

## Rother District Council

**Report to:** Cabinet

**Date:** 27 March 2023

**Title:** Changing Places Toilets for Pebsham Community Centre and Camber Central Toilets

**Report of:** Deborah Kenneally, Head of Neighbourhood Services

**Cabinet Member:** Councillor Prochak

**Ward(s):** Eastern Rother and Bexhill Pebsham and St Michael's

**Purpose of Report:** To seek approval to accept the Changing Places Toilet funding award from Department for Levelling Up, Housing and Communities for Camber Sands Central Car Park facilities and Pebsham Community Centre and approval for these awards and the Community Infrastructure Levy funding for Camber Sands Visitor Facilities to be added to the Capital Programme.

**Decision Type:** Key

### Officer

**Recommendation(s):** **Recommendations to COUNCIL:** That:

- 1) the Community Infrastructure Levy (CIL) funding of £943,301 be added to the Capital Programme towards funding for the Camber Sands Visitor Facilities project;
- 2) the £68,500 Department for Levelling Up, Housing and Communities funding for the new Changing Places Toilet facility at Camber Sands be added to the Capital Programme; and
- 3) Pebsham Community Centre Changing Places Toilet facility be added to the Capital Programme with £53,432 funding from Department for Levelling Up, Housing and Communities and a funding agreement be entered into subject to appropriate due diligence.

### AND

It be **RESOLVED:** That:

- 1) total funding of £121,932 for the above two new Changing Places Toilet facilities in the district of Rother awarded from Department for Levelling Up, Housing and Communities be accepted;
- 2) following the Camber Sands Visitor Facilities Community Infrastructure Levy bid being approved on 14 March 2023, subject to Full Council approval of the Capital Programme on 24 May 2023, funding from the Repairs and Renewals reserve of up to £100,000 be approved to enable works to commence as soon

as possible to deliver the facilities by the deadline prescribed by Department for Levelling Up, Housing and Communities;

- 3) the Head of Neighbourhood Services be granted delegated authority to commence RIBA Stage 2 and 3 design work and submit for planning approval; and
- 4) following Full Council approval, delegated authority be granted to the Director – Place and Climate Change to procure and enter into contracts and complete all necessary works to deliver the facilities.

#### **Reasons for**

**Recommendations:** To enable work to commence as soon as possible to deliver all the facilities according to the criteria and deadlines set by Department for Levelling Up, Housing and Communities funding and Community Infrastructure Levy.

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### **Community Infrastructure Levy (CIL) Introduction**

1. Rother District Council (RDC) is the Charging Authority responsible for collecting and administering the Community Infrastructure Levy (CIL). RDC has been collecting these contributions under the CIL since its adoption in Rother on the 4 April 2016.
2. Strategic CIL, which is retained by RDC, can be used to fund a range of infrastructure priorities. This could include, for example transportation, schools, hospitals, flood defences and other forms of infrastructure requirements.
3. A CIL bid for Camber Sands Visitor Facilities was submitted on 22 February 2023. The CIL panel met on Tuesday 14 of March 2023 and granted the scheme a total of £943,301 which was highlighted as Option 3 in the CIL bid. Please see Appendix 4 and Appendix 5 for details.
4. The CIL bid proposes to refurbish and extend the main tourist infrastructure for Camber Sands which is recognised as a UK wide seaside destination. The works include an enhanced spatial efficiency for the facilities, increasing the effectiveness of partner organisations who co-ordinate the yearly summer visitor safety activities. The three toilet blocks will be modernised, allowing for better ease of use and maintenance, with key sustainability upgrades to all units, including an additional 45 toilets and a Changing Places Toilet (CPT) facility. The works will include investigation into ‘pay on entry’ systems for the toilets and the addition of two kiosks selling refreshments and tourist souvenirs for year-round revenue generation and out of season community infrastructure. These proposals, with significant CIL investment, will provide sustainable infrastructure for the foreseeable future.
5. The CIL Panel opted to fund Option 3, as presented in Appendix 4, Financial Case: Question 13 and 14 on pages 13-15 and can be summarised as follows:

the CIL bid funding will focus on Camber Central Carpark buildings only, as shown in the Appendix 5 (pages 24-27). This proposal supports revenue generation, visitor welcome facilities, and seaside education, with a first-floor level for staff welfare provision and off-season hireable space. This

proposal will allow RDC to complete the Camber Central car park facilities project whilst utilising the Western car park toilets as replacement facilities during the work, thereby reducing costs. This option enables the creation of revenue generation, including RNLI storage at an agreed rent and hireable space, and will allow RDC to either investigate future CIL bids or seek alternative funding through potential borrowing against the new buildings to refurbish the Camber Western car park toilets to a similar standard.

## Changing Places Introduction

6. Changing Places is a campaign established in 2005, by a group of organisations and individual's charity who campaign for CPT to be installed in all large public spaces to enhance people's accessibility to their community.
7. CPT are 12sqm, affording space for both a toilet, shower and equipment to assist with manoeuvrability to enable people with profound and multiple disabilities, including physical disabilities arising from spinal injuries, muscular dystrophy and multiple sclerosis, to use the toilets safely and comfortably.
8. CPT enable anyone, regardless of their disability, to go to the shops, attend hospital appointments, enjoy community life, socialise and travel; all the things that most of us take for granted every day. It is a requirement that CPT should be provided in addition to standard accessible toilets and existing disabled toilets.
9. In 2020, the Government committed to a fund of up to £30m to support the installation of CPT across England. Following round, the Government allocated £23.5m to 190 local authorities. In round two up to £6.5m will be available which is a limited call to address those areas in England with no current or limited CPT provision. According to the updated Index of Need, only those eligible local authorities in the top 50% can apply.
10. The district of Rother currently has no CPT and so was part of the priority list for funding in this round, with a deadline of registration by the end of March 2024. Two facilities applied for the funding:
  - a. **Pebsham Community Centre:** A new CPT will be installed as part of wider accessibility improvements to the building.
  - b. **Camber Sands Central car park toilets:** A CPT will form part of the larger improvement works to the tourist infrastructure at Camber Sands, partially dependant on an upcoming CIL Bid.

Further details are in Appendix 1 - the Changing Places Fund Application and Appendix 2 – Changing Places Round 2 Decision.

## Camber Sands Central Car Park CPT

11. The CPT facility is proposed to be added onto the existing toilets at Camber Sands at: Camber Sands Central Public Toilets, Camber Central Carpark, Old Lydd Rd, Camber, Rye TN31 7RH.
12. Camber Sands boasts the only sand-dune complex in East Sussex and is one of the South East's more well-known beaches making it a prime day trip and

holiday destination. Most visitors travel by car as there is no local train or bus service which means both Central and Western car parks are the main destination points. On peak summer days it is estimated that up to 25,000 visitors per day access the beach, of which a large proportion have travelled by car. This huge influx of visitors tests the local facilities to its limits and means that Camber infrastructure needs to be modernised.

13. The inclusion of a CPT at Camber will form part of a larger improvement project to the whole RDC visitor support infrastructure at Camber Sands Central car park as mentioned in paragraphs 3 to 5.
14. Shown in Appendix 3 is Camber Visitor Facilities CIL Bid Milestones which have been set out to enable the CPT to be completed by the proposed deadline explained in Appendix 2.

### **Pebsham Community Centre CPT**

15. The Second CPT is proposed to be added within the existing Pebsham Community Centre in place of its disabled facility at: Pebsham Community Hub, 70 Seabourne Rd, Bexhill-on-Sea TN40 2SW.
16. Pebsham Community Association CIO is a registered charity (305171) with its community hub sitting in the heart of Pebsham, a residential area to the east of Bexhill-on-Sea. The centre is a community building which has been leased from RDC since the mid-1980s. The charity is in the process of planning improvement works to make the centre more accessible and has been approached by several local groups whose members have accessibility needs and have requested the installation of a CPT.
17. The community centre received quotes for the works to fully install and deliver a changing places facility within their building at £53,432. They received these quotes from a registered CPT contractor alongside facilitating works that will be completed by a local contractor. The Board have approved facilitating funds of £10,000 and agreed a cleaning contract for the facility at a cost of £2,000 per annum paid for by Pebsham Community Centre.
18. To transfer the funds to Pebsham Community Association CIO, RDC require a Capital Project to be set up and Purchase Orders raised. To spend any funds RDC will enter into a funding agreement with Pebsham Community Association CIO subject to the appropriate due diligence to make sure RDC complies with the Subsidy Control Act 2022.

### **Conclusion**

19. CPT offer significant accessibility improvements to many people within our community. These facilities are particularly desirable in outdoor destinations such as Camber Sands beach, and community hubs such as Pebsham.
20. It is therefore crucial to accept grant funding and include the projects within the Capital Programme. This will make funds available to complete the CPT on both sites and the wider infrastructure project at Camber Sands Central car park to meet the funding deadline.

## Financial Implications

21. The Camber Sands Visitor Facilities CIL Bid, has submitted three funding options, of which Option 3 was awarded.

	<b>Total Cost</b>
Option 1	<b>£ 1,371,216</b>
Option 2	<b>£ 1,123,018</b>
Option 3	<b>£ 943,301</b>

22. This report is requesting approval by Full Council when it next meets on 24 May 2023 for the CIL award of £943,301 to be added to the Capital Programme.
23. To meet the deadline proposed by DLUHC of registration of both CPT facilities by March 2024, work needs to commence on the project prior to the Full Council meeting. To achieve this, detailed milestones have been submitted as part of the CIL Bid and are attached in Appendix 3.
24. Officers are recommending to Cabinet that an amount of up to £100,000 be secured from the Repairs and Renewals reserve so that the early work required to ensure delivery of the schemes by the end of March 2024 can be commenced.

This spend will be capitalised once the capital scheme is approved so there will be no longer term impact on the reserve balance.

This budget will cover works in RIBA stages 2 and 3 that include but are not limited to:

- i. Architects, Engineers and Other Consultants Fees.
  - ii. Financial Consultant Fees, for Fee paying investigation.
  - iii. Pre-planning Fees.
  - iv. Initial Site investigations, or current unknown investigations.
  - v. Contingency planning.
25. The Governance Agreements of CIL funding explains that approved CIL projects will be subject to a Funding Agreement that will need to be signed by both the Recipient and Funder (Charging Authority). The release of funding payments will be agreed on a case by case basis; although payments of CIL will normally be made following the substantial completion of the works. The Charging Authority recognises that for larger projects instalments may be more appropriate, or on some occasions, may agree to upfront funding.
26. The funding arrangements for both CIL and DLUHC funding require payment to be made prior to drawing the funding down and therefore there is inherent financial risk in this process which will be mitigated by officers continued conversation with both CIL officers and DLUHC representatives to confirm the works meet the funding requirements.
27. There are no financial implications to RDC for the second CPT at Pebsham Community Centre. Any works that go over budget will be covered by the community centre and their associated costs. The project will be managed by them and funds will only be drawn down once invoices and evidence of works

completed have been received by RDC. The funding agreement will state no further finance will be provided for the project.

### **Estates Implications**

28. Pebsham Community Centre is leased from RDC and any agreed changes to the internal layout and/or use of the building may be subject to lease amendments. Pebsham Community Centre are advised to consult early with their legal team and to discuss any implications with RDC officers prior to works commencing.

### **Legal Implications**

29. Land ownership and covenants regarding Camber Sands Central car park on which the existing facilities stand has been explored and officers will ensure that all new building works are within land owned by RDC and comply with any covenants.
30. Officers have instructed Legal to draft a funding agreement between the Pebsham Community Association and RDC that will detail the process in which the DLUHC grant funding will be transferred to Pebsham for the construction of their Changing Places facility. This will be subject to subject to the appropriate due diligence to make sure RDC complies with the Subsidy Control Act 2022.

### **Sustainability Implications**

31. The proposals for Camber Toilets in the CIL Bid have been centred around high quality sustainable design and materials, including the addition of low water use toilets and taps, new PV Panels, Sustainable Urban Drainage SUDs, and enhanced insulation within welfare areas. Using hardwearing materials, and simple but elegant structure, the facilities will be designed to be more durable, easier to maintain and last longer than the previous buildings from 25 to 40 plus years, supported by appropriate maintenance and technological upgrades RDC will seek to pioneer sustainable and environmentally friendly construction methods.
32. New building works may have negative environmental impacts and constructions works will be evaluated in detail making sure any proposal mitigates any negative impact. The Camber Sands Visitors Facilities CIL Bid explains in detail its sustainability impact and how this is mitigated, and this will be brought forward once the CIL decision has been made and the detailed works information can be brought forward to Cabinet and then Full Council.

### **Equalities and Diversity**

33. CPT improve accessibility for all at the venues which they are included. This has a major benefit for the wider community and visitors to the district.
34. By installing CPT, this improves a wider access for the community and visitors to district. This will give them an opportunity to enjoy the venues with family and friends.

<b>Other Implications</b>	<b>Applies?</b>	<b>Other Implications</b>	<b>Applies?</b>
Human Rights	No	Equalities and Diversity	Yes

Crime and Disorder	No	External Consultation	No
Environmental/Sustainable	Yes	Access to Information	No
Risk Management	No	Exempt from publication	No
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Appendices:	1	Changing Places Fund Application (attached)	
	2	Changing Places Round 2 Decision (attached)	
	3	Camber Visitor Facilities CIL Bid Milestones (below)	
	4	Camber Sands Visitor Facilities CIL Bid	
	5	Camber Sands Visitor Facilities Feasibility Study	
Relevant Previous Minutes:	-		
Background Papers:	-		
Reference Documents:	-		

### Appendix 3

#### CAMBER VISITOR FACILITIES CIL BID MILESTONES

Key Milestones	Proposed Deadline
CIL Bid submission	22 February 2023
CIL Panel Meet	14 March 2023
Cabinet Paper to Join Capital Programme	27 March 2023
CIL feedback and decision received	24 March 2023
(If CIL Bid successful)	
Commencement Meeting for next steps	30 March 2023
RIBA Stage 2 Completion	20 April 2023
Pre-Planning Discussions complete	18 May 2023
Draft RIBA Stage 3 and Planning Submission	25 May 2023
Planning Submission	8 June 2023
Planning Submission Validation	22 June 2023
Tender Procurement Started (subject to planning)	20 July 2023
Tender Procurement Complete (Contractor Chosen)	7 September 2023
Planning Decision	7 September 2023
RIBA Stage 4 and 5 Completed	19 September 2023
Contract Mobilisation	9 October 2023
Start on site (internals)	23 October 2023
Sectional Completion Camber Central Toilets**	April 2024
Completion Camber Old Block	April 2024
Completion of Camber Central Internal fixtures and Kiosk	June 2024
Completion of Camber New Block	July 2024