



SIGNED OFF BY	Chief Finance Officer
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TO	Council
DATE	Thursday, 21 September 2023
EXECUTIVE MEMBER	Portfolio Holder for Commercial and Community Assets

Key Decision Required	N
Wards Affected	All Wards

Subject	Petition: Re-open public conveniences in Reigate and Banstead Borough parks
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Recommendations
(i) That Full Council considers the petition received seeking to re-open public conveniences in Reigate and Banstead Borough parks.
Executive Summary
Under the Council's Petition Scheme, any petition with more than 400 signatures is referred to the Council for debate. The Council has received a petition of 586 signatures calling on the council to ' <i>...make toilet provision available immediately in Banstead's Lady Neville Recreation Grounds, Banstead; Redhill's Memorial Park; Horley Recreation Grounds; and Reigate's Priory Park</i> '.

Statutory Powers

1. The Localism Act 2011 revoked requirements placed on Councils in relation to petitions, however, Reigate & Banstead Borough Council made the decision to retain its then existing Petition Scheme.
2. The Council's current Petition Scheme, dated 13 March 2019, sets out how the Council will respond to petitions, and the type of response the Council will provide, based on the number of signatories to the petition.
3. The table below summarises the Council's approach:

Number of signatories	Response
Less than 20	Response from Officer (treated as standard correspondence)
20 – 199	Response from the relevant Member of the Executive
At least 200	Referred to the Executive
At least 400	Debated at a meeting of the Full Council

4. Procedure Rules 2, 3, and 4 in the Constitution require adherence to the Petition Scheme.

Key Information

The Petition

5. An e-petition was accepted on 16 August 2023 which requests Reigate & Banstead Borough Council:
“To re-open the public toilets in Banstead's Lady Neville Recreation Grounds and Redhill's Memorial Park, across the Reigate and Banstead Borough”.
6. The petition contends that:
“This situation has been going on for the last 7 months leaving parents with young children, people with disabilities, as well as the general public inconvenienced and embarrassed at the lack of facilities. The toilets should be open, irrespective of the café closures.”
7. The petition suggests that:
“40% of public toilets have closed in the last decade. Lack of toilets can lead to street fouling, a major public health issue. Providing access to toilets in town parks will enable everyone to participate in park life fully in an unrestricted fashion. It will attract more users of the parks and boost the local economy.”
8. It goes on to:
“...call upon Reigate & Banstead Borough Council to make toilet provision available immediately in Banstead's Lady Neville Recreation Grounds, Banstead; Redhill's Memorial Park; & Horley Recreation Grounds. The toilets should be based on the following criteria:

1. *Public toilets will be located in public parks of the main towns of the borough - namely Banstead's Lady Neville Recreation Grounds, Banstead; Redhill's Memorial Park; Horley Recreation Grounds; and Reigate's Priory Park.*
 2. *Toilets will be open at realistic opening hours, independent of the parks café opening hours.*
 3. *The toilets will be free to use and regularly cleaned.*
 4. *The toilets must include baby change facilities and disabled access.*
 5. *The council will consider allocating funding for increased number of park based public toilets in the borough, for example Earlswood's Ifold Road Park."*
9. At its close on 16 August 2023, the petition had received 586 signatures, meaning that the threshold for reporting to Council (400) has been exceeded.
 10. In line with the Petition Scheme, details of the petition have been published and are available from the Council's website along with the e-signatories. The Petition Scheme provides that the Council will decide how to respond to the petition.
 11. Council may decide to support the action the petition requests, or not, or refer the matter to the Executive (or the Executive decision maker) for further consideration. The petition organiser will receive written confirmation of Council's decision.
 12. Under the Petition Scheme, a spokesperson for the petitioners may present the petition and speak at the Council meeting for up to 5 minutes.
 13. A representative of the Petitioners will be attending the meeting to address Council.

Background: Toilet provision during café closures

14. There is an assumption that the toilets within parks cafés are designated council public toilets. This is not the case, although the Council, as landlord, encourages the private operators of the cafés to allow use for members of the public.
15. The previous operator of the park cafés gave the Council a short period of notice in November 2022 that it intended to close the cafés and it was not possible to find new operators at short notice.
16. However, temporary toilets, including disabled toilets, have been provided next to the café buildings at Redhill Memorial Park and Reigate Priory Park, although it was necessary to close the temporary toilets at Redhill on two occasions, once for maintenance again and for repairs following vandalism.
17. No toilet provision was made at Banstead's Lady Neville recreation ground, as other public conveniences, including disabled facilities, are available in the nearby High Street.
18. Terms have been agreed with new tenants for all three cafés and the legal process of granting the leases is underway. The existing temporary facilities will remain in situ until the cafés have re-opened.
19. Alternative Council-operated toilet facilities are available within 0.2 to 0.3 miles, or 5 to 6 minutes' walking distance, from each café building location.

Future Toilet Provision

20. Reigate's Priory Park is one of the Council's busiest parks, and plans are already underway to carry out alterations to the pavilion café building, following the end of the previous operator's lease, to provide separate café and public toilet premises.
21. These works are underway and new public toilets will be available once the building re-opens. We will not be able to confirm a date for this until lease terms and fit-out proposals have been finalised. As noted above, temporary facilities will remain in situ until this time.
22. There are no plans to change the toilet provision within the Lady Neville or Memorial Park cafés due to the arrangements that will be in place with the new operator. These toilets will reopen when the new operator(s) re-open(s) the cafes. There are no plans to provide additional public toilet facilities in other parks locations due to the costs of construction and operation.
23. The petition also refers to Horley Recreation Ground which is operated by Horley Town Council and is outside the control of Reigate & Banstead Borough Council.

Toilet Provision Generally

24. The Council's existing public toilets are generally open from around dawn to dusk and closed overnight. This will also be the case for the new Priory Park public toilets.
25. There is currently no charge made to use Council-owned public toilets.
26. Toilets in the Lady Neville and Memorial Park cafés will be available during café opening hours by arrangement with the operator.
27. All three of the new prospective tenants have confirmed that their facilities will continue to be accessible to the public once the cafés re-open.
28. As stated above, there are no plans to install additional public toilets in parks.

Options

29. The Petition Scheme provides that Council will decide how to respond to the petition at this meeting.

The options for the Council in relation to the petition are:

Option 1: To refer the petition to the Executive or Executive decision maker for consideration;

Option 2: To support the action requested on the petition; or

Option 3: To note the request of the petitioners and take no further action.

Legal Implications

30. The statutory position is set out in paragraphs 1 and 2 of this report.

Financial Implications

31. There are no additional budget implications in respect of continuing with existing public and commercial toilet provision.

32. Provision of additional public toilet facilities would have significant capital and revenue budget implications and would be subject to approval of growth proposals as part of the annual service & financial planning process.

Equalities Implications

33. The Council has a statutory duty to consider equalities implications in all of its decisions. Following closure of the cafés, consideration was given to the proximity of alternative facilities and temporary facilities were provided as appropriate to ensure that no users were without access.

34. It is not considered that existing toilet provision disadvantages any equality target groups due to the temporary provision and proximity to other facilities.

Communications Implications

35. The Communications team have responded to a number of enquiries and social media posts regarding parks toilet provisions and will continue to respond to future posts or enquiries.

36. There are no additional communications implications relating to the options arising from this petition.

Environmental Sustainability Implications

37. Options 1 and 3 above do not have any direct environmental implications.

38. However, changes to how the Council provides public toilets in the future as per Option 2 could have environmental sustainability implications and these would need to be considered on a case by case basis.

Risk Management Considerations

39. There are no additional risk management considerations relating to the options arising from this petition.

Policy Framework

40. The Policy Framework position is set out in paragraphs 1 and 2 of this report.

Background Papers

E Petition ([ePetition - Petition to re-open public conveniences in Reigate and Banstead Borough parks | Reigate and Banstead Borough Council \(modern.gov.co.uk\)](#))