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Welsh Government
Consultation Document

Draft Policy Changes - Changing Places Toilet and Baby Nappy Changing Provision

Date of issue: 04 February 2021
Action required: Responses by 28 April 2021

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview

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.

How to respond

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 Toilets/Baby Nappy Changing.

Written responses should be sent to:

Changing Places Toilets/Baby Nappy Changing,
Building Regulations, Welsh Government, Cathays
Park, Cardiff, CF10 3NQ

When you reply, it would be useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post code),
- an email address, and
- a contact telephone number

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Contact details

For any enquiries about the consultation please contact the Welsh Government Building Regulations team by emailing: enquiries.brconstruction@gov.wales

For further information:

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Welsh Government

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Cardiff,

CF10 3NQ

Telephone: 0300 062 8144

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The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, 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. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

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Data Protection Officer:
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The contact details for the Information Commissioner's Office are:

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Introduction

Changing Places Toilets (CPTs):

1. Welsh Government policy promotes community participation and active citizenship, but for some disabled people, the lack of a fully accessible toilet, such as a CPT, is problematic.
2. The Welsh Government is committed to helping disabled people fulfil their potential and live the lives they want to lead. This requires us to work towards removing barriers that prevent this, which includes physical obstacles in buildings, towns and the countryside, but also the hurdles and blockages created by organisations and people's attitudes.
3. Our new framework - Action on Disability: The Right to Independent Living, published on 18 September 2019, focuses on what the Welsh Government can do to move this agenda forward. The new framework is accompanied by an action plan which sets out a wide range of actions to tackle some of the key barriers that have been identified by disabled people which include transport, employment, housing and access to buildings and places.
4. Action 14 commits us to exploring options to increase CPTs, as a CPT in a building or location enables people with complex care needs to attend everyday activities. This consultation paper sets out proposals to increase provision in line with that action.

Baby Nappy Changing Facilities (BNCFs):

5. Around 30,000 babies are born each year in Wales, yet while many public venues now provide BNCFs, the standard of these facilities can often be inadequate. Public campaigns identify BNCFs are often only available in women's or accessible toilets and that fathers are inconvenienced and made to feel awkward when trying to use BNCFs.
6. Providing BNCFs is a health and safety consideration. It is reasonable to assume that parents will at some point need to change their child, and if there is nowhere safe to do so, they might be forced to make use of whatever space is available, or are forced to avoid certain venues, due to their lack of adequate facilities.
7. The strategic-equality-plan document sets out our equality aims and objectives for the next four years, together with the main actions to achieve those objectives. Providing equal access to BNCF will help in securing a gender equal Wales: (<https://gov.wales/sites/default/files/publications/2020-04/strategic-equality-plan-equality-aims-objectives-actions-2020-2024.pdf>)
8. The Senedd's Petitions Committee has received a petition in relation to sanitary facilities in public buildings: P-05-871 – Make baby and toddler changing available in both male/female toilets. There have also been other UK campaigns to increase provision of BNCFs in male toilets. These campaigns have also gained significant media coverage.

9. The British Toilet Association 'Where Can I Go' Campaign sets out a five-point vision for public toilets. These include the need for BNCFs in all toilets as well as other facilities to make them family friendly. Industry best practice within BS 8300-2:2018 and BS 6465-2:2017 also identifies the provision of a BNCF should be accessible to all users and provided in any building open to the public where children will usually be present.

Background

What is a Changing Places Toilet (CPT)?

10. A CPT provides sanitary accommodation for people with profound and multiple learning difficulties, as well as people with physical impairments who often need extra equipment and space to allow them to use the toilets safely and comfortably. A CPT addresses the need of people for whom standard accessible (or "disabled toilet") accommodation is insufficient or inadequate. CPTs give severely disabled people and their families the opportunity to visit public places which they otherwise would not be able to and can therefore make a huge difference to their quality of life.
11. The Changing Places Consortium are calling for more CPTs to be installed in various venues across the country, such as; shopping centres, hospitals, transport hubs (train stations, motorway services), leisure complexes and arenas. They state there are over 250,000 people living in the UK that are unable to use standard accessible toilets and in order to use a toilet in safety and comfort, they need to be able to access a CPT. Although the number of CPTs available is increasing, it has been suggested there are still not enough CPTs across the country. According to *Muscular Dystrophy UK*, there are only 53 registered CPTs across the whole of Wales.

What are Baby Nappy Changing Facilities (BNCF)?

12. BNCF can be provided in a number of different formats. These can be separate specific rooms designed for the purpose or they may be a space located within each of the single sex and accessible toilets.
13. In general terms, a functional BNCF needs to be situated in a clear area, so parents can move around the unit, and place items such as bags, buggies, and changing materials within reach. The units need to be situated at a height that is accessible to as many people as possible with adjacent washing facilities.

Local Toilets Strategies (LTS) in Wales

14. The Public Health (Wales) Act 2017 introduced a requirement for each Local Authority (LA) in Wales to produce a LTS for its area in consultation with their residents and other delivery partners. It is the intention that these strategies are a starting point and will be reported on via interim statements and reviewed according to the timetable set out in the Public Health (Wales) Act 2017.
15. In developing their LTS, LAs are required to undertake an assessment of need for toilets for public use in their area. The assessment of need must give

consideration to the provision of changing facilities for babies and changing places for disabled people. Strategies must then set out how LAs intend to best meet that need.

16. It is the aim that LAs will consider the wide range of existing toilet facilities available in both public sector (e.g. public libraries, community halls, sports centres, theatres and museums etc.) and private sector buildings when developing their strategies. The intention is to make better use of existing toilet facilities that could be made available to a wider public beyond a focus on traditional public toilets.

Building Regulations

17. The Building Regulations set functional requirements for certain types of building work – principally to secure the health, safety, welfare and convenience of people in and around buildings. The Regulations typically apply to the:
 - Erection or extension of a building
 - Material alteration or change of use of a building
18. Building Regulations can only be applied at the time that building work takes place. Regulations do not apply retrospectively for existing buildings, these should comply with the Regulations in force at the time they were built, altered or extended. Building Regulations do not impose ongoing management requirements.
19. The Regulations set functional requirements covering a wide range of health, safety access, security and sustainability issues. The Regulations are supported by guidance in “Approved Documents” which provide practical guidance on how to comply with the requirements in the Regulations.
20. Part M (Access to and Use of Buildings) of the Building Regulations sets minimum access standards for all new buildings and alterations and extensions to certain existing buildings. Part M1 requires reasonable provision to be made for people to gain access to and use a building and its facilities. These requirements are supported by guidance in Approved Document M (AD M) which sets out one way in which building work should make reasonable provision to meet Part M1.
21. Building Control Bodies provide a third-party check on whether building work complies with the Building Regulations and this is carried out by either a local authority or a private Approved Inspector.

Current relevant requirements in AD M:

22. AD M ([Approved Document M: access to and use of buildings](#)) provides guidance on minimum standards for accessible toilets and BNCF in public buildings. That includes standards for unisex wheelchair-accessible toilets in small buildings and additional provision in larger buildings¹.

¹ See paragraph 5.1, 5.6, 5.12 and 5.14(d).

Planning Policy Wales (PPW)

23. PPW identifies access and inclusivity as one of key aspects of good design. It states that good design is inclusive design and that development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone. It goes on to state that development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children.
24. PPW is supported by Technical Advice Note 12: Design, which states that those seeking permission to build new and public commercial buildings are encouraged to include in their plans accessible 'Changing Places' toilet facilities in addition to standard accessible toilets.
25. Design and Access Statements (DAS) have been required in Wales for many planning applications since 2009 and under the legislative requirements for DASs in the Planning (Wales) Act 2015 and Welsh Ministers have published guidance written in conjunction with the Design Commission for Wales. Current good practice guidance.
26. The guidance in Approved Document M makes reference to British Standard BS 8300 which provides good practice guidance on the design of an accessible and inclusive built environment, this includes CPTs and BNCFs.
27. This standard was updated in January 2018 and guidance on CPTs is now in section 18.6 of "*BS 8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice*". The guidance includes recommendations on the types of building which a CPT should be considered. This list recognises the benefits of provision in buildings that are open to the public, have a managed environment and will generally have consistent opening hours when the facility can be accessed. The list includes examples of public and commercial premises, buildings associated with the transport network and larger 'destination' buildings.
28. BS 8300-2:2018 also provides guidance on accessible BNCFs and BS 6465-2:2017 provides further guidance of sizes and activity spaces for BNCFs while BS 6465-1:2006 recommends that a BNCF should be provided in areas where young children are likely to be present.

Changing places toilets: General

Proposed approach to increase provision of Changing Places Toilets (CPTs)

29. The existing approved document provides a clear message on the need to provide facilities in publically accessible buildings. However, evidence from users suggests the existing provision is not sufficient to ensure all user's needs are catered for. Importantly in developing a proposal for provision of CPTs under the Building Regulations we have considered where, based upon current good practice, a requirement can reasonably be set.
30. Our proposals include new large buildings commonly used by the public and an extension of, or a change of use to, any such building. Accommodating such facilities within smaller buildings is often not proportionate and also may not be reasonably practicable. Statutory guidance (Approved Document M) would be amended to provide clear guidance on where and when a CPTs should be provided.
31. This 'Building Regulations based' approach will provide clarity for developers and users as to where CPTs should be provided, with compliance checked by Building Control Bodies.
32. Building works in listed buildings have to satisfy both building control and the separate procedures of listed building consent. Listed buildings in scope of the proposals would be guided to make "reasonable provision" to provide a CPT. Where it is beyond a "reasonable provision" for example in an historic setting, building control bodies can decide that provision is not reasonable.
33. The building regulation approach does not easily incorporate consideration of location when providing CPTs (i.e. consideration of where existing provision is currently provided and where new facilities are most needed). Therefore, the building regulation approach for increasing provision of changing places toilets will be supplemented by changes to Planning Policy Wales to enable local planning authorities to require additional provision to be made, over and above the minimum levels proposed under building regulations, through the planning system where a local need is evidenced in the LTS. The LTS will also identify other means to increase provision of a CPT.

Question 1

Do you support the Welsh Government's intention to increase the provision of CPTs?

Question 2

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

If no, please explain your reasoning.

Question 3

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

Changing Places Toilets: building types and sizes

Improved Guidance on the provision of Changing Places Toilets (CPTs) in Approved Document M

34. Improved guidance on the provision of a CPT would require changes to Approved Document M and would specify the types of buildings where they would be recommended as well as the factors which would trigger the requirement e.g. size and capacity.
35. We have aimed the triggers that are measurable by Building Control Bodies. Size and capacity are tangible measures for example, and we propose to use these as the determining triggers for when a CPT is required. We considered it appropriate to set a blanket size, and/or capacity (or whichever is the greater), trigger for all types of buildings listed in Box A. A blanket size² trigger is considered to capture the varying types of buildings/developments we think should include a CPT.
36. Using only a size trigger could exclude certain buildings which should include a CPT. For some buildings such as shopping centres, we consider a size trigger appropriate. In others, such as a cinema or theatre, a seating capacity is a more appropriate trigger to ensure we capture those that will be visited for a certain period of time by larger numbers of people.

² Size of buildings is described by the gross internal area of a building. The length in metres times the width in metres gives the area. Areas are measured in metres squared and abbreviated as m². There are many measures related to area and we think that Gross Internal Area (GIA) (i.e. the footprint of the building excluding the width of the outside walls but including areas occupied by internal walls, columns and partitions) is a better metric than Net Internal Area (NIA) or Gross External Areas (GEA).

37. We consider the list of buildings/developments in Box A for a CPT requirement proportionate and practical.

BOX A –Changing Places Toilets (CPTs)

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.

Question 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?

If narrower, which buildings would you exclude?

Question 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?

Question 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.

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

Changing Places Toilets: size and equipment

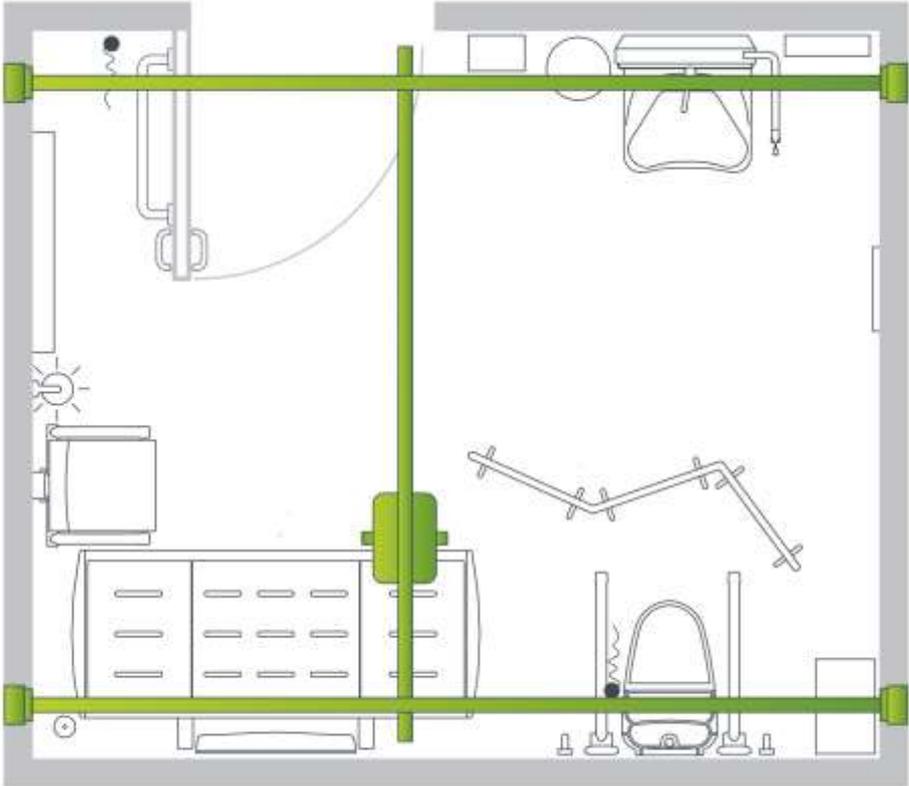
Size of a Changing Places Toilets (CPTs)

38. A CPT should provide adequate space to allow a user to be assisted by carers. It should include enough space for wheelchairs and people to turn, move and use the toilet, sink, hoist, supports and a fold down changing bed.
39. A standard-sized CPT as set out in BS 8300-2:2018 is a room with a floor area of 12m² (3m wide and 4m long, with a ceiling height of 2.4m). The room has a peninsular WC, hoist, height adjustable basin, adult-sized height-adjustable changing bench, shelving, grab rails and an optional shower, for use by people with complex and multiple impairments who require the help of up to two assistants. The space is fitted with a fixed tracked-hoist system so that assistants can fit the user's slings to the hoist and move the person to the various items in the facility.
40. A room of 3m x 4m gives a rectangular space to allow users and carers to move between each piece of equipment in the toilet. These are sometimes provided in spaces of a similar size but in a different configuration to this standard rectangle shape. What is essential is enough space in the right place and the right equipment.
41. It is important for a wheelchair user to be able to move in a wheelchair between each item and to have the space for up to two carers to transfer or hoist the user from the wheelchair on to the fold down bed or from the wheelchair on to the peninsular toilet, or from the toilet to the fold down bed. These movements between sink, bed and toilet will vary given the size of the adult or child and the size of their wheelchair. Hoists lift and lower the user and hoists ease manual handling for the carers.

Figure 1 - Example of a standard-sized CPT layout:



Figure 2 – Indicative CPT Layout and Equipment:



Equipment in Changing Places Toilets

42. When a CPT is provided in new large buildings commonly used by the public certain equipment needs to be provided. These range from small items such as a paper towel dispenser and full length mirror, to more major items such as full room cover tracked hoist system or a flat-topped close-coupled cistern providing a back rest and a colostomy bag changing surface. The specification is provided in the draft AD at annex B.

Question 7

Do you agree that a CPT should be designed in accordance with, and contain the equipment listed in the draft AD?

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

Changing Places toilet in change of use or extensions

43. When a CPT is provided in a building (listed in Box A) that undergoes an extension or a change of use, Welsh Government recognises there may be complications in installing a 12 m² CPT. We are interested in the issues that this may raise.

Question 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.

Question 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.

Baby Nappy changing Facilities: General

Proposed approach to increase provision of Baby Nappy Changing Facilities (BNCF)

44. As with CPTs, the existing approved document provides a clear message on the need to provide BNCFs in publicly accessible buildings. However, evidence from users suggests the existing provision is also not strong enough to ensure all user needs are catered for.
45. As with CPTs our proposals include new large buildings commonly used by the public and an extension of, or a change of use to, any such building. In a similar manner we consider listed buildings in scope of the proposals would be guided to make “reasonable provision” to provide a BNCF.

Question 10

Do you support the Welsh Government’s intention to increase the provision of BNCFs?

If yes, do you agree that the Welsh Government should introduce improved guidance in Approved Document M on the provision of BNCFs?

If no, please explain your reasoning.

Baby Nappy Changing Facilities: building types and sizes

Improved Guidance on the provision of Baby Nappy Changing Facilities (BNCF) in Approved Document M

46. Improved guidance on the provision of a BNCF would require changes to Approved Document M and would specify the types of buildings where they would be recommended as well as the factors which would trigger the requirement e.g. size and capacity.
47. As with the provision for CPTs, we have also used triggers that are measurable by Building Control Bodies and have provided a list of buildings/developments in Box B. These thresholds are different to that required for CPTs however they are still considered proportionate and practical.

BOX B – Baby Nappy Changing Facilities (BNCF)

New Construction - accessible BNCF should be provided on construction of:

- A shop or shopping mall with a total shop floor area of more than 1000m², or
- An assembly building accommodating more than 200 people, or
- An entertainment building, including a restaurant and/or a fast food outlet with seating or a licensed premises, accommodating more than 200 people.
- A hospital in areas of public waiting or a restaurant,
- A hotel providing publicly accessible facilities' (i.e. not restricted solely to residents)
- Schools offering a community facility

Conversion (change of use) or Extension - where a BNCF is not already present within a building one should be provided where a building in any of the above categories is created by a material change of use or where a building that meets, or is extended to meet, the thresholds.

Question 11

If you support a provision, do you agree with the building types listed in Box B for a BNCF?

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?

If narrower, which buildings would you exclude?

Question 12

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?

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

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

Baby Nappy Changing Facilities: size and equipment

Size and equipment in Baby Nappy Changing Facilities (BNCF)

48. If BNCF are located within a toilet cubicle, they will reduce the number of available toilets within a building when in use. Where the toilet in question is also the only accessible toilet, this can cause additional inconvenience.

49. BNCFs should be provided either as a separate accessible unisex facility or as a dedicated accessible space within both an accessible male and an accessible female sanitary accommodation (known as separate sex washrooms) and not within a dedicated accessible use toilet.
50. Facilities should have clear signage and wayfinding.
51. A BNCF should be designed to the space standards in BS8300-2:2018 and BS 6465-1:2006, and should contain:
- a manoeuvring space of at least 1.5m by 1.5m, clear of any obstruction, including a door swing, other than those noted below,
- and
- a wash hand basin at height of between 720mm and 740mm above floor level. A wall-mounted wash hand basin may project not more than 300mm into the manoeuvring space,
- and
- a changing surface at a height of approximately 750mm, with a clear space of not less than 700mm high beneath and a clear activity space of the minimum dimensions shown in Figure 3 and Figure 4. The changing surface may overlap with a manoeuvring space by not more than 300mm. The minimum dimensions for a fold down changing table are 770mm x 600mm when hinged on the long edge (maximum 150mm projection when in the upright position) and 550mm x 800mm when hinged on the short edge (maximum 150mm projection when in the upright position).

A BNCF should contain at least the equipment listed in Box C below:

Box C – Baby Nappy Changing Facilities - specification for new, extended or use changed buildings:

1. Fold down nappy change unit. The minimum dimensions for a fold down changing table are 770mm x 600mm when hinged on the long edge (maximum 150mm projection when in the upright position) and 550mm x 800mm when hinged on the short edge (maximum 150mm projection when in the upright position).
2. Shelf above bin
3. Bin
4. Standard height wash basin
5. Full length mirror
6. Vertical grab rail
7. Low level hand rinse basin
8. Sanitary disposal bin
9. Horizontal grab rail
10. WC
11. Drop down grab rail
12. 1500mm wheelchair/pushchair turning space

Question 13

Do you agree that a BNCF should be designed in accordance with, and contain the equipment listed in, the draft AD?

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

Assessment of impacts

52. At this stage, high level analysis has been undertaken to consider the impact of revising guidance on CPTs and BNCFs.

Options

53. One policy option has been considered and the impacts are costed by comparison with a 'do nothing' scenario in which no policy is implemented.
54. **Do nothing Baseline:** The baseline against which the alternative policy option is compared is a scenario in which building owners fit CPTs or BNCFs of their own volition or through other means (e.g. grant funding requirements).
55. **Option 1 – Insert a provision in the Approved Document:** The option would include issuing new guidance in the Approved Document to Part M of the Building Regulations to provide a CPT and/or BNCF in certain buildings. This would mean that provision would be expected if the guidance in the Approved Document was used as a means of achieving compliance with the regulations.
56. Option 1 is the preferred option as it would assist in fulfilment of the policy objective to increase provision of certain sanitary facilities installed in building accessed by the public where appropriate. This will enable severely disabled people and parents the opportunity to visit public places which they otherwise would not be able to.

Costs of CPT/BNCF

57. This section looks at monetised and non-monetised impacts of these options.

Forecasting Baseline/Future Installations:

58. The baseline against which the different policy options are compared is a scenario where there is no intervention and building owners install CPTs/BNCFs for other reasons. Such as:
- **Voluntary customer focused provision:** CPTs/BNCFs are installed by companies/building owners where they consider they provide part of a way to meet the needs of their customers³.

³ <https://www.tescopl.com/news/2019/tesco-installs-more-changing-places-toilets-to-help-disabled-shoppers/>

- **Toilet Strategy:** The Public Health (Wales) Act 2017 places a duty on each LA in Wales to prepare and publish a local toilets strategy for its area. The Act provides that a strategy must include an assessment of the community's need for toilets, including changing facilities for babies and changing places facilities for disabled people. The strategy must also provide details of how the LA proposes to meet the identified need.
 - **Grant led:** Provision of a CPT/BNCF may be a result of grant funding directly to provide for a CPT⁴/BNCF, or the provision could be a condition on receipt of funding for a larger project.
59. The provision of toilets through the baseline scenario has produced 53 registered CPTs across Wales. This figure also includes the provision of toilets in buildings or locations that would not be included within Option 1. Although it is accepted that the methods above will continue to provide an increase in toilet provision, given the variation in levels of CPTs and their location the simplistic assumption has been taken that no CPTs will be provided without intervention. The impact has been assessed on a per toilet/building cost, representing a realistic cost per business.
60. There is no database for BNCF within Wales/UK, although 'apps' within the market identify many across Wales. The provision of BNCF is a means for companies to sell a product/service to parents through their children with a BNCF and this recognition within the market has meant provision is considered generally high. However the issue is identification of BNCFs that are not accessible to all users (for example BNCFs that are only located in the female toilets). Anecdotal evidence suggests this is an issue, however there is no statistical data on the availability of BNCFs available to all. On this basis it is not possible to identify the cost of only requiring additional facilities in those buildings that do not provide equal access to BNCFs, therefore an overall per unit/building cost has also been taken forward to assess this proposal.

Installation costs

61. The installation costs of CPT vary dependent on the typical construction costs of different building types. The BRE undertook a research⁵ project to inform on the requirements and installation criteria for CPTs in non-domestic buildings. Five different building types were identified and were used as the basis of the costings to include both initial capital costs and outfitting costs. Data is also available for major refurbishment costs and an annual maintenance regime. This data provides an initial cost for a CPT in the range of £47,000 -£64,000. The building costs have been considered against the typical construction costs⁶ of various buildings per m² of gross internal floor area across Britain, adjusted to account for the regional variation, and are still considered to be accurate for new build construction. Recent building costs undertaken for the retrofitting of a number of CPTs into existing buildings indicates a figure with 40,000 to £76,000, with an average of £57,800.
62. The installation of a wall mounted baby changing table suitable for commercial applications is expected to have a cost of £150-£300 per facility and an installation

⁴ <https://www.swansea.gov.uk/article/47862/Caswell-Bay-welcomes-new-disability-changing-places>

⁵ https://www.webarchive.org.uk/wayback/archive/20160105073137mp_/http://www.gov.scot/Resource/0040/00402201.pdf

⁶ <https://costmodelling.com/building-costs>

cost of £100. Should additional space be required within the toilet unit the £/square metre build cost is expected to be £1,250 - £2,500 dependent on the building type and fit standard. It is estimated a cost per building of £2,500 – £5,500.

Material Replacement costs

63. Following the installation of a new facility there will also be ongoing maintenance costs (e.g. replacing equipment, cleaning) of CPTs. The BRE research estimated that the annual operational costs, including maintenance, servicing, cleaning would, over a ten-year period, be approximately £4,407.
64. As BNCFs are able to be located within existing toilet provision, material replacement and management costs are expected to be less. For example cleaning costs are considered to be incorporated within existing cleaning costs associated with the toilet provision. The replacement of the facilities are expected to be a maximum of £400 over the same period.

Familiarisation costs

65. In addition to the installations costs, there will be some time costs to developers as they familiarise themselves with the new regulations. These costs include the time taken to read the regulations and to formulate a plan to respond to them. Whilst there is uncertainty around exactly how long it would take, it is considered the 'development' arm of the effected industries is significantly smaller than the number of staff identified as working within those industries. E.g. staff identified as working in the retail sector would include all workers employed, whereas the impact will be associated with the persons who develop/refurbish buildings in this sector. Using ASHE hourly wage data for 'Property, housing and estate managers' gives a rate of £22.35⁷. The cost per business is estimated at a single costs of 5 hours for 2 members of staff at a cost of £223.50 per business for both BNCFs and CPTs.

Non-monetised Impacts

Loss of floorspace

66. There will be an opportunity cost associated with using the space for a CPT (and possibly a BNCF) as opposed to other uses. The impact would be most significant for retail and other properties in areas with high value floorspace. Where the building use is within the Hotel / Pub / Leisure sector the building is not valued by reference to floor area (building value is linked to business turnover which is reflective of other factors) the effect will be depend on the profitability of the business not floor area loss. Counter to this point the provision of facilities may create an increase in visitor numbers/spend which would compensate for a loss in floorspace.

Access to facilities – removal of barriers and impact on quality of life

67. The benefits of providing these facilities are societal, and are concerned with the removal of barriers in line with the social model of disability and equality. Increasing provision will enable people to take part in everyday activities such as travel, shopping, family days out or attending a sporting event. The quality of life benefits are likely to be significant.

⁷<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/occupation4digitsoc2010ashtable14> ASHE table 14.6a, wage rates are uplifted by 30% to reflect overheads.

68. An additional benefit that has not been monetised is the benefit that may be generated through increased economic spend. This would be through increased visitor spend to both individual businesses that may now be visited as well as additional associated spend. As it is difficult to monetise the benefits, this has not been undertaken in this impact assessment.

Evidence Summary and preferred option

69. Based on an assessment of the evidence, the preferred option is to provide for CPT/BNCF in certain buildings. Although there is a recognised cost it is considered this is proportional to the building sizes proposed.
70. We would welcome your views on the data/assumptions used to underpin this analysis and/or have evidence to inform better analysis, then we would like to hear about it.

Question 14

Do you agree with the cost estimates?

If no, please explain what you consider an appropriate cost range and provide evidence to show why.

Question 15

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?

Question 16

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.

Next Steps

71. This consultation will close on 28 April 2021. Responses to this consultation will be analysed and a Welsh Government Response will follow.