

Consultation Response Form - Changing Places Toilet and Baby Nappy Changing Provision

This consultation seeks views on proposals to:

- Increase provision of Changing Places Toilets and Baby Nappy Changing Facilities in certain types of buildings through revision of the Approved Document M guidance on compliance with the Building Regulations.
- Allow local planning authorities to enhance the provision of Changing Places Toilets over and above the minimum required to demonstrate compliance with the building regulations, through the planning process.

You can email your response to the questions in this consultation to:
enquiries.brconstruction@gov.wales

If you are responding in writing, please make it clear which consultation and which questions you are responding to:

Changing Places Toilet and Baby Nappy Changing Provision
Written responses should be sent to:

Building Regulations, Welsh Government, Cathays Park, Cardiff, CF10 3NQ

If you have any queries on this consultation, please email:
enquiries.brconstruction@gov.wales or telephone: 0300 062 8144.

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Confidentiality

Responses to consultations may be made public on the internet or in a report.

If you do not want your name and address to be shown on any documents we produce please indicate here ☐

CONSULTATION FORM

Amendments to statutory guidance

Date: 6th February 2021

Your Name:	ROBERT A ROBINSON MBE FRICS
Your Position <i>(if applicable)</i> :	SECRETARY
Your Organisation <i>(if applicable)</i> :	NORTH & MID WALES ASSOCIATION OF LOCAL COUNCILS
Email / Telephone Number:	01938 811378 or 07767 267830
Your address:	CROWN HOUSE HIGH STREET LLANFAIR CAEREINION SY21 0QY

Type of Organisation: Choose one of the following:	Select one
<ul style="list-style-type: none">• Builder/Developer	
<ul style="list-style-type: none">• Manufacturer	
<ul style="list-style-type: none">• Designer/Engineer/Surveyor	
<ul style="list-style-type: none">• Local Authority Building Control	
<ul style="list-style-type: none">• Approved Inspector Building Control	
<ul style="list-style-type: none">• Access Consultant	
<ul style="list-style-type: none">• Occupational Therapist	
<ul style="list-style-type: none">• Disabled People's Organisation	
<ul style="list-style-type: none">• Facilities Manager	
<ul style="list-style-type: none">• Retailer	
<ul style="list-style-type: none">• Construction Professional	
<ul style="list-style-type: none">• Property Manager/Landlord	
<ul style="list-style-type: none">• Landlord Representative Organisation	
<ul style="list-style-type: none">• Changing Places User/Carer	
<ul style="list-style-type: none">• Parent/Carer	
<ul style="list-style-type: none">• Charity	
<ul style="list-style-type: none">• Campaigner or Lobby Group	
<ul style="list-style-type: none">• Other Interested Party (please specify) <p><i>The Association has been in existence for over 45 years and represents approx. 30 of the larger town and community councils in North and Mid Wales.</i></p>	LOCAL COUNCIL ASSOCIATION

Q1	Do you support the Welsh Government's intention to increase the provision of CPTs?	Yes	No	Unsure
		X *	<input type="checkbox"/>	<input type="checkbox"/>

Please explain your reasons.

- In principle the Association does support the intention to increase provision of CPT's, however for many businesses grant aid will be required to ensure this happens.**

Q2	Do you agree that the Welsh Government should improve the guidance in Approved Document M to increase the provision of CPTs?	Yes	No	Unsure
		X *	<input type="checkbox"/>	<input type="checkbox"/>

If no, please explain your reasoning.

- Guidance should be applied equally over the whole of Wales and left to individual local authorities to prepare their own version.**

Q3	Do you agree that local planning authorities should be able to require additional levels of provision for CPTs through the planning system?	Yes	No	Unsure
		<input type="checkbox"/>	<input type="checkbox"/>	X *

Please explain your reasons.

- Each application should be considered on its merits and whether it is reasonable to require such facilities. There will always be exceptions to the rule. Maybe the word 'should' could be replaced with 'could'.**

Q4	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?	Yes	No	Unsure
		X (*)	<input type="checkbox"/>	<input type="checkbox"/>

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.

- The Association supports the general principle of which buildings should require such facilities. However, local toilet provision by local councils is in buildings which are much smaller than the size noted (5,000m2).
- 5,000m2 is a large building and not many developments are this size, particularly in rural areas or smaller towns.
- It may be that provision should be provided, particularly in tourist areas, in local public toilets. If a provision of such facilities is required in local public toilets substantial grant aid will need to be provided as nearly all of these are now run by Town or Community Councils.

Noted below is the guideline as published in the consultation:

New Construction - a CPT should be provided on construction of a retail building (shop), assembly or recreation building, residential (institutional) and residential (other) building or a building combining any of these uses, which:

- is over 5,000 m², or
- has a capacity of more than 1,000 persons,

Note: Hotels are included where they provide function, sport or leisure facilities and schools are included where they provide community access to their facilities. Conversion (change of use) or extension - where a CPT is not already present within a building

A CPT should be provided where a building in any of the above categories is created by conversion or where such a building is extended such that its gross floor area increases by 25% or more, provided that: a) In the case of a hospital any qualifying extension also contains public areas e.g. waiting areas, canteens, retail outlets etc. b) In the case of a school any qualifying extension is also intended to provide community facilities. c) In the case of a hotel any qualifying extension is also intended to provide function, sport or leisure facilities available to non-residents.

Q5	With regard to schools, do you consider any other type of school should also provide a CPT?	Yes	No	Unsure
		X *	<input type="checkbox"/>	<input type="checkbox"/>

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

- All schools should be treated the same, state or private.
- Applying the 5,000s2 rule many smaller schools would not fall within the requirements but there would still be a need for such facilities.

Q6	<p>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?</p> <p>Please indicate yes or no against each building type and its trigger.</p>			
New Construction over 5,000 m², or has a capacity of more than 1,000 persons:		Yes	No	Unsure
Retail building (shop) Should be a 'shop' or 'shopping centre'. See notes at end of consultation response.		X **	<input type="checkbox"/>	<input type="checkbox"/>
Assembly or recreation building		X	<input type="checkbox"/>	<input type="checkbox"/>
Residential (institutional)		X	<input type="checkbox"/>	<input type="checkbox"/>
Residential (other) This section needs more definition. Not sensible to provide such facilities in housing estates for example even if over 5,000m2. See notes at end of consultation response.		<input type="checkbox"/>	<input type="checkbox"/>	X
Building combining any of the above Guidance notes will be important on this point. See notes at end of consultation response.		X	<input type="checkbox"/>	<input type="checkbox"/>
Hotels (where they provide function, sport or leisure facilities) See notes at end of consultation response.		X	<input type="checkbox"/>	<input type="checkbox"/>
Schools (where they provide community access to their facilities) See notes at end of consultation response.		X	<input type="checkbox"/>	<input type="checkbox"/>
Conversion (change of use) or Extension (where a CPT is not already present within the building) gross floor area increases by 25% or more:		Yes	No	Unsure
Retail building (shop) Should be a 'shop' or 'shopping centre'.		X	<input type="checkbox"/>	<input type="checkbox"/>

See notes at end of consultation response.			
Assembly or recreation building	X	<input type="checkbox"/>	<input type="checkbox"/>
Residential (institutional)	X	<input type="checkbox"/>	<input type="checkbox"/>
Residential (other) See notes at end of consultation response.	X	<input type="checkbox"/>	<input type="checkbox"/>
Building combining any of the above See notes at end of consultation response.	X	<input type="checkbox"/>	<input type="checkbox"/>
Hotels (where they provide function, sport or leisure facilities)	X	<input type="checkbox"/>	<input type="checkbox"/>
Schools (where they provide community access to their facilities)	X	<input type="checkbox"/>	<input type="checkbox"/>
If no, please indicate what trigger you consider appropriate for each building type The Local Authority should decide how many of the changing places facilities it needs and then apply this to planning decisions. It may well be that a levy on the buildings specified should be made which goes towards the provision of such facilities where they are needed. The reason for this is that you may have two facilities very close to each other whilst other areas have none.			
New Construction			
Retail building (shop) Should include a Shop or Shopping Centre.	See note above		
Assembly or recreation building	As defined in this consultation.		
Residential (institutional)	As defined in this consultation.		
Residential (other)	See note above		
Building combining any of the above	As defined in this consultation.		
Hotels (where they provide function, sport or leisure facilities)	As defined in this consultation.		
Schools (where they provide community access to their facilities)	As defined in this consultation.		
Conversion (change of use) or Extension			
Retail building (shop) Should include a shop or shopping centre.	See note above		
Assembly or recreation building	As defined in this consultation.		
Residential (institutional)	As defined in this consultation.		
Residential (other)	See note above		
Building combining any of the above See notes at end of consultation response.	As defined in this consultation.		
Hotels (where they provide function, sport or leisure facilities)	As defined in this consultation.		
Schools (where they provide community access to their facilities)	As defined in this consultation.		

Q7	Do you agree that a CPT should be designed in accordance with, and contain the equipment listed in the draft AD?	Yes	No	Unsure
		X *	<input type="checkbox"/>	<input type="checkbox"/>

If no, please identify what you think should be added or deleted from the list:

The requirements outlined are acceptable. There is no mention of colour schemes which should be at a level which meets the needs of Dementia.

Q8	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?
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Please explain your reasons:

Room size: **From members experience as long as the floor area of 12sm can be provided and the equipment can reasonably fit there should not be an issue.**

Equipment: **It is important that the specification is met.**

The Local Authority should decide how many of the changing places facilities it needs and then apply this to planning decisions. It may well be that a levy on the buildings specified should be made which goes towards the provision of such facilities where they are needed. The reason for this is that you may have two facilities very close to each other whilst other areas have none.

Q9	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.
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Additional thoughts:

The Local Authority should decide how many of the changing places facilities it needs and then apply this to planning decisions. It may well be that a levy on the buildings specified should be made which goes towards the provision of such facilities where they are needed. The reason for this is that you may have two facilities very close to each other whilst other areas have none.

Q10		Yes	No	Unsure
	Do you support the Welsh Government's intention to increase the provision of BNCFs?	X	<input type="checkbox"/>	<input type="checkbox"/>
	If yes, do you agree that the Welsh Government should introduce improved guidance in Approved Document M on the provision of BNCFs?	X	<input type="checkbox"/>	<input type="checkbox"/>
<p>If no, please explain your reasoning.</p> <p>No further comments to add.</p>				

Q11		Yes	No	Unsure
	If you support a provision, do you agree with the building types listed in Box B for a BNCF?	X	<input type="checkbox"/>	<input type="checkbox"/>
<p>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 reasoning:</p> <p>No further comment to add.</p>				

Q12	<p>If you support a provision, do you agree with the size, capacity criteria in Box B in relation to each building type for a BNCF?</p> <p>Please indicate yes or no against each building type and its trigger.</p>			
New Construction over 1,000 m², or has a capacity of more than 200 persons:		Yes	No	Unsure
Retail building (shop) Should be a shop or shopping centre.		X	<input type="checkbox"/>	<input type="checkbox"/>
Assembly or recreation building		X	<input type="checkbox"/>	<input type="checkbox"/>
Residential (institutional)		X	<input type="checkbox"/>	<input type="checkbox"/>
Residential (other) Clear guidance needed, provision on a housing estate may not be appropriate.		<input type="checkbox"/>	<input type="checkbox"/>	X
Building combining any of the above		X	<input type="checkbox"/>	<input type="checkbox"/>
Hotels (where they provide function, sport or leisure facilities)		X	<input type="checkbox"/>	<input type="checkbox"/>

Schools (where they provide community access to their facilities) These provisions should apply to all schools.	<input checked="" type="checkbox"/>	X *	<input checked="" type="checkbox"/>
Conversion (change of use) or Extension (where a BNCF is not already present within the building) where a building is created by a material change of use or a building that meets, or is extended to meet, the thresholds:	Yes	No	Unsure
A shop or shopping mall with a total shop floor area of more than 1,000m ² Should be a shop or shopping centre. See notes at end of consultation response.	<input type="checkbox"/>	<input type="checkbox"/>	X
An assembly building accommodating more than 200 people	X	<input type="checkbox"/>	<input type="checkbox"/>
An entertainment building, including a restaurant and/or a fast food outlet with seating or a licensed premises, accommodating more than 200 people	X	<input type="checkbox"/>	<input type="checkbox"/>
A hospital in areas of public waiting or a restaurant	X	<input type="checkbox"/>	<input type="checkbox"/>
A hotel providing publicly accessible facilities (i.e. not restricted solely to residents)	X	<input type="checkbox"/>	<input type="checkbox"/>
Schools (where they provide community access to their facilities) These provisions should apply to all schools.	<input type="checkbox"/>	X	<input type="checkbox"/>
If no, please indicate what trigger you consider appropriate for each building type See notes at end of consultation response.			
New Construction			
Retail building (shop) Should be a shop or shopping centre. See notes at end of consultation response.	As set out in this consultation.		
Assembly or recreation building	As set out in this consultation.		
Residential (institutional)	As set out in this consultation.		
Residential (other)	As set out in this consultation.		
Building combining any of the above	As set out in this consultation.		
Hotels (where they provide function, sport or leisure facilities)	As set out in this consultation.		
Schools (where they provide community access to their facilities) These provisions should apply to all schools.	As set out in this consultation.		
Conversion (change of use) or Extension			
A shop or shopping mall with a total shop floor area of more than 1,000m ² Should be a shop or shopping centre. See notes at end of consultation response.	As set out in this consultation.		
An assembly building accommodating more than 200 people	As set out in this consultation.		

An entertainment building, including a restaurant and/or a fast food outlet with seating or a licensed premises, accommodating more than 200 people	As set out in this consultation.
A hospital in areas of public waiting or a restaurant	As set out in this consultation.
A hotel providing publicly accessible facilities (i.e. not restricted solely to residents)	As set out in this consultation.
Schools (where they provide community access to their facilities) These provisions should apply to all schools.	As set out in this consultation.
Please explain your reasons: The guidelines set out in this consultation relating to this section appear sensible. Such facilities for baby changing should be provided in schools even if there is no community access. Teachers or other staff may have occasions when they have a baby with them, indeed visiting parents, so such facility is needed in any event.	

Q13	Do you agree that a BNCF should be designed in accordance with, and contain the equipment listed in the draft AD?	Yes	No	Unsure
		X	<input type="checkbox"/>	<input type="checkbox"/>
If no, please identify what you think should be added or deleted from the list?				
Where facilities are provided at present many meet this standard already (it is acknowledged that many also do not).				
Grant aid should be provided to those running existing facilities so that they can be upgraded.				

Q14	Do you agree with the cost estimates?	Yes	No	Unsure
		<input type="checkbox"/>	<input type="checkbox"/>	X
If no, please explain what you consider an appropriate cost range and provide evidence to show why:				
Any cost estimates are only of value at todays date and will change over time. They should only be used as a guide at the time of printing of information and not included in any legislation or formal guidance documents with a long shelf life.				

Q15	<p>We would like to know your views on the effects that the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?</p>
<p>The Association supports the Welsh Language Schemes.</p> <p>The only comment to make here is that all signage should (in addition to any emblems) be bi-lingual; this should be expected in any new build or refurbishment.</p> <p>Any information on web sites, apps or in paper form publishing such facilities should also be b-lingual.</p>	
Q16	<p>Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.</p>
<p>Please see answer to question 15.</p>	

Q17	Further comments from the Association
<p>1) The rules governing provision of both Changing Places and Baby Changing Facilities should apply to major railway stations</p> <p>(i.e. Holyhead, Bangor, Llandudno, Llandudno Junction, Rhyl, Prestatyn and Chester along the North Coast).</p> <p>2) Provision should also be made for these facilities within major bus stations.</p> <p>3) The Local Authority should decide how many of the changing places facilities it needs and then apply this to planning decisions. It may well be that a levy on the buildings specified should be made which goes towards the provision of such facilities where they are needed. The reason for this is that you may have two facilities very close to each other whilst other areas have none.</p> <p>4) A need for both web-site, app and paper based material is required to ensure that such facilities are easy to find (together with times of availability).</p> <p>5) The Association is willing to attend to give oral evidence if it were felt to be of value.</p>	

Robert A Robinson MBE FRICS
Secretary to the North & Mid
Wales Association of Local Councils

March 2021