

REPORT TO GARIOCH AREA COMMITTEE – 3 DECEMBER 2019

WESTHILL PUBLIC CONVENIENCE

1 Reason for Report / Summary

- 1.1 The Committee is asked to consider the issues surrounding the public convenience site to the rear of the Westhill Shopping Mall and consider making recommendations to Business Services Committee regarding the proposed closure of the facility.

2 Recommendations

The Committee is recommended to:

1. **agree to recommend to Business Services Committee the closure of the public convenience site to the rear of the Westhill Shopping Mall; and**
2. **instruct the Head of Property and Facilities Management to agree the termination of the lease between the Council and the Mall Operator, subject to approval from Business Services Committee as to the closure of the public convenience on site.**

3 Purpose and Decision Making Route

- 3.1 Discussions have been held over the summer recess with local Ward Members in regard to a proposal to close this site.
- 3.2 This item has not been discussed by any other Committee. Contact has been made with Westhill & Elrick Community Council which is currently in supported status. It was unable to provide a comment at this time.
- 3.3 The Council adopted the reviewed public convenience strategy in January 2016 which includes the Westhill public convenience site. The Infrastructure Services Committee considered comments that had been made by all Area committees at that time in its deliberations. The remit for the Strategy has since passed to Business Services Committee under the revised Scheme of Governance introduced in January 2017. A decision to close the site would be a departure from that strategy and would therefore require to be agreed by Business Services Committee.

4 Discussion

- 4.1 This Public Convenience has been the target for repeated and extensive anti-social and criminal behavior and the Male/Female toilets are currently out of use because of criminal damage. The Disabled Toilet has remained operational because it is accessed by a RADAR key. The Council currently does not have a permanent member of staff available to clean the site. Recruitment of staff by

the Service is difficult in the Westhill area and the anti-social and criminal activity in and around the area adds to the difficulty.

- 4.2 The Mall operator has no responsibility for the provision of toilets and the site occupied for the toilet is located at the back of the Mall with very restricted parking for general public although there is disabled parking adjacent to the site.
- 4.3 The site is infrequently used largely because of the location, accessibility and the availability of a range of other toilet provision in a nearby commercial outlet. The anti-social and criminal behaviour does deter patrons from using the facility.
- 4.4 Ward Members have been consulted for views and concern has been expressed about the loss of amenity to the town and implications of this for the opportunity for increased footfall in the town from the proximity of the AWPR and the new stadium.
- 4.5 The Service has canvassed local businesses to encourage them to take on a Comfort Partnership relationship with the Council in an attempt to provide continuity of service provision. Local representatives of national chains are generally not minded to take on such an arrangement and officers have been unable to secure a relationship with any local business commercial outlet. The Ashdale Hall are minded to allow public access to the Hall facilities but it is only open when an activity is arranged and they do not feel able to enter in to a formal arrangement.
- 4.6 Westhill & Elrick Community Council was contacted for a view but as it is currently in supported status it was unable to pass comment on the proposal.
- 4.7 The veterinary practice adjoining the site of the toilet block has been expanding and the nearby parking at the rear of the mall has been largely taken up by clients attending the surgery. This has added significantly to the pressure on parking around the site which in turn has affected the patronage of the toilet facility. The release of the site may allow for further commercial expansion of the Mall which may allow for further enhanced visitor experience and employment opportunities which will be welcomed.
- 4.8 There is a significant range of alternative toilet provision in the immediate area of the Westhill Mall and while the Council is not advocating the reliance by the Council on Supermarkets and other commercial outlets to fill the gap in provision that the closure of this site will create there is an inevitability that this will be the case. In the periods that the site has been unavailable because of damage etc patrons will have sought out convenient and available provision from nearby outlets.
- 4.9 Retaining staff for this site has been a concern for some time. The repeated anti-social and criminal behavior experienced has created particular difficulties in recruitment and retention. The Service has not had a permanent cleaner in

place for some time and have used a peripatetic cleaner to attend the site 3 times per week.

5 Council Priorities, Implications and Risk

5.1 The report helps to deliver Council Priority 1 – Support a strong, sustainable, diverse and successful economy

This report helps deliver Council Priority 9 – Deliver responsible, long-term financial planning.

5.2 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed.

NOTE – if answered “No” or “N/A” for Financial, Staffing, Town Centre First, Sustainability, Children and Young People’s Rights and Wellbeing **then there is no need to add a paragraph to explain why this is the case.**

Subject	Yes	No	N/A
Financial	X		
Staffing	X		
Equalities		X	
Fairer Scotland Duty		X	
Town Centre First	[TCFP impact assessment attached as appendix 1]		
Sustainability			X
Children and Young People’s Rights and Wellbeing		X	

5.4 An equality impact assessment will be included in the report to Business Services Committee if the Committee wishes to recommend the closure of the site.

5.5 The staffing and financial implications of the proposal are a saving of around £10,000 per annum. If the site is to close the additional cost of repeatedly repairing criminal etc damage will be avoided.

5.6 The following Risks have been identified as relevant to this matter on a Corporate Level:

ACORP001 – Budget Pressure -While budget is not the principal issue with this proposal the Service does have some challenging financial pressures to

manage and the closure of this site will have a positive impact in reducing Council costs in this area of activity.

ACORP003 – Workforce – retention and recruitment in this area of Aberdeenshire for staff for this activity has proved to be challenging. Closure of this site will allow an opportunity for deployment elsewhere.

ACORP007 - Social risk (e.g. population changes, poverty & social inequality, demographic changes, crime, antisocial behaviour)

This site has been a target for anti-social and criminal behaviour for some time. Closure and redevelopment will have a positive impact on the local environment.

ACORP009 - Operational Risk Management (including health & safety) The site has been a focus for anti-social activity for some considerable time and this has resulted in extended periods when the site has been unavailable. Local staff have expressed disquiet about attending the site particularly when it is dark.

There are no Directorate Strategic level Risks directly identified with this proposal.

6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and comments from the Monitoring Officer are incorporated within the report. No adverse comments were received from the Head of Finance. They are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 6.2 The Committee is able to consider [and take a decision on] this item in terms of Section B.9.1.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as the issue relates exclusively to the Garioch Area and the decision is in accordance with officer recommendations.

Ritchie Johnstone
Director of Business Services

Report prepared by Tom Buchan, Facilities Manager,
25 September 2019

List of Appendices – 1) Town Centre First Impact assessment



TOWN CENTRE FIRST IMPACT ASSESSMENT (TCFIA)

Aberdeenshire Council recognises that town centres have an important role to play in the sustainable development of local economies.

The Town Centre First Impact Assessment (TCFIA) allows officers in all services to identify the detrimental and beneficial effects that decisions we take may have on our town centres. It will allow officers to consider any implications that council decisions may have on Aberdeenshire's key town centres. Examples of this include changes to: the provision of civic and community facilities, employment land, retail, residential buildings, cultural assets, transportation, leisure and tourism.

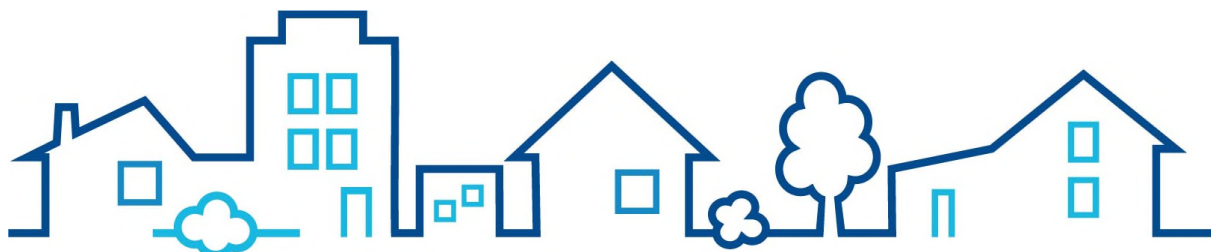
A Town Centre Ambassador has been nominated within your service, you can locate your Town Centre First Ambassador through the Town Centre First Principle Arcadia pages.

Project Information	
Title of Committee Paper	WESTHILL PUBLIC CONVENIENCE
Service	Bus Services
Department	Property & Fac Management
Author	Tom Buchan
Have you consulted your Town Centre First Ambassador?	yes

1) If approved would your project cause an impact (either positive or negative) with regards to the footfall of any of these town centres?	
no	

2)	
Please describe the aims of the committee paper?	The public convenience is frequently closed due to anti social behaviour and the land owner has indicated a desire to irritate lease to develop further commercial opportunities.

3) What are the positive and negative impacts?		
Impact	Describe the positive impact?	Describe the negative impact?



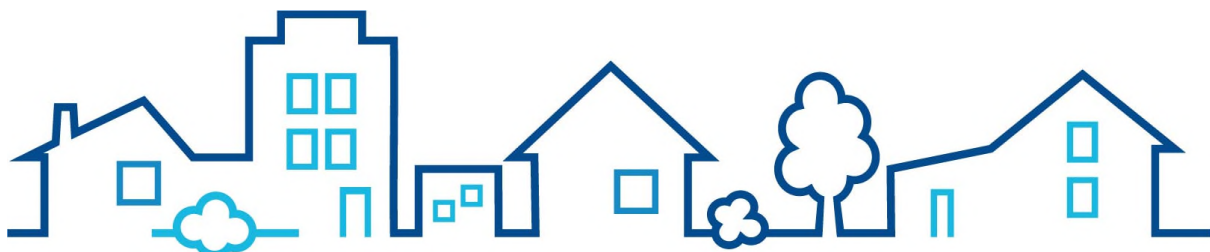


loss of amenity		Minor
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4) What mitigating steps will be taken to reduce or remove negative impacts? If none see Q6	
Mitigating Steps	Timescale
There remains significant number of other publicly accessible toilets in the immediate vicinity	immediate

5) Set out the justification that the activity can and should go ahead despite the negative impact.
Releasing the site may provide further commercial opportunities which will enhance visitor experience and provide employment opportunities.

Question 7: Sign off and Authorisation	
3) Author: I have completed the TCIA impact assessment for this policy/ activity.	Name: T Buchan Position: Facilities Manager Date: 25/9/19 Signature: TB
4) Consultation with Service Manager	Name: Position: Date:
5) Authorisation by Director or Head of Service	Name: Allan Whyte Position: Head of Property & Facilities Management Date:
	Yes X





6) Have you consulted with your Town Centre First Ambassador?	No
7) TCFIA author sends a copy of the finalised form to: tcfia@aberdeenshire.gov.uk	Date Sent:

