

# Cheltenham Borough Council

## Cabinet – 4 April 2023

### Refurbishment of Montpellier Gardens Public Toilets

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**Accountable member:**

Cllr Iain Dobie, Cabinet Member for Waste, Recycling and Street Services

**Accountable officer:**

Gemma Bell, Director of Finance & Assets (Deputy s151 Officer)

**Accountable scrutiny committee:**

None

**Ward(s) affected:**

College

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**Key/Significant Decision:**

No

**Executive summary:**

Montpellier Gardens toilets are a well-used convenience in the town centre. The current layout of the toilets provides for six female toilets, five male toilets, five urinals and one accessible toilet which is accessed by a radar key.

In September 2021, the Council submitted a bid to the Department for Levelling Up, Housing and Communities for funding to provide Changing Places facilities in the town centre and the Montpellier Gardens toilets was identified as a site where this could be delivered.

The recently approved Corporate Plan 2023-24 also recognises the importance of continued investment in the town centre, particularly following the COVID-19 pandemic and the current cost of living emergency. As an initial response, the 2020/21 budget outturn report set aside £250,000 for green and inclusive economic development and this project was identified as one of the priorities for this funding.

The final concept design presented for approval in this report is the result of work undertaken by the Council in consultation with key stakeholders such as the Disability Forum. The final design increases the provision of Changing Places and disabled access public toilet facilities in the town, improves the existing male, female and family toilets as well as providing two gender neutral toilets.

Once approved, work will begin to procure a contractor to undertake the work. The timeline for delivery of the refurbishment is estimated to be through the winter of 2023 for re-opening in the early Spring of 2024, subject to any further decision being required post procurement when a contract price is known.

## Recommendations:

- 1. Approve the final concept for the Montpellier Gardens toilets as described in the report and in Appendix 2.**
  - 2. Delegate authority to the Director of Finance and Assets, in consultation with the Cabinet Member for Waste, Recycling and Street Services and the Borough Solicitor to undertake the procurement and award the contract for a construction contractor to deliver the design.**
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## 1. Implications

### 1.1. Financial implications

As detailed in the report – a separate decision on the budget for the construction will be brought to Cabinet and Council once the procurement for a construction contractor is complete.

**Signed off by:** Gemma Bell, Director of Finance & Assets (Deputy s151 officer)

### 1.2. Legal implications

The Council has a power (but not a duty) under section 87 of the Public Health Act 1936 (as amended) to provide public conveniences.

If approved, Officers will work with colleagues from Publica procurement and One Legal to implement the Recommendations to ensure that the procurement complies with the Councils Contract Rules and the Public Contracts Regulations 2015 (where applicable).

**Signed off by:** One Legal, [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk), Tel no: 01684 272012

### 1.3. HR implications

There are no HR implications of the recommendations in this report.

**Signed off by:** Clare Jones, HR.Cheltenham@publicagroup.co.uk

### 1.4. Environmental and climate change implications

The decision in this paper has no direct environmental or climate change implications. The specification of the construction contract should be reviewed to ensure the refurbished building is in line with our climate ambitions and a Climate Change Impact Assessment should be published with the decision on the final budget and design paper.

**Signed off by:** Laura Tapping, Climate Emergency Programme Officer, 01242 264263

### 1.5. Property/asset implications

As detailed in this report and appendices.

**Signed off by:** Gemma Bell, Director of Finance & Assets (Deputy s151 officer)

### 1.6. Corporate policy framework implications

The refurbishment of Montpellier Gardens toilets is a named project in the Corporate Plan for 2023-2027 and will directly contribute to the Corporate Priority to ensure residents, communities and businesses benefit from Cheltenham's future growth and prosperity.

**Signed off by:** Ann Wolstencroft, Head of Performance, Projects and Risk

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## 2. Background

- 2.1. Montpellier Gardens toilets are a well-used convenience in the town centre. The current layout of the toilets provides for six female toilets, five male toilets, five urinals and one accessible toilet which is accessed by a radar key. The building is indexed in the conservation area but is not itself Listed.
- 2.2. In September 2021, the Council submitted a bid to the Department for Levelling Up, Housing and Communities for funding to provide Changing Places facilities in the town centre and the Montpellier Gardens toilets was identified as a site where this could be delivered.
- 2.3. The recently approved Corporate Plan 2023-24 also recognises the importance of continued investment in the town centre, particularly following the COVID-19 pandemic and the current cost of living emergency. As an initial response, the 2020/21 budget outturn report set aside £250,000 for green and inclusive economic development and this project was identified as one of the priorities for this funding.
- 2.4. There are several issues with the existing design that the project seeks to address; security from the viewpoint of users and of the building, wasted circulation space; lighting and signage amongst them. A maintenance report has also been commissioned as part of the preparatory work for this project which has identified remedial works required to the building. In the interests of reducing disruption to public toilet facilities, these have been built into the design and indicative costings for the construction contract.
- 2.5. The final concept design presented for approval in this report is the result of work undertaken by the Council in consultation with key stakeholders such as the Disability Forum. The final design increases the provision of Changing Places and disabled access public toilet facilities in the town, improves the existing male, female and family toilets as well as providing two gender neutral toilets.

## 3. The recommended design concept

3.1. The design of Montpellier Gardens toilets has been driven by the following design principles:

- Accessibility, safety and inclusivity

- Increasing the sustainability of the toilet building
- Durable and attractive finishes
- Contributing to Cheltenham's wider place-making outcomes

3.2. The main consideration during the design process was the end user, and how this space accommodates a wide variety of people every day. The design looked at ways to create an inclusive space for all to be able to use and enjoy regardless of age, gender and disability.

3.3. The final design concept provides parity between male and female toilet facilities, increases the family and accessible facilities and also provides two gender-neutral facilities which are accessed by a separate entrance to the male and female facilities. The accessible and gender-neutral facilities will also be signposted separately to the male and female facilities, providing options for all.

3.4. Whereas the Changing Places facility will be accessed by radar key, the gender-neutral and accessible facilities will not have radar access to ensure the facilities are available for all who require them.

3.5. Advice from the Designing Out Crime Office recommended that the entrances to the toilets be moved to face the road rather than the park. These recommendations have been incorporated into the design to maximise the safety of all users. It was also recommended to reduce the number of entrances to the building to minimise the opportunity for anti-social behaviour and this has also been factored into the design.

3.6. As well as the design of the building, the specification of the fixtures and fittings have also considered the sustainability, inclusivity and safety and the facilities and of users. In particular:

- Height, colour and shape of controls should accommodate different users, including those with visual impairments, limited dexterity and those who will have a carer or family member present;
- Surfaces and fittings should be easy to clean and maintain;
- Emergency assistance alarms should be easy to use and generate an adequate and timely response;
- Water fountain provision will be made in the area surrounding the building;
- Where possible and in line with planning advice, materials sourced in the construction should be sustainable, robust and sympathetic to the building and wider gardens.

3.7. An illustration of the design concept can be found in Appendix 2. Subject to approval, the specification for the tender of the construction contract will include the key requirements outlined above.

#### **4. Consultation and feedback**

4.1. As part of the development of the concept design, stakeholder feedback was sought from a number of different groups and where possible has been incorporated into the design options along with research findings and guidance. In particular:

- Designing Out Crime Office advice recommends that the entrance to the toilet should face onto the street to encourage natural surveillance and reduce the opportunities for anti-social behaviour.
- Having separate unisex wheelchair accessible toilets were also welcomed by the Disability Forum as they can more easily accommodate wheelchair users with carers of the opposite sex.
- The final concept design also provides parity between male and female toilets for the first time.

4.2. The Local Planning Authority have also been consulted in the development of the concept design and advised that planning permission is not required for the design as the external structure will not be changed.

## 5. Current funding available

5.1. There is £426,950 of funding currently approved for the project, made up as follows:

<b>Funding Source</b>	<b>£</b>
Capital budget agreed in 2020/21 outturn report	£100,000
Property programme maintenance budget for Montpellier internal redecoration & window replacement to contribute to project refurbishment costs	£46,950
DLUHC Changing Places fund allocation	£100,000
Disabled Facilities Grant (DFG)	£150,000
Reducing Barriers to Access, GCC funding	£30,000
<b>Total funding available</b>	<b>£426,950</b>

5.2. Following the procurement of the construction contract, a decision on the project budget will be brought to the appropriate forum in line with the Council's constitution and financial regulations.

## 6. Outline Project Timeline

6.1. The outline projected project timeline is as follows:

- April 2023: Cabinet approval of the final concept design
- April 2023 – September 2023: procurement of a preferred construction contractor
- October 2023: contract award and final budget approval
- November 2023 – February 2024: construction phase
- March 2024: completion

## 7. Key risks

7.1. See Risk Assessment in Appendix 1.

**Report author:**

Gemma Bell, Director of Finance and Assets (Deputy s151 Officer)

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**Appendices:**

1. Risk Assessment
2. Concept Design

**Appendix 1: Risk Assessment**

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If the council does nothing then the toilets will fall into further disrepair and will be vulnerable to criminal and anti-social behaviour, with potential financial, reputational and/or legal consequences.	Gemma Bell, Director of Finance & Assets	3	3	9	Reduce	The concept design which reflects the advice of the Designing Out Crime Office.  To move forward with RIBA Stage 4 and the procurement of a construction contractor to implement the changes proposed.	Gemma Bell, Director of Finance & Assets	March 2024