257 2736 clive.mason@oadby-wigston.gov.uk Margaret Kind (Corporate Asset Manager) (0116) 257 2832 margaret.kind@oadby-wigston.gov.uk
Corporate Objectives:	Providing Excellent Services (CO3)
Vision and Values:	Customer Focus (V5)
Report Implications:-	
Legal:	There are no implications directly arising from this report.
Financial:	The financial implications are considered throughout the report and in Appendix 1.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Effective Utilisation of Assets / Buildings (CR5)
Equalities and Equalities Assessment (EA):	There are no implications directly arising from this report. EA not applicable.
Human Rights:	There are no implications directly arising from this report.
Health and Safety:	There are no implications directly arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.

Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	<ul style="list-style-type: none"> • Report entitled 'Review of Public Conveniences within the Borough' to Full Council on 5 December 2017 • 'Petition for Public Toilets in Uplands Park, Oadby' to the Service Delivery Committee on 11 September 2018
Appendices:	1. Public Conveniences (Cost of Provision)

1. Introduction

- 1.1 A report on 'Review of Public Conveniences within the Borough' was presented to Full Council on 5 December 2017. The report recommended permanent closure of public conveniences in the Borough with the exception of Wigston Cemetery toilet and that a Community Toilet Scheme be introduced in lieu. Members deferred a decision and requested further investigation be carried out in relation to a Community Toilet Scheme.
- 1.2 On 31 July 2018 Full Council received a petition requesting the toilets in Uplands Park Pavilion be opened for park users. The petition was referred to the Service Delivery Committee held on 11 September 2018 where it was unanimously agreed to incorporate the request into the council's ongoing review of public conveniences.

2. Current Provision

Operation

- 2.1 The Council currently provides public convenience at four locations across the Borough, and the facilities at each are shown in **Table 1** below.

Current Provision of Public Conveniences						Table 1	
Location	Cost	Gents	Ladies	Unisex	Disabled	Baby Change	
Junction Road Car Park, Wigston	Free	Urinal and 1 x cubicle	2 cubicles	-	Yes with RADAR key	No	
Peace Memorial Park, Wigston	Free	Urinal and 1 x cubicle	2 cubicles	-	Yes with RADAR key	No	
Willow Park, Wigston	Free	-	-	Yes	Yes with RADAR key	No	
Wigston Cemetery	Free	-	-	Yes	No	No	

- 2.2 The four current public conveniences are operated as follows:

- The three town centre toilets are open Monday to Saturday; they are opened, closed and cleaned by the Councils cleaning team.
- Wigston Cemetery is opened and closed by Cemetery staff and cleaned by the Councils cleaning team; this toilet is closed at weekends.
- There are no usage figures kept for the facilities.

- 2.3 During the twelve months ending 31 December 2019 the Customer Services Centre received 6 complaints relating to cleaning issues and 3 relating to maintenance issues. A number of queries were also received relating to opening times but as these were not complaints they were not recorded.

Cost of Provision

- 2.4 The total 'direct' cost of currently providing Public Conveniences is £26k and it is anticipated that these increase to over £30k once support service and management costs are considered. A summary of these costs is shown in **Table 2** below and are detailed in **Appendix 1**.

Cost of Public Convenience Provision	Table 2
Expenditure	Amount (£)
Staffing	9,126
Utilities, Materials and Testing	7,820
NNDR (Business Rates)	7,700
Responsive repairs (2019-20 figure to date)	1,645
Total Annual Expenditure	26,292

3. Savings from Closure

- 3.1 If the Public Conveniences were closed, there would be an immediate saving of £21k, the full £26k would not be realised because NDR would still be payable on the buildings that remained. A rating change would be requested immediately upon closure in an attempt to reduce this liability further. In addition, alternative use would also be investigated providing a self-financing solution could be found.

4. Service Continuation

- 4.1 If the service is to continue, some significant capital expenditure is required to overcome the ongoing problems from vandalism and anti-social behaviour that occurs in and around the Public Conveniences. These costs are shown in detail in **Appendix 1** and are summarised in this and the following sections.

- 4.2 Since the 1 April 2019 the toilets have been vandalised 4 times. The management of this continual service interruption is cumbersome and because of the value of the incidences, the Council is having to pay for remedial action out of its own finances as the cost is below the Council's insurance excess – this is not good use of public monies. Examples of the vandalism and anti-social behaviour that has impacted on the Public Conveniences is as follows:

- Two 'RADAR' locks vandalised (specialist locks on the disabled toilet doors)
- Disabled grab rail pulled off the wall
- Cubicle door pulled off its hinges
- Disabled alarm smashed
- Graffiti removed

- 4.4 **Table 3** below shows the percentage time each toilet has been closed since 1 April 2019; mostly as a result of vandalism. Following agreement with the Chair of Services, the disabled toilet at Willow Park has not re-opened since it was last vandalised.

(Continued overleaf)

Unavailability of Public Conveniences due to repairs and vandalism			Table 3
Location	Total Available Time in days	Time Closed in days	Closed Time
Junction Road Car Park, Wigston	194	Gents - 10 Ladies - 0 Disabled - 24	5.15% 0% 12.4%
Peace Memorial Park, Wigston	194	Gents - 15 Ladies - 0 Disabled 35	7.73% 0% 18%
Willow Park, Wigston	194	Unisex – 30 Disabled - 194	15.4% 100%
Wigston Cemetery, Wigston	194	0	0%

- 4.3 The capital cost of enhancing the current toilets to improve their anti-vandalism capability (and therefore their availability), as well as some general re-decoration, is in excess of £28k; this capital investment is shown in **Table 4** below.

Cost of Capital Investment	Table 4
Expenditure	2020-21 (£)
Replace failed and failing anti vandal hand wash/dryer units (due to obsolescence and end of life)	23,850
Internal re-decoration of all toilet blocks	4,000
Total Expenditure	27,850
NB. Detail in Appendix 1 , Option 1	

- 4.4 It should be noted that if this capital investment was made, there would be a statutory obligation to incur additional revenue growth due to the application of a charge for Minimum Revenue Provision (MRP); based on the aforementioned £28k capital expenditure this equates to an additional revenue cost of £2.8k per annum. Based on the current opening pattern noted at para 2.2 this would increase the direct annual cost for Public Conveniences to £29k per annum (+11%) over current provision. Currently, the Council has 9 hand wash/dryers all were installed at the same time and are now at the end of their lives (obsolete); 2 are no longer in use and 7 are only operational until they fail and will themselves no longer be able to be repaired.
- 4.5 If the service opening was increased to a full 7-days a week, 364 days per year opening pattern, it is estimated that this would increase the revenue cost to £33k per annum, an increase of £4k per annum (+26%) over current provision (see **Appendix 1**, Option 2).
- 4.6 Over the past 3 years, the Council has spent in excess of £8k on repairs to its Public Conveniences in an ongoing attempt to remedy unavailability due, in the main, to Vandalism and Anti-Social Behaviour.
- 4.7 It is therefore considered that continued investment is uneconomic – especially in light of the current and future financial challenge faced by the Council.

5. Alternative Provision: Community Toilet Scheme

- 5.1 A number of local authorities that have closed their public toilets have successfully

introduced a Community Toilet Scheme; this is where local businesses receive incentives to open their own toilets free of charge to the public. Typically the most successful of these schemes are in recognised tourist areas.

- 5.2 Incentives to take part in the scheme vary between local authorities but most make an annual payment to the business (£500) and give free advertising on the council's web site and in council publications.
- 5.3 In February 2018, the Town Centre Manager approached businesses in the three town centres to gauge interest in such a scheme. Only one business (Wigston) was interested in signing up to the scheme. Tesco (South Wigston) responded that they are happy for their facilities to be used without signing up to a scheme. Two businesses (one in Wigston, one in Oadby) were interested but they could not obtain permission from their franchisor. No other business interest was shown in Oadby.
- 5.4 It is therefore concluded that a Community Toilet Scheme would maintain some coverage across the Borough and the current single company to be approached to see if they are still willing to participate.

6. Use of Toilets at Uplands Park Pavilion

- 6.1 Members will recall that a petition was submitted to the Council in 2018 requesting toilets in the pavilion at Uplands Park be open for public use.
- 6.2 Currently the toilets are only intended for the use by sports teams that hire the changing rooms. There is no wider public access to the toilets because it would require opening the whole building, which would leave the entire facility vulnerable to further vandalism and anti-social behaviour (as well as theft of equipment belonging to the Council and the sports teams).
- 6.3 If the Council chose to open up the pavilion for general use as a Public Convenience, the estimated additional capital cost would be £4k and there would be an annual revenue operating cost of £6k (plus a small MRP charge of £400). This enhancement to the Public Conveniences service would bring the total cost of provision to £39k, an increase of £13k (50%) over current provision (**Appendix1**, Option 3). This is considered cost prohibitive and the risk to the wider facility is considered too great.
- 6.4 However, members will know that Uplands Park is widely used by a number of exercise and walking groups; one possible proposition is that each group nominates a person to be a designated key holder who would open and close the facility for the duration of their visit. This approach would bring with it wider community use and without the need for the capital costs noted in para 6.2 and also bring with it a significant saving to the associated revenue costs. However, the risk of vandalism and anti-social behaviour would remain as the facility would not be manned whilst open, there would be issues around liability if an incident did occur and therefore it is considered that the risk to the wider facility is again too great and should not be taken forward.

Agenda Item 8



Service Delivery Committee	Tuesday, 28 January 2020	Matter for Information and Decision
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Report Title: **Footpath at Tendring Drive, Wigston Update (January 2020)**

Report Author(s): **David Gill (Head of Law & Democracy / Monitoring Officer)**

Purpose of Report:	To update Members on the proposed transfer of the footpath at Tendring Drive, Wigston.
Report Summary:	The report provides Members with an update on the actions to date to facilitate the proposed transfer.
Recommendation(s):	That the content of the report be noted and that Members provide Officers with direction as to how this matter proceeds.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Stephen Hinds (Deputy Chief Executive) (0116) 257 2681 stephen.hinds@oadby-wigston.gov.uk David Gill (Head of Law & Democracy / Monitoring Officer) (0116) 257 2626 david.gill@oadby-wigston.gov.uk
Corporate Objectives:	Providing Excellent Services (CO3)
Vision and Values:	Customer Focus (V5)
Report Implications:-	
Legal:	The implications are as set out at paragraph 2 of this report.
Financial:	The implications are as set out at paragraph 3 of this report.
Corporate Risk Management:	Reputation Damage (CR4)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable
Human Rights:	There are no implications arising from this report.
Health and Safety:	The implications are as set out at paragraph 3.6 of this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	As the author, the report is satisfactory.
Consultees:	None.

Background Papers:	None.
Appendices:	None.

1. Background

- 1.1. As far back as at least October 2010 the Council resolved to accept the transfer of the footpath from Tendring Drive to Glenmere Primary School along with all liabilities and future maintenance for the footpath and the fencing on either side of the footpath. In addition the Council also undertook to pay the costs of both the County Council and the school.
- 1.2. In August 2011 Leicestershire County Council, the landowner, outlined proposed terms of transfer which were agreed by the Council on 27 April 2012 subject to the Council obtaining planning permission for the removal of the condition on the existing planning permission that restricted the use of the path to pupils of Glenmere School.
- 1.3. Enquiries have revealed that an initial application to remove that condition was submitted in May 2012 and subsequently withdrawn.
- 1.4. A further application to vary the condition was considered by the Development Control Committee on 17 November 2016 when Members approved a temporary 2 year permission. That permission has not yet been implemented and has lapsed for the reasons set out below.

2. Current Legal Position

- 2.1. The legal work to effect the transfer has been undertaken by North West Leicestershire District Council (NWLDC) and despite repeated attempts they have been unable to complete the transfer. The land is currently held on a lease by the school and before the County Council can transfer the land to the Council the School will need to surrender the relevant section of the lease. Because the area of land to be surrender is more than 50 sq metres the school (which has now converted to academy status) will require the consent of the Secretary of State for Education. The approval of such consents generally takes 3-6 months from submission.
- 2.2. Despite the best efforts of the legal team at NWLDC the County Council have not engaged with the process and the transaction is currently stalled.
- 2.3. If members were minded for this matter to proceed then a further application for a Variation of the Condition would have to be made.

3. Current Position on Costs and Future Liabilities

- 3.1. To date the Council has incurred legal costs estimated in trying to progress the matter and should it proceed to completion will be liable for the costs of the County Council and the Academy expected to be in the region of £7,500 -£10,000.
- 3.2. In addition the footpath will require on-going maintenance and initial estimates of the work involved to remove and reposition the gate, re-surfacing the footpath within the next 3 years and replacement of the fencing within the next 5 years total in the region of £20,000 at today's prices.
- 3.3. In addition reference was made at Development Control Committee that lighting should be provided on the footpath once adopted. Such lighting is likely to consist of at least 3/4 standard lighting columns (subject to the level of illumination required). Rough estimates

for the provision of a standard street lighting column including service connection are in the region of £3,000 per column (i.e. £9-12K).

- 3.4. The overall cost of installation will vary depending on the length of ducting needed and the location of the closest electricity source. Ducting can cost up to £120 per metre. The path is approximately 245 metres in length so the potential cost is in the region of £30,000.
- 3.5. Overall the potential costs liability to complete the transaction over the next 5 years is in the region of £65,000 - £75,000 excluding officer time to manage the contractual and maintenance issues.
- 3.6. It should also be noted that if the transfer were to be completed the Council would assume all liability for any and all users of the path and there may well be a consequential 'knock-on' effect on the Council's public liability insurance and the possibility of increased personal accident claims.
- 3.7. Given the passage of time there is no identified funding available and the planning permission has expired. If this matter were to proceed then it would require a new planning application and a future capital bid to apply for the funding.

4. Recommendation

- 4.1 That the content of the report be noted and that Members provide officers with direction as to how this matter proceeds.