

**Number: WG41028**



# Welsh Government

## Changing places toilets consultation – summary of responses and Government Response.

2022

Mae'r ddogfen yma hefyd ar gael yn Gymraeg  
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## Introduction

This report provides a summary of the responses to the consultation on Changing Places Toilets (CPT) and Baby Nappy Changing Facilities and is structured around the questions set out in the consultation. This response document will only address responses to the section on CPTs. A separate response document will be provided to the questions on baby nappy changing facilities in due course. We have carefully considered the responses to the consultation in finalising this policy.

The views reported in this summary are those expressed by the respondents to the consultation and do not necessarily reflect those of the Welsh Government.

## Consultation Responses - Overview

Overall, there were 90 responses to the consultation. Respondents who completed the consultation response form were asked to assign their organisation to one of 14 types identified on the form (including a self-designated 'other' option). The table below shows the number of responses received from each sector.

| Type of Organisation:                   | No.       | Easy Read Responses |
|---|-----------|---------------------|
| Builder/Developer                       | 0         | 0                   |
| Manufacturer                            | 1         | 0                   |
| Designer/Engineer/Surveyor              | 2         | 0                   |
| Local Authority Building Control        | 8         | 0                   |
| Approved Inspector Building Control     | 0         | 0                   |
| Access Consultant                       | 1         | 0                   |
| Occupational Therapist                  | 1         | 0                   |
| Disabled People's Organisation          | 3         | 2                   |
| Facilities Manager                      | 0         | 0                   |
| Retailer                                | 0         | 0                   |
| Construction Professional               | 1         | 0                   |
| Property Manager/Landlord               | 0         | 0                   |
| Landlord Representative Organisation    | 0         | 0                   |
| Changing Places User/Carer              | 13        | 2                   |
| Parent/Carer                            | 19        | 2                   |
| Charity                                 | 5         | 1                   |
| Campaigner or Lobby Group               | 4         | 0                   |
| Other Interested Party (please specify) | 26        | 4                   |
| No response                             | 6         | 0                   |
| <b>Total</b>                            | <b>90</b> | <b>11</b>           |

# Consultation responses – Brief Summary

## 1 Do you support the Welsh Government’s intention to increase the provision of CPTs?

Please explain your reasons

- 1.1 All 90 respondents agreed with the above proposal and supported the intention to increase provision of CPTs. Respondents identified that:
- Current provision is inadequate, underprovided and badly designed with too little room to manoeuvre a wheelchair. They are also poorly maintained with poor hygiene.
  - Toilet and changing facilities provision is a matter of public health and equality of access and should be promoted as essential parts of the social, employment and educational infrastructure of Wales.
  - Provision of CPTs falls under the United Nations Convention on the Rights of Persons with Disabilities and the Equality Act 2010 which outline the equal rights of all disabled people to have full inclusion and participation in the community
  - Increasing CPTS would improve the access, opportunities and quality of life for disabled people and provide a safe facility for users in a dignified space, allowing them, as well as their families and carers, greater ability to visit different places and be a part of their communities.
  - The need for CPTs is likely to increase given the ageing population, over 1 million people aged 50+ years in Wales by 2034.
  - Increasing provision should follow best practice in BS8300: Design of an accessible and inclusive built environment Part 2: Buildings: 2018.

## 2 Do you agree that the Welsh Government should improve the guidance in Approved Document M (AD M) to increase the provision of CPTs?

If no, please explain your reasoning.

- 2.1 The majority of respondents agreed with the above proposal, with two respondents unsure and one respondent disagreeing.

| Response | Yes | No | Unsure | No response | Total |
|----------|-----|----|--------|-------------|-------|
| Number   | 84  | 1  | 2      | 3           | 90    |

- 2.2 For respondents who agreed with the proposal, the reasons were:

- Adapting guidance and building regulations is the only way to achieve change as the AD M is accepted as the minimum requirement; and
- Will ensure builders and planners consider CPTs, meet key principles of national planning policy in Wales and bring the AD M in line with BS 8300-2 as well as current arrangements in England which provides

good practice guidance on provision of CPTs in terms of design and accessibility.

- A few respondents who agreed with the proposal provided a caveat that only if electrically adjusted profiling beds (which has a backrest that can raise/lower the incline of with a remote) are installed as matter of provision.
- Where change is implemented, there needs to be inclusion of comprehensive guidance within the Approved Document. Some access groups have struggled to achieve compliance with the minimum standards in AD M and BS 8300-2 as the quality and accessibility of developments remains poor.

2.3 For the respondents who disagreed or were unsure their reasons were:

- Capacity levels outlined in the consultation document were too high and would only encompass a limited number of establishments across Wales.
- One respondent questioned whether the technical details of compliance with the provision should be included within AD M, or alternatively by referencing to BS 8300-2. They identified the latter position would ensure consequential adaptations are made elsewhere in the building.

### **3 Do you agree that local planning authorities should be able to require additional levels of provision for CPTs through the planning system?**

**Please explain your reasons**

3.1 The majority of respondents agreed with the above proposal with only 4 respondents disagreeing.

| Response | Yes | No | Unsure | No response | Total |
|----------|-----|----|--------|-------------|-------|
| Number   | 71  | 4  | 8      | 7           | 90    |

3.2 Respondents who agreed provided the following reasons:

- Identifying a need for a CPT at pre or application stage provides opportunity for an inclusive and accessible design and allows planning authorities to make provisions in designs for Building Regulations to deal with the technical provisions of specification, dimensions and access through section 106 agreements.
- It makes business sense to build CPTs at the beginning, as it's more expensive to retrofit.
- Local authorities, through their Toilet Strategies, should identify the importance of CPTs in relation to major transport infrastructure intersections.

3.3 However, the following observation was made:

- There may be a need for training to support the implementation of

CPTs to ensure planners have the right skill set for the design and best location for CPTs and planners should work with key stakeholders to ensure provision is adequate.

3.4 For the minority of respondents who disagreed or were unsure with the proposal, they stated that:

- It could make development complicated for clients, developers and building control bodies as it could duplicate legislation leading to confusion within the industry.
- Consideration would need to be given as to how the additional provision would be ensured or communicated to the Building Control Body.
- One respondent said that each application should be considered on its merits and whether it is reasonable to require such facilities.

**4 If you support a provision in Approved Document M as outlined in Question 2, do you agree with the building types listed in Box A for a CPT?**

**If no, do you think the list should be wider or narrower? If wider, what other building types do you think a requirement should apply to or if narrower, which buildings would you exclude? Please explain your reasons.**

4.1 The majority of respondents, 53, agreed with the proposal, 7 disagreed and 19 were unsure.

| Response | Yes | No | Unsure | No response | Total |
|----------|-----|----|--------|-------------|-------|
| Number   | 53  | 7  | 19     | 11          | 90    |

4.2 Even though the majority of respondents were in agreement with the proposal, they suggested, along with the respondents who disagreed or who were unsure, that the list of buildings should be made wider.

4.3 They made the following observations:

- Any building built for public use, including hotels, cinemas, colleges and universities, must consider a CPT regardless of size to ensure equality of access.
- Buildings critical to the transport infrastructure should also be included.
- All schools should contain a CPT to ensure equality of access.
- More CPTs should be provided in tourist areas.

4.4 Some respondents suggested the following thresholds should be considered:

- A CPT should be in any new build building which is over 2,500 m<sup>2</sup> or has a capacity of minimum 500 persons.
- the 5,000m<sup>2</sup> trigger should consider the external areas of a proposed building (e.g. public realm and retail development) not just the building.

- 4.5 Some respondents raised points of clarification and interpretation of definitions that were used in the consultation. Clarification was sought on:
- What is meant by ‘categories’, and if this includes both size/capacity requirements and types of building, or just one of these.
  - What is meant by ‘Community Access’?
  - The definition of ‘capacity’ requires a better definition for multi-use cases. For example, should a conference centre explicitly designed to accommodate an event of 600 people but ‘normally’ used for individual meeting rooms with a capacity under 350 have a CPT?

**5 With regard to schools, do you consider any other type of school should also provide a CPT?**

**If so, what type of school do you suggest and why?**

5.1 54 respondents agreed with the proposal, with 8 disagreeing and 20 unsure.

| Response | Yes | No | Unsure | No response | Total |
|----------|-----|----|--------|-------------|-------|
| Number   | 54  | 8  | 20     | 8           | 90    |

5.2 For respondents who agreed, they commented that this would be in line with government policy for inclusiveness in education and foster support for the community and community events, for disabled people, whether students, teachers or parents.

5.3 For those that disagreed they listed reasons as:

- Potential difficulty for all schools to offer CPT provision and maybe a needs-based approach should be employed.
- Special schools would already have this provision for their pupils.
- The threshold outlined in the consultation would eliminate many smaller schools.

5.4 One respondent made a number of comments, querying some of the definitions. The respondent sought clarification on the term ‘school’. They suggested that all educational establishments be included in the proposal, but pre-school establishments, such as nurseries, be omitted from the list, with caveat that broad support is given to these types of educational establishments to ensure appropriate facilities are provided. It may be useful to quantify these within the guidance for clarity.

5.5 New educational establishments and conversions/amendments to existing establishments should be considered on a case-by-case basis for provision of a CPT irrespective of area and capacity requirements and its use as a community facility as listed in Box A.

5.6 One respondent suggested we apply the same thresholds and building types as England in respect to CPTs.

5.7 Some respondents noted that with schools being closed evenings,

weekends and through the summer, any school fitted with a CPT should be required to make their buildings accessible during these times for members of the public. Also, there would be a need to ensure these facilities are kept in good working order and meet safety requirements.

5.8 Education colleagues and Local Authorities have been consulted to gain additional views on the provision of CPTs in local schools. There was support for wider inclusion of CPTs in schools and whilst a suitable starting point, it was acknowledged that the threshold would not include primary schools. Other issues raised were the location of a CPT within the school, the availability of funding, in particular around provision of energy, care, cleaning and maintenance costs and that a robust risk assessment would need to be undertaken.

**6 If you support a provision, do you agree with the size, capacity criteria in Box A in relation to each building type for a CPT?**

**Please indicate yes or no against each building type and its trigger.**

**[New Construction over 5,000 m2, or has a capacity of more than 1,000 persons]**

| New Construction over 5,000 m2, or has a capacity of more than 1,000 persons: | Yes | No | Unsure | No response | Total |
|---|-----|----|--------|-------------|-------|
| Retail building (shop)  | 61  | 8  | 9      | 12          | 90    |
| Assembly or recreation building   | 64  | 8  | 5      | 13          | 90    |
| Residential (institutional)   | 62  | 6  | 9      | 13          | 90    |
| Residential (other)   | 51  | 9  | 17     | 13          | 90    |
| Building combining any of the above   | 60  | 7  | 9      | 14          | 90    |
| Hotels (where provide function, sport or leisure facilities)                  | 63  | 8  | 5      | 14          | 90    |
| Schools (where provide community access to their facilities)                  | 59  | 10 | 7      | 14          | 90    |

6.1 The majority of respondents agreed with the triggers associated with each building type. However, they made the following observations:

- Needs clarification on ‘residential’ as it would not be sensible to provide such facilities in housing estates even if over 5,000m2.
- Local Authorities should indicate how many CPTs are needed and apply to planning decisions.
- Guidance notes will be important.

**If no, please indicate what trigger you consider appropriate for each building type.**

**New Constructions recommended thresholds**

6.2 For those who disagreed with the thresholds, in general they felt the triggers were too high and suggested the following lower triggers for capacity in each building type:

- 1,000m<sup>2</sup> – 2500m<sup>2</sup>
- 250 – 500 people
- No Limits and all schools
- The triggers found in the 2020 England ADM amendments

6.3 For those that disagreed with the proposal, the reasons were:

- Thresholds were too high and should be lowered.
- To employ a more flexible criteria which considers visitor turnover, the needs of the community, building use and the amount of time people will access the facilities.
- Local Authorities should decide on CPT facilities and apply to planning decisions.
- Provision should be based on population needs assessments and local authority audits.
- Guidance should apply to all public buildings being newly built and seeking extensions.
- CPTs should apply to all major railway stations and bus stations
- A CPT should be provided for hotels who provide a public function or sport and leisure facilities.
- Schools are a community facility and should cater to their community needs and should have no limits on thresholds. However, some respondents said schools should undertake an assessment of the needs of pupils and wider community before a CPT is considered.
- For some residential buildings (i.e. assisted living) a CPT may not be needed if residents have appropriate facilities within their private rooms.
- Many care homes are small and would not meet the threshold for a CPT but still care for the most vulnerable people in society. However, some of them may be too small to accommodate.
- Guidance notes will be important.
- To apply the same criteria as England (2020 England ADMV2 amend).

6.4 Some respondents sought clarification on who will assume responsibility for the provision of a CPT, for example in a retail building, landlord or developer and businesses may need help with the cost.

**(6. continued) Conversion (change of use) or Extension (where a CPT is not already present within the building) gross floor area increases by 25% or more:**

| Conversion or Extension gross floor area increases by 25% or more: | Yes | No | Unsure | No response | Total |
|--|-----|----|--------|-------------|-------|
| 6.8 Retail building (shop)   | 61  | 7  | 9      | 13          | 90    |
| 6.9 Assembly or recreation building                                | 63  | 6  | 7      | 14          | 90    |
| 6.10 Residential (institutional)                                   | 57  | 9  | 10     | 14          | 90    |
| 6.11 Residential (other)   | 52  | 10 | 14     | 14          | 90    |
| 6.12 Building combining any of the above                           | 62  | 6  | 8      | 14          | 90    |
| 6.13 Hotels (where provide function, sport or leisure facilities)  | 62  | 8  | 6      | 14          | 90    |
| 6.14 Schools (where provide community access to their facilities)  | 60  | 8  | 8      | 14          | 90    |

6.5 As the table above shows, the majority of respondents agreed with the triggers associated with each building type. Respondents noted a few comments:

- Local Authorities should indicate how many CPTs are needed and apply to planning decision.
- CPTs should apply to all major railway stations and bus stations and to a shop or shopping centre.

**If no, please indicate what trigger you consider appropriate for each building type.**

**Conversion (change of use) or Extension recommended thresholds**

6.6 For those who disagreed with the thresholds, in general they felt the triggers were too high and suggested the following lower triggers for capacity in each building type:

- 1,000m<sup>2</sup> - >1,000m<sup>2</sup>.
- 200 – 250 people.
- To assess the needs of the service users and demand.
- Any significant refurbishment where toilet facilities are being altered.

6.7 For the minority of respondents that disagreed with the triggers, the reasons were:

- Triggers and thresholds were too high and for some buildings, triggers should be based on an increase in absolute area and capacity.
- A more flexible approach should be applied which considers footfall, and travel distance to an alternative CPT, and the potential social/community benefits of provision.
- Any significant conversion or extension should include a CPT.
- Hotels should contain a CPT, irrespective of the condition outlined (eg

- provide function, sport or leisure facilities).
- Schools are a community facility; they should reflect their communities' needs and should provide a CPT irrespective of the condition to provide community facilities.
- For hospitals, one respondent stated that CPT should be provided irrespective of the condition outlined (eg waiting areas, canteens etc)

**7 Do you agree that a CPT should be designed in accordance with, and contain the equipment listed in the draft AD? Please explain your reasons.**

7.1 As shown in the table below, the majority of respondents agreed with the proposed design listed in the consultation document.

| Yes | No | Unsure | No response | Total |
|-----|----|--------|-------------|-------|
| 65  | 7  | 10     | 9           | 91    |

7.2 Respondents who disagreed made the following comments:

- Room must be of adequate size to allow wheelchair access and carers.
- Fold down tables restrict access to both sides of the bench and some disabled people may require physical support from two care workers, one each side of the changing bed. This could be achieved by a height-adjustable wheeled bed that can be moved away from the wall. BS 8300 lists a mobile bed as the first option in Para 18.6 Commentary Note 4, and Fig 48 shows a mobile bench.
- The size of the room and level of equipment required may be a barrier in some borderline developments.
- All-white colour scheme should be avoided.
- Motion sensors should not be installed in CPTs as they are prone to fail.
- The AD M should avoid using obliques without spaces as this makes the text illegible for screen-reading software.
- Adequate heating in CPTs.

7.3 Other equipment that should be included are:

- electrically adjusted profiling beds (which has a backrest that can raise/lower the incline of with a remote).
- screens for privacy, shelving and other general cleaning equipment such as hand sanitiser, disposable liners for the beds, antibacterial cloths for wiping down equipment and waste disposal bins for general and clinical waste.

**8 Where a CPT is provided in a building (listed in Box A) that undergoes an extension or a change of use, what workable arrangements can be provided for a smaller CPT in terms of room size and equipment?**

**Please explain your reasons:**

8.1 Respondents made the following comments

Room size:

- CPT needs to follow the British Standard and be as close to the requirement as practical as it will not be practicable or fit for purpose.
- It must be big enough for the disabled person with a wheelchair or disabled scooter, with their carer, to move around
- Consistency of CPTs should be provided across all building types as much as is possible
- A case-by-case approach could be deployed which consider use of the building and travel distance to an alternative CPT

8.2 Respondents listed the following equipment for a CPT in a conversion or change of use to a building.

Equipment:

- Padded profiling changing bed with backrest you can adjust via remote.
- Compact equipment that folds up to wall
- Hoist, basin adult-sized, changing table, shelves, safety rails, a non-slip floor
- Screens for privacy, shelving and other general cleaning equipment such as hand sanitiser, disposable liners for the beds, antibacterial cloths for wiping down equipment and waste disposal bins for general and clinical waste.

8.3 Respondents also noted that more needs to be considered than just the complexities of positioning a full-size CPT facility within the footprint of the altered existing building, the location of the CPT must be accessible.

8.4 Other factors would need to be considered as the installation of a CPT facility within existing buildings as extended, would trigger reasonable adjustment to existing circulation turning widths and require additional alterations such as access ramps, therefore costing substantially more than the £58K CPT installation average.

**9 Please use this question to provide any other commentary or observations you have on the proposals to make provision for CPT and the size of and equipment in CPTs. Additional thoughts:**

9.1 Respondents stressed the importance of CPTs being of an appropriate

size to allow wheel-chair access and manoeuvre around comfortably. The provision of an electrically adjusted profiling bed (which has an adjustable remote-controlled backrest that can raise/lower the incline of with a remote).

- 9.2 Respondents highlighted the importance of other provisions such as adequate toiletries, sanitising wipes, sockets and an alarm pull cord. Extra ventilation and good lighting were also noted as part of considerations.
- 9.3 The minimum ceiling height of 2400mm does not really give suitable guidance. A hoist can be installed in many configurations and sometimes valuable lifting height is lost.
- 9.4 Respondents also expressed concern over maintenance of CPTs and clear responsibility regarding this must be outlined. "We suggest amendment to AD M should also refer to specific maintenance/management requirements related to CPTs, particularly with regards to hoists". Load requirements for a ceiling mounted hoist should also be included.

## 10 Welsh Government Response

- 10.1 The consultation asked respondents a number of questions around the provision of CPT.

### **Question 1 and 2**

- 10.2 All respondents agreed and supported the Welsh Government's intention to increase the provision of CPTs and to facilitate provision through the AD M. Of the few respondents that disagreed, they noted that the thresholds outlined in the consultation were too high and would only encompass a low number of establishments across Wales. As such, the Welsh Government will seek to facilitate provision through AD M. Other questions were about thresholds and if the thresholds proposed by the Welsh Government were appropriate to trigger the provision of a CPT.

### **Question 3**

- 10.3 There was strong support for this proposal and the Welsh Government will seek to make it clear to local planning authorities that they can seek additional levels of CPTs if there is evidence to support this. The Welsh Government will make this clear by including reference in future changes to Planning Policy Wales.

### **Questions: 4, 5 and 6.**

- 10.4 A large majority of respondents agreed with the list of building types outlined in the consultation. Question 6 specifically asked respondents to provide alternative thresholds and triggers if they disagreed with the thresholds proposed. In view of the comments and proposed new thresholds, Welsh Government officials sought to engage with key stakeholders internally and externally to gain more evidence on common

building types and more appropriate thresholds within each category.

10.5 The new proposed thresholds are highlighted in the paragraph below, along with the rationale for change:

### **Thresholds**

10.6 At least one CPT is provided in the following type of building that are new or undergoing a material change of use:

- i retail premises with a gross floor area of 5,000m<sup>2</sup> or more;
- ii assembly, recreation and entertainment buildings with a capacity for 1,000 or more people; or a collection of smaller buildings associated with a site used for assembly, recreation or entertainment, such as zoos, theme parks and venues for sport and exhibitions, with a capacity of 2,000 people or more;

Consideration was given to the size and make-up of entertainment and theme park areas. They often meet the 5000m<sup>2</sup> threshold but contained a number of smaller buildings dispersed across the park. As such, it was felt footfall would be a better measure and accordingly, the capacity was raised to 2000.

- iii cinemas/theatres/concert halls with a capacity of 350 or more;
- iv For new schools with a gross floor area of more than 4,000m<sup>2</sup> which will contain community facilities;
- v Hospitals; For new builds: A CPT must be built in **all** new build Hospitals and Primary Health Care facilities, but only in areas that have full public access.
- vi sport and leisure buildings with a gross floor area more than 4,000m<sup>2</sup>;

Officials looked at best practice for building designs and sizes for sport and leisure buildings across the UK and lowered the thresholds to capture many of the smaller buildings.

- vii hotels, which are open to the public for the purpose of assembly, recreation or entertainment or leisure with a gross floor area more than 4,000m<sup>2</sup>.

### **Schools**

10.7 There was support for wider inclusion of CPTs in schools and provision within school aligns with the Welsh Government's Programme for Government commitment to invest in the learning environment of community schools, co-locating key services, and securing stronger engagement with parents and carers.

10.8 Welsh Government further consulted with education colleagues who in turn consulted with their key stakeholders and Local Authorities to gain

additional views on the provision of CPTs in local schools, to better understand the types of schools and gain an understanding of a more appropriate threshold.

- 10.9 Whilst the thresholds provided a suitable starting point, it excluded primary schools. After further consultation on more appropriate thresholds, it was decided to lower the threshold to capture smaller schools, with the caveat of only schools which offered community facilities.
- 10.10 Respondents raised other issues such as the location of a CPT within the school, the availability of funding, care, cleaning and maintenance costs and that a robust risk assessment would need to be undertaken on a case by case.
- 10.11 There will be opportunity to further consider provision of a CPT during review of school design standards.

### **Extensions**

- 10.12 After consideration, we will not be taking forward policies in connection with extensions at this time. This is due to the complexity involved with appropriating thresholds to the various building types, and accessibility issues.

### **Question 7**

- 10.13 The majority of respondents, 65% agreed. Those that disagreed listed additional equipment that should be included in the design. The Welsh Government will recommend the equipment listed in the AD M as this is the current list within BS 8300-2, while additional equipment outlined by respondents is not covered by building regulations requirements.

### **Question 8**

- 10.14 There were varied and mixed responses to this question, with some respondents stating that a CPT needs to follow the British Standard and be as close to the requirement as it will not be fit for purpose. The Welsh Government will not take a view on this at present and will seek further evidence around the issue of extensions and change of use for buildings at the next possible opportunity.