



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—

Status: This is the original version (as it was originally enacted).

- (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.

114 Local toilets strategies: interim progress statement

- (1) A local authority that has published a local toilets strategy under section 113 (whether pursuant to a review of the strategy, or otherwise) must prepare and publish an interim progress statement in accordance with this section.
- (2) A local authority that has reviewed its local toilets strategy under section 113(3) but not revised it must prepare and publish an interim progress statement in accordance with this section.
- (3) An interim progress statement is a statement of the steps that the authority has taken in accordance with its local toilets strategy during the period (the “statement period”) of 2 years beginning with the date on which—

- (a) in the case of a requirement imposed by subsection (1), the authority last published that strategy;
 - (b) in the case of a requirement imposed by subsection (2), the authority last reviewed that strategy.
- (4) A local authority must publish its interim progress statement no later than six months after the last day of the statement period.
- (5) The Welsh Ministers must issue guidance to local authorities about the matters which they should take into consideration when preparing an interim progress statement; and a local authority must have regard to any guidance issued under this subsection.

115 Local toilets strategies: consultation

- (1) A local authority must consult any person it considers is likely to be interested in the provision of toilets in its area that are available for use by the public before it publishes its local toilets strategy under—
- (a) section 113(1), or
 - (b) section 113(6)(b).
- (2) As part of the consultation, the local authority must make available to each person consulted under subsection (1) a draft local toilets strategy.