

**Toilets in Bromsgrove Cemetery and Sanders Park**

Relevant Portfolio Holder	Councillor Webb
Portfolio Holder Consulted	
Relevant Head of Service	Guy Revans
Ward(s) Affected	St Johns Ward
Ward Councillor(s) Consulted	
Key Decision / Non-Key Decision	Non Key Decision

**1. SUMMARY OF PROPOSALS**

- 1.1 This report seeks Members' approval either to increase the budget allocated in respect of the refurbishment of the toilets in Bromsgrove Cemetery in order to replace the current building, or to demolish the current toilets and not replace them.

**2. RECOMMENDATIONS**

2.1 Cabinet is asked to recommend either:

- 1 closure and demolition of the toilets or
- 2 the Capital Programme 2013-14 be increased by £12k to replace the toilet block in Bromsgrove Cemetery and that this be funded from balances.

2.2 If Cabinet recommends closure and demolition of the toilets at the Cemetery, then it further recommends that the uncommitted balance of the capital budget earmarked for the cemetery toilets (approximately £18k) be transferred to fund an upgrade of the toilets in Sanders Park.

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The Cabinet on 18 January 2012 agreed to release £25k from balances to add to the Capital Programme for 2011/12 to fund the cost of new toilets for Bromsgrove Cemetery.
- 3.2 The spend to date has been £2k for architects fees, building regulation approval construction drawings, tender and administering contract with builders.
- 3.3 For reasons discussed further in the report, the original plan, at an estimated cost of £25k, for refurbishment was not suitable. Four quotations were therefore

obtained for demolition and building of a new toilet. Following site inspections it was anticipated that the project would cost £10k plus external works.

The Quotations received were between £23k and £61k

Officers asked the company who had submitted the lowest quote to confirm the sum and, at this point they revised their quote to £29k. Cost saving measures reduced the cost to £26k but officers and the architect could not be confident that the project would be completed within the agreed budget. All other quotes were higher than the specified budget.

More firms were invited to quote for the work and a further five quotations were received. The lowest was for £27k

Following a press release calling for local builders to submit quotations aimed at achieving a lower price, two further firms expressed an interested in quoting for the work. One quote was received at £35k

3.4 In summary there would be an additional capital cost to the Council of £12k to cover the work..

3.5 There would be additional annual revenue costs for lighting, cleaning and servicing of the toilet unit. Using benchmark information for similar cleaning operations, we estimate these would be in the region of £1k. These costs are not currently included in the revenue budget for the cemetery but it is anticipated that this can be met from existing service budgets.

If the Council decided to close the toilets there would be minimal financial savings. However, it would release staff time from cleaning, dealing with drug paraphernalia.

3.6 If the decision was taken to demolish the toilets, an initial quote of £5k has been received for this work.

#### **4 Legal Implications**

4.1 Building regulations will apply to any proposed rebuild. Planning permission will not be required for the project based on the size of the proposed structure which is classed as a small ancillary building.

4.2 In accordance with the Equalities Act 2000 and the Building Regulations 1999, the Council is under a legal duty to ensure that the re-built toilets are accessible for disabled users.

4.3 With regard to the alternative option of not replacing the toilets, this would impact both on customers using the site and staff who work there. In relation to staff,

under the Workplace (Health, Safety and Welfare) Regulations 1992/3004 employers have a duty to provide toilet facilities for staff. However, officers are of the view that the Council would be able to comply with the regulations on the basis that staff would have access to alternative toilets located at nearby Sanders Park.

**5 Service / Operational Implications**

- 5.1 The current toilets are in a very poor condition with no lighting, no hand washing facilities or wheelchair access and are little used; in a survey undertaken on 13 September 2013 only one person used the toilets. There also have been incidents of antisocial behaviour including recent evidence of the toilets being used for drug taking. Staff are required to remove drugs paraphernalia from the site at regular intervals. We are also aware that this kind of item has been thrown over into neighbouring gardens.
- 5.2 Initial plans were to refurbish the existing toilet, but after consultation with Community Safety, the local Disability Advisory Group and Conservation Officer, it was felt that the existing building could not satisfy the legal and safety concerns identified. Additional external works are required to comply with community safety advice and because the site is part of the conservation area.
- 5.3 We have looked at a number of options to reduce costs. The proposed sanitary ware and flooring complies with Community Safety advice as it is resistant to vandalism and damage. Cheaper alternatives have been considered, however, it is felt that replacement of damaged appliances and repairs to flooring will lead to increased repair costs in the future and potential injury if damaged.
- 5.4 Consideration has been given to retaining the existing ramp and access to the toilet. However, following consultation with Building Regulations it was decided that the existing ramp could not be retained as it would not be suitable for all types of disabled access. As this is a conservation area, external fittings need to be to an appropriate standard approved by the Building Conservation Officer.
- 5.5 Officers were approached by Co-op Funeral Services, Bromsgrove and some preliminary discussions took place regarding the options of the Co-Op making a donation of £3k as part of a sponsorship arrangement. Officers have contacted Co-op Funeral Services again but no firm commitment has been received.
- 5.6 In response to feedback from members of the public the Council had previously committed to provide toilets at this important site. However, an alternative would be to remove the toilets altogether as there are public toilets in the Town Centre and in Sanders Park, both with disabled access facilities. The staff's main base would be moved to North Bromsgrove Cemetery. They could use toilets at the above sites whilst working at the old cemetery.

- 5.7 Members will be aware that all new full earth burials were moved to North Bromsgrove Cemetery in 2006 and although we are still doing re-open burials and cremated remains burials, the Old Cemetery will be visited less over the forthcoming years.
- 5.8 The toilets are not sustainable in their current condition and if not replaced, will have to be closed and the building demolished to ensure the safety of the area.
- 5.9 If the decision is taken to demolish the toilet, public toilets will be available in Sanders Park that are less than 400m away and also in the Town centre that are less than 500m away both of these facilities can be reached in approximately 5mins
- 5.10 The toilets in Sanders Park are in need of improvement as the current wall finishes and ancillary provision is dated and in need of improvement. These toilets are heavily used and therefore if Members decide to close and demolish the cemetery toilets, then they could invest the remaining capital money that was allocated to this project minus the cost of demolition to improve some of the issues highlighted.

**4. RISK MANAGEMENT**

We have a duty of care to staff and visitors. There is a risk that if the toilets remain open in their current state that we expose staff and visitors to unacceptable and potentially dangerous conditions.

However, this could be mitigated by directing visitors to nearby facilities which do comply with regulations. Staff can be relocated to North Bromsgrove Cemetery as their main work base, which has appropriate rest facilities and can use facilities at Sanders Park when working in Bromsgrove Cemetery.

**5. APPENDICES**

Appendix 1 - Photographs of existing toilets

**6. BACKGROUND PAPERS**

Architects drawings  
Report from Community Safety

**7. KEY**

**AUTHOR OF REPORT**

Name: Sharron Kibble  
email: [s.kibble@bromsgroveandredditch.gov.uk](mailto:s.kibble@bromsgroveandredditch.gov.uk)

**BROMSGROVE DISTRICT COUNCIL**

**CABINET**

**02 October 2013**

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Tel.: 01527 62174