



# Public Health (Wales) Act 2017

2017 anaw 2

## PART 8

### PROVISION OF TOILETS

#### *Local toilets strategies*

#### **113 Local toilets strategies: preparation and review**

- (1) A local authority must prepare and publish a local toilets strategy before the end of the period of one year beginning with the date on which this section comes into force.
- (2) A local toilets strategy must include—
  - (a) an assessment of the need for toilets in the local authority's area to be available for use by the public,
  - (b) a statement setting out the steps which the local authority proposes to take to meet that need, and
  - (c) any other information which the local authority considers appropriate.
- (3) A local authority must carry out a review of its local toilets strategy after each ordinary election held for its area under section 26 of the Local Government Act 1972 (c. 70); and each review must be carried out before the end of the period of one year beginning with the date of the election.
- (4) A local authority may, in addition to a review required by subsection (3), carry out other reviews of its local toilets strategy.
- (5) When a local authority reviews its local toilets strategy it must publish a statement of the steps which it has taken in accordance with the strategy during the period—
  - (a) beginning with the date on which the strategy was last published, and
  - (b) ending with the date on which that review commenced.
- (6) When a local authority reviews its local toilets strategy and considers that a change is needed, it must—

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*Changes to legislation: Public Health (Wales) Act 2017, Section 113 is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) revise the strategy, and
  - (b) publish the revised strategy.
- (7) The Welsh Ministers must issue guidance to local authorities about the matters which they should take into consideration when—
- (a) preparing a local toilets strategy,
  - (b) reviewing a local toilets strategy,
  - (c) consulting on a local toilets strategy under section 115, or
  - (d) publishing a local toilets strategy.
- (8) Guidance issued by the Welsh Ministers under subsection (7) must make provision about —
- (a) the assessment of the need—
    - (i) for toilets to be available for use by users of highways and active travel routes;
    - (ii) for toilets to be available for use by users of other sites and facilities that, having regard to criteria set out in the guidance, are facilities of particular significance for transport;
    - (iii) for toilets to be available for use in the vicinity of sites and in connection with events that, having regard to criteria set out in the guidance, are of particular significance or of cultural, sporting, historic, popular or national interest;
    - (iv) for toilets located in premises that are publicly funded (whether wholly or in part) to be available for use by the public,
  - (b) promoting public awareness of toilets available for use by the public, and
  - (c) collaboration between local authorities.
- (9) In subsection (8) “highway” has the meaning given by section 328 of the Highways Act 1980 (c.66).
- (10) For the purposes of subsection (8), a route is an active travel route if it is shown as an active travel route on the map most recently prepared by a local authority under section 3 of the Active Travel (Wales) Act 2013 (anaw 7).
- (11) A local authority must have regard to any guidance issued under subsection (7).
- (12) For the purposes of this Part “toilets” includes—
- (a) changing facilities for babies, and
  - (b) changing places for disabled persons.

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**Commencement Information**

**II** S. 113 in force at 31.5.2018 by S.I. 2018/605, art. 2(a)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/949, art. 3 by [S.I. 2017/967 art. 2](#)