

Bingley Town Council

Changing Places progress report for F&GP 13 March 2019

The shutting of the public toilets in Jubilee Gardens and conversion plans

Bradford Council first tried to shut Bingley Public Toilets in Jubilee Gardens in 2014. A campaign by the Bingley Community Council Group, then campaigning for the creation of a new town council for Bingley, collected over 1,500 signatures in opposition to the plan, triggering a debate at Bradford Council. This in turn led to the Bradford budget for public toilet provision being delegated to the Shipley Area Committee. It decided to close Shipley public toilets and keep open Saltaire, Baildon and Bingley public toilets, albeit the latter on much reduced hours (max of 4 per day + special occasions).

However, in 2017, Bradford Council announced the public toilets in Bingley would definitely shut in April 2018. The Town Council committed to trying to keep public toilet provision in the town centre and devised a cost-effective solution: to reconfigure the toilet site so as to provide office accommodation for the Town Council along with two semi-automatic standard accessible toilets. Bradford Council was/is prepared to offer the Town Council a Community Asset Transfer (CAT) of the site on a long lease. (The possibility of this type of offer to parish councils and community groups was part of the mitigation in the Equality Impact Statement used to justify Bradford Council's decision to close public toilets in the district). To fund the conversion, Bingley Town Council would take out a government loan, repaying it over 20 years (using the £10k per annum it allocates for its accommodation).

This plan to convert the Jubilee Gardens building received the support of the majority of Bingley residents who took part in a consultation in December 2017 and a precept to cover the works was set in January 2018.

Changing Places campaign

The call for a Changing Places facility emerged from the consultation the Town Council carried out in December 2017 into plans to retain the public toilet facilities in Bingley. The Town Council proposed and committed time and resources to investigating installation of a Changing Places facility in Bingley Pool (Changing Places facilities are located elsewhere in leisure facilities in Bradford district). This would enable the re-providing of public toilets (standard accessible toilets) and central offices for the Town Council (which had been impossible to find at an affordable rent and offering suitable accommodation) at Jubilee Gardens – and provide a Changing Places facility very nearby in the pool which would be open longer hours. However, campaigners for a Changing Places facility were insistent that the facility be included on the Jubilee Gardens site.

9 February 2019 – Meeting with Rance Smith Booth architects

The discussion included exploring possible options for the inclusion of a CP facility within the existing public toilet building and any options for extending the building if more land could be transferred from CBMDC. RBS were asked to look at draft designs. Potential difficulties were noted: less than ideal access at the rear of the building and the fact that the sloping roof meant that there may not be adequate height for a hoist.

An order for work was drafted but given the positive response from Bradford Council about a possible option for a CP facility at Bingley Pool, commissioning an architectural response was paused until the outcome of the investigations at the Pool are clear to avoid unnecessary expenditure.

27 February – Request for a reasonable adjustment

A resident made a formal request for a reasonable adjustment to the Bingley Council office/accessible toilet plans to include a Changing Places facility. The Town Council considered the request, sought legal advice and formulated a response (see below).

March 2018 – FOI requests

Changing Places campaigners also made two FOI requests for all email correspondence relating to Changing Places facilities between Bradford Council, Bingley Council and councillors. To respond to the FOI requests, received via Bradford Council, the Town Council had to re-focus its resources (then one clerk, a part-time admin officer and volunteer councillors) and two of the council's scheduled committee meetings were cancelled. After two weeks, Bradford Council clarified that the Town Council did not have to respond as the FOI requests had been made to Bradford, not Bingley.

Some non-councillor residents supportive of the Changing Places campaign contacted the Chair of the council to apologise for the impact the FOI requests had had upon the council.

25 April 2018 – Consultation about Changing Places

A consultation was carried out with stakeholders about a proposal to install a Changing Places facility at Bingley Pool. Given the investment required and the resource implications, the council wanted to ascertain if the plan to install a Changing Places facility at Bingley Swimming Pool – either permanently or by using mobile equipment - had the support of those most likely to benefit from it.

Summary of the letter to stakeholders: The background to the project was outlined, as well as explaining that the aim would be to provide a Changing Places facility of around 8.75 sqm (exceeding minimum space standards for a retrospective installation) including an adult sized changing bench and hoist. The plan would involve converting one of the disabled changing rooms in a dry area at the swimming pool. It had the go-head from Bradford Council which owns and runs the pool although any equipment and works, estimated at £11,000, would have to be met by the Town Council.

Taking into account the size of the building in Jubilee Gardens, the space requirements of both the council and two standard accessible toilets, the council's resources, the not unlimited time to achieve a CAT and the possibility of a Changing Places facility at Bingley Pool (with longer opening hours, the availability of support staff and ongoing costs and any training met by Bradford Council), it was explained that the Town Council had decided to pursue installing the facility at the pool.

The consultation explained that although Bradford Council had indicated its plans to shut Bingley Pool, there was no fixed date for closure and, in the meantime, the Friends of Bingley Pool were also pursuing and were optimistic about a Community Asset Transfer of the pool itself to retain the amenity.

18 May – Meeting of Town Centre and Regeneration Committee (TCAR)

- a) The clerk had circulated details of the responses to the Changing Places consultation. It was noted that responses had generally been in favour of there being a Changing Places facility in Bingley Pool. The clerk was asked to draw up a financial appraisal for the installation of a Changing Places facility in Bingley Pool in time for the June full council meeting.

6 June – Meeting of TCAR

- a) The request for a reasonable adjustment was considered by the sub-committee and various suggested amendments were made.
- b) **Resolved** that the amended draft report be recommended to the full council for its approval.

26 June – Meeting of Full Council

Resolved to approve the report on the request for an adjustment to the office block.

Resolved to continue investigations into installing a Changing Places facility in Bingley Pool. .

Resolved that Bingley Town Council commit in principle to providing a Changing Places facility within the community.

The Council's response to the request for a reasonable adjustment was subsequently sent to the person requesting the adjustment.

[Between the end of June and middle of September, the Clerk was on sick leave, therefore the council had to use resources to meet immediate priorities.]

4 July 2018 – Pursuing the Changing Places option at Bingley Pool with Bradford Council

Following TCAR meeting on 4th July 2018 ES emailed John Coulton at Bradford Council requesting:

- a) a full specification of the actual equipment proposed to be installed so that we can discuss this with our insurers and potential users [original quote provided by CBMDC on 19th March]

b) confirmation that the equipment will be demountable in the event that the facility needs to be reprovided in a different venue

c) further detail of the actual process of commissioning and undertaking this work, including a timescale, and what will be required of the Town Council

By way of response, Trevor Foster's email to John Coulton was forwarded to ES on 13 August 2018 and included more information about the specification for the hoist. Several emails subsequently exchanged resulting in additional information about equipment (e.g. changing table) and layout, summarised in the update for TCAR on 3rd September and also included in the document in preparation for the meeting with CBMDC on 30th November.

Ruth emailed John Coulton on 20 September, asking for the following information:

a) firm up on the initial quotation to include information about the various pieces of equipment/fittings. The Town Council needs to know exactly what it's getting and that it is a facility that people can walk in and use straightaway. Please can a more comprehensive specification be sent across with detailed costings.

b) indicate a timescale for getting the work done

c) please advise on Bradford Council's process so that the Town Council can be sure that the facility is fit for purpose and meets the requirements of the DDA. Please can you advise on what checks you do in regard to this?

d) confirmation that the equipment is de-mountable and can be installed elsewhere (apologies if you have already provided this information)

e) thank you for the plan Trevor. Is it possible please, that this could be provided in more detail either from you or from John?

Two replies were received:

1. Antal Poor (BMDC Building Surveyor) with an offer to meet and go through the proposal
2. Trevor Foster (BMDC) advising that the hoist and trolley can be re-located. The track would be subject to the size of room it was going into and the fixings required. Mr Foster suggests meeting to look at the plan in Shipley library.

Trevor Foster then suggested a meeting on Friday 30th November.

30 November – Meeting at Bingley Pool

Meeting at Bingley Pool, attended by Trevor Foster, Jamie Booth, CBMDC (Antal Poor's replacement), Cllrs Marcus Dearden, John Goode, Helen Owen and Edwina Simpson. Reported as follows:

We started by viewing the space, which is in good condition, and then went to the meeting room to discuss a few details.

Specification

Jamie agreed to tender out the building work (floor preparation and decoration) to their list of preferred contractors to get us the best price.

The price for the actual hoist is fixed as there has already been a tender process for this supply that applies to all works across Bradford Council.

There is a potential issue with the electricity supply needed to charge the battery for the hoist and Jamie will get back to us on this as soon as he can.

Timescale

Jamie said he should be able to issue the tender next week, allow a 2 week tender process and get some bids back before Christmas. Notification to successful bidder 7 Jan, possible start on site as early as 14 Jan, 2 weeks to do the actual work. (This is subject to BTC requirements).

Other

Trevor noted that in terms of maintenance, they currently pay £45 for a service twice a year. Jamie's management fee is 10% payable 6 months after completion to allow for inspections/snagging etc.

There are some items (lockers, baby change unit etc) currently in the space that will be moved out to make room for the movable adult-sized changing bed to be provided.

Process:

Jamie will send details of tender to Laura and keep her informed.

Following discussion with Ruth, it was agreed that BTC could not proceed immediately as further information and confirmations were needed.

18 December Full Council

Resolved to ask from Bradford Council the following information: written confirmation that the project can only be managed and tendered by CBMDC, that the finished facility will meet legal accessibility requirements and for details of insurance and maintenance.

[Itemised amount of £12k agreed for the 2019/20 budget.]

21 December – requesting clarification / confirmations from Bradford Council

Ruth wrote to Jamie and Trevor to ask:

1. Whether only BMDC may install the Changing Places facility in Bingley Pool?

2. Written confirmation that the project can only be managed and tendered by CBMDC
3. That the finished facility will meet legal accessibility requirements
4. Provide details of insurance and maintenance costs
5. Any specified other costs
6. Is it possible to provide a complete specification?

3 January 2019 – response to Ruth from Trevor Foster

To answer to 1 & 2 I've included my line manager, Steve Thompson as I honestly don't know.

3, I believe that the finished room will meet requirements. I suspect access to the room to be the only restriction.

4, The ceiling track hoist should be serviced twice a year at a current cost of £29.50 per service.

The changing table requires an annual service at a current cost of £29.50 per service.

Call out charges are £40 for the first hour with £25 per hour for every hour after that (it's very rare for a repair to go over the hour)

Out of hour call out charge is £70.

All of this is plus any required parts.

A void call is £15.

As for insurance costs I believe it comes from a corporate pot but I would suggest you confirm this with Graham Dalby of the Insurance Section.

5, There are no other costs that I'm aware of but I only deal with the hoist and trolley maintenance. I can advise that it is a requirement under Lifting Operations and Lift Equipment Regulations (LOLER)

To have the hoist inspected by an independent competent person every 6 months.

6, I could only supply a specification for the hoisting part of the works but this is just the standard specification that the contract was awarded by.

7 January Ruth email to Trevor Foster and Steve Thompson

Thank you for your reply. A couple of points:

1. Please can you clarify definitively that the room and installation will meet legal accessibility requirements.
2. What do you mean please, by access to the room being the only restriction
3. If you only supply the specification for the hoisting part of the work who would supply the remaining specification?

Steve,

Please can you answer points 1 and 2 on the original e-mail.

10 January – Email from Ruth to Trevor Foster and Steve Thompson

May thanks for taking my call this morning.

Just to confirm what we discussed.

Steve will answer all of the questions below once the issue with the electrics has been investigated. Steve advised that the hoist needs power and this is traditionally provided by way of a fused spur. Unfortunately the electrics at Bingley Pool are in a poor state of repair and will not sustain a fused spur.

Steve further advised that it may be possible to have a plug in hoist, but this is dependent on there being a convenient socket for a plug in hoist or a socket that would take an extension cable. The latter would need to conform to electricity specifications.

I understand that the Electrical Section are going out this week to establish if there is a convenient socket and you should be able to provide an update sometime w.c. 14/01/2019.

15 January – Email to Ruth from Steve Thompson, Asbestos and Lifts Manager

Please be advised that a plug in hoist is not viable as there are no suitable sockets within acceptable reach.

There for we must advise that a hoist cannot be installed in the identified location.

Steve.

22 January – Email from Laura (in Ruth's absence) to Steve Thompson

Thank you for your email of 15 January. I am responding in Ruth's absence.

You have said that the electrics at the pool will not sustain a fused spur and also that there are no suitable sockets to enable installation of a plug-in hoist.

Please could you let us know what would need to be done to remedy the situation in either case and an approximate cost. Bingley Town Council are keen to explore all possible options to get a Changing Places hoist in the proposed space.

24 January – Email to Laura from Steve Thompson

As discussed with Ruth prior my e-mail our technical section advised the following, The electrical system at Bingley is just ok however any alterations would mean a potential rewire and upgrade.

The cost of a rewire/upgrade would be extensive.

Clarification of this can be obtained from BTS electrical section senior Simon Colclough on 01274 431707.

30 January – Email to Ruth from Simon Colclough, Senior Electrical Surveyor

The electrical installation at Bingley Pool does have an electrical installation condition report to say the installation is safe.

But the installation install dates back to the 1970's.

To install any additional accessories it must comply with current regulations for any certification, of a new, or part installation. In the case of Bingley Pool it would require the local distribution board (DB) to be replaced to accommodate the new circuit. This would then require that all circuits from the new DB would have to be brought in line with the current regulations. It would also effect the main incoming distribution and all other local distribution boards.

In short the whole building in my opinion requires a rewire, the estimated cost of this would be in the region of £220,000.00

2 March 2019 – Friends of Bingley Pool

RD attended a meeting of the Friends of Bingley Pool. The friends said they had been aware that a re-wiring may be necessary but had not been given any estimated costs. RD explained that any new equipment going into the main board, not just equipment relating to a Changing Places facility, would probably trigger a re-wire.

FOBP have submitted a business plan as phase 2 of the CAT to Bradford Council. The meeting with Bradford is scheduled for mid-April (due to the number of CATs Bradford is currently carrying out). Whilst the estates team is in discussion about the CAT of the pool to the Friends, the leisure services arm of the council claims the pool is to shut in April 2020 – this is new, unconfirmed information and gives a very mixed message from Bradford Council (no new pool has even been started at Squire Lane, the replacement site for Bingley and Bradford had previously said Bingley would not shut until Squire Lane is open).

Whilst FOBP is very supportive of a Changing Places facility and would work with the Town Council if one was part of the building transferred, it is not clear when the pool CAT will happen. Also, FOBP does not have the budget to cover the estimated re-wiring costs.

Conclusion

Back in June 2018, the Full Council resolved to continue investigations into installing a Changing Places facility in Bingley Pool. As the above information demonstrates, there has been continuous correspondence, meetings and dialogue with Bradford Council in good faith to try to achieve this aim. However, given the latest information about the need for re-wiring, the costs involved and the progress of the pool CAT, it has to be concluded that Bingley pool cannot be considered by Bingley Town Council as an option for a possible location for a Changing Places facility in Bingley. There is no specific timescale for the CAT and neither FOBP nor Bingley Town Council have the funds to meet the re-wiring costs. Bradford Council has not indicated it would meet the re-wiring costs and is unlikely to have the funds.

Also in June 2018, the Town Council committed in principle to providing a Changing Places facility within the community. For the budget 2019/20, the Town Council has earmarked £12,000 for a Changing Places facility (based on the Bradford Council information about installation costs in the pool).

The Town Council now needs to consider if it wishes to reconsider or continue with its commitment in principle to providing a Changing Places facility within the community. If not, a new resolution must be submitted. However, if passed, this resolution may be challenged and result in the need for further legal advice in relation to the response to a reasonable adjustment (and associated costs and resources).

If the council does wish to continue with its commitment, a new way forward must be found: new land, new building, new location. This new project is likely to cost a lot more than £12,000 and would require more Bingley Town Council resources than is currently allocated to achieving installation of a Changing Places facility in Bingley Pool.

ES/RD 10 March 2019