

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
10 June 2014

**Subject:** **POLICY FOR THE PROVISION OF SANITARY ACCOMMODATION FOR THE PUBLIC**

**All Wards**

**Portfolio Holder for Environmental and Planning Services: Councillor B Phillips**

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### **1.0 PURPOSE AND BACKGROUND:**

1.1 To establish standards of sanitary accommodation provision in premises servicing food and drink to which the public resort.

### **2.0 BACKGROUND**

2.1 Sanitary accommodation needs to be made available at premises to which the public resort. This is in order to

- a) protect the health and welfare of the public;
- b) protect and enhance the environmental quality of the area; and
- c) to enhance the experience of both residents and visitors to the area.

Historically, the Environmental Health Service has applied various standards during scheduled inspections, in response to enquiries or complaints, when giving advice regarding new premises or during the planning consultation process.

2.2 Legislation exists that requires suitable and sufficient sanitary accommodation for staff under the Workplace (Health, Safety and Welfare) Regulations 1992. In most circumstances this provision can also be used by the public too if the accommodation is accessible.

2.3 Facilities for the public can be required by the Local Authority under section 20 of the Local Government (Miscellaneous Provisions) Act 1976. This may follow evidence of need or complaints from customers.

2.4 Different standards can apply to new premises, premises undergoing conversion or alteration or existing premises. Standards can be applied more rigorously when planning applications are made whereas standards may be more difficult to achieve in existing premises, especially where space or the type of construction and layout prevents a desirable solution. The standards set out in British Standard BS 6465-1 – Sanitary Accommodation are not always applicable, particularly in relation to small catering businesses.

2.5 Standards of temporary facilities should be applied to outdoor or temporary events according to a risk assessment of their needs. Chapter 18 of the Purple Guide to Health and Safety and Welfare at Music and Other Events, which deals with issues relating to welfare and sanitary provision for those attending an event, will be relied upon to determine the suitability and sufficiency of sanitary and welfare facilities for workers and for the audience

at outdoor events. The provision of welfare facilities for the audience has positive benefits in controlling health risks and contributing to audience wellbeing and behaviour.

- 2.6 Account needs to be taken of the nature of many small businesses in buildings which are not readily suitable for alteration or addition of sanitary accommodation or where asking for extra facilities may jeopardise the viability of the business.
- 2.7 Facilities for disabled people must be provided in new or altered premises under the provisions of the Equality Act 2010. These facilities are taken into account when determining the total provision. Facilities for the disabled should also be provided in other premises where this is reasonable or practicable.
- 2.8 Facilities for staff should, where possible, only be used by them, especially in premises where they are handling open food. This need not apply to small premises with less than 20 covers.
- 2.9 Standards will be applied consistently. If a business or developer feels they have a justified reason why they cannot comply with the standards outlined in this Policy, they can apply in writing to the Environmental Health Manager for a waiver. This should be done before planning or building control permission is gained and before any works are undertaken or the application may be refused. In these cases, and those mentioned in paragraph 6 above, written agreements with neighbouring businesses may be taken into account. However, in the event that a sharing agreement ends then alternative arrangements may be required.
- 2.10 Businesses providing sanitary accommodation for public use may be able to levy a reasonable charge for their use.

### **3.0 LINK TO COUNCIL PRIORITIES:**

3.1 This Policy supports the Council Priorities by:-

- Improving the performance and productivity of our services - by delivering high quality services through the implementation of reasonable standards in a transparent and consistent way.
- Ensuring the Planning Service supports the sustainable economic growth and development of the District – by setting clear and consistent standards for new development.

### **4.0 RISK ASSESSMENT:**

4.1 There are no significant risks associated with this Policy.

### **5.0 FINANCIAL IMPLICATIONS:**

5.1 There are no financial implications for the Council.

### **6.0 LEGAL IMPLICATIONS:**

6.1 The Local Authority has the power to require suitable and sufficient sanitary accommodation in premises to which the public can resort.

**7.0 RECOMMENDATION:**

7.1 That Cabinet approves and recommends to Council the Sanitary Accommodation Standards.

MICK JEWITT

**Background papers:** Local Government (Miscellaneous Provisions) Act 1976  
British Standard BS 6465-1 – Sanitary Accommodation Equality Act 2010  
The Purple Guide. Events Industry Forum. 2014

**Author ref:** PM

**Contact:** Philip Mepham  
Environmental Health Manager  
Direct Line No 01609 767037



HAMBLETON DISTRICT COUNCIL  
ENVIRONMENTAL HEALTH SERVICE

# SANITARY ACCOMMODATION STANDARDS

Date of Issue: July 2014

## Version Control

<i>Version No.</i>	<i>Amended by</i>	<i>Date</i>
1.0	Philip Mepham	2 <sup>nd</sup> April 2014

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### **1.0 Introduction & Background**

- 1.1. Sanitary accommodation needs to be made available at premises to which the public resort. This is in order to
  - a) protect the health and welfare of the public;
  - b) protect and enhance the environmental quality of the area; and
  - c) enhance the experience of both residents and visitors to the area.
- 1.2. Provisions exist in the Workplace (Health, Safety and Welfare) Regulations 1992 that require suitable and sufficient sanitary accommodation for staff. In many circumstances this provision can also be used by the public if the accommodation is accessible.
- 1.3. Facilities for the public can be required by the Local Authority under section 20 of the Local Government (Miscellaneous Provisions) Act 1976. This may follow evidence of need or complaints from customers.
- 1.4. Different standards can apply to new premises, premises undergoing conversion or alteration or existing premises. Standards can be applied more rigorously when planning applications are made whereas standards may be more difficult to achieve in existing premises, especially where space or the type of construction and layout

prevents a desirable solution. The standards set out in British Standard BS 6465-1 – Sanitary Accommodation are not always applicable, particularly in relation to small catering businesses or premises to which listed building consent or conservation area restrictions apply.

- 1.5. Standards of temporary facilities should be applied to outdoor or temporary events according to a risk assessment of their needs. Chapter 18 of the draft Purple Guide will be relied upon to determine the suitability and sufficiency of sanitary and welfare facilities for workers and for the audience at outdoor events. The provision of welfare facilities for the audience has positive benefits in controlling health risks and contributing to audience wellbeing and behaviour.
- 1.6. Account will be taken of the nature of many small businesses in buildings which are not readily suitable for alteration or addition of sanitary accommodation or where asking for extra facilities may jeopardise the viability of the business.
- 1.7. Facilities for staff should, where possible, only be used by them, especially in premises where they are handling open food. This need not apply to small premises with less than 20 covers.
- 1.8. Standards will be applied consistently. If a business or developer feels they have a justified reason why they cannot comply with the standards outlined in this Policy, they can apply in writing to the Environmental Health Manager for a waiver. This should be done before planning or building control permission is gained and before any works are undertaken or the application may be refused. In these cases, and those mentioned in paragraph 1.4 above, written agreements with neighbouring businesses may be taken into account. However, in the event that a sharing agreement ends then alternative arrangements may be required.
- 1.9. In the absence of more reliable information, it is assumed that 50% of customers are male and 50% female.
- 1.10. Occupancy of licensed premises should be calculated at the rate of 4 people per 3m<sup>2</sup> of Effective Drinking Area (EDA).
- 1.11. Where unisex toilets are provided, W.Cs should be in self-contained toilets with full height walls and doors.
- 1.12. Although BS6465-1:2006 contains standards for the provision of sanitary accommodation, it is considered excessive in relation to the standards required of small catering businesses.
- 1.13. Businesses providing sanitary accommodation for public use may be able to levy a reasonable charge for their use.

## 2.0 **Equality Act 2010**

- 2.1 Facilities for disabled people must be provided in new or altered premises under the provisions of the Equality Act 2010 and Building Regulations where reasonable and practicable. These facilities will be taken into account when determining the total provision. Facilities for the disabled should also be provided in other premises where this is reasonable and practicable.

- 2.2 The Equality Act 2010 applies to premises that supply goods or services by imposing a duty to make changes to overcome barriers created by the physical features of their premises.
- 2.3 Where a physical feature, including toilets and washing facilities, puts disabled people using a service at substantial disadvantage, the business must take reasonable steps to:-
- Remove the feature (this may not be an option if sanitary accommodation are required);
  - Alter it so that it no longer has that effect;
  - Provide a reasonable means of avoiding the feature; or
  - Provide a reasonable alternative method of making the service available to disabled people.
- 2.4 The facilities themselves also need to be readily accessible as well as being adequately set out internally. These two aspects may require the landlord's permission to alter rented premises. Planning and Building Control permission or consent may also be needed.
- 2.5 The business must be aware that disabled people are a diverse group with different requirements. Businesses are not expected to anticipate the needs of every individual who may use their premises. However businesses are required to think about and take reasonable steps to overcome features that may create a disadvantage for people with particular kinds of impairment e.g. mobility.

### Tables

<b>Table 1 – Restaurants, cafes, canteens and catering premises (non-liquor licensed premises) – less than 20 covers</b>		
Appliances	For male customers	For female customers
WC		1
Wash hand basin		1

<b>Table 2 – Restaurants, cafes, canteens and catering premises (non-liquor licensed premises) – 20 to 50 covers</b>		
Appliances	For male customers	For female customers
WC	1	1
Wash hand basin	1	1

<b>Table 3– Restaurants, cafes, canteens and catering premises (non-liquor licensed premises) – 50 - 100 covers</b>		
Appliances	For male customers	For female customers
WC	1	2
Urinal	1	
Wash hand basin	2	2

<b>Table 4 – Restaurants, cafes, canteens and catering premises (non-liquor licensed premises) – over 100 covers</b>		
Appliances	For male customers	For female customers
WC	1 per 100 up to 400 males plus 1 for every additional 250 (or part of 250) males	2 per 50 up to 200 females plus 1 for every additional 100 (or part of 100) females
Urinal	1 per 50 males	
Wash hand basin	1 per WC plus 1 per 5 (or part of 5) urinals	1 per WC
Cleaners sink	Adequate provision should be made for cleaning facilities including at least one cleaner's sink.	

<b>Table 5 – Buildings used for public entertainment or similar (non-liquor licensed premises)</b>		
In single screen cinemas, theatres, concert halls and similar premises without licensed bars		
Appliances	For male customers	For female customers
WC	1 for up to 250 males plus 1 for every additional 500 (or part of 500) males	2 for up to 40 females 3 for 41 to 70 females 4 for 71 to 100 females Plus 1 for every additional 40 (or part of 40) females
Urinal	2 for up to 100 males plus 1 for every additional 80 (or part of 80) males	
Wash hand basins	1 per WC plus 1 per 5 (or part of 5) urinals	1 plus 1 per 2 (or part of 2) WCs
Cleaners sink	Adequate provision should be made for cleaning facilities including at least one cleaners sink.	
Notes: Where buildings for public entertainment or similar have licensed bars, facilities should also be provided in accordance with table 6, based on the capacity of the bar		

<b>Table 6 – Public houses and Licensed Bars</b>		
Appliances	For male customers	For female customers
WC	1 for up to 150 males plus 1 for every additional 150 (or part of 150) males	1 for up to 12 females plus 1 for 13 to 30 females plus 1 for every additional 25 (or part of 25) females.
Urinal	2 for up to 75 males plus 1 for every additional 75 (or part of 75) males	
Wash hand basins	1 per WC and an additional 1 per 5 (or part of 5) urinals	1 per 2 WCs
Cleaners sink	Adequate provision should be made for cleaning facilities including at least one cleaners sink.	
Notes:	In public houses you may assume a ratio of 75% male customers to 25% female customers unless the proposed clientele is known to be different.	



<b>Table 7 – Place of work – for staff</b>			
Sanitary appliances for any group of staff			
Number of persons at work	Number of WCs	Number of wash hand basins	
1 to 5	1	1	
6 to 25	2	2	
26 to 50	3	3	
51 to 75	4	4	
76 to 100	5	5	
Above 100	One additional WC and washing station for every 25 (or part of 25) persons		
Alternative scale of provision of sanitary appliances for use by male staff only			
Number of males at work	Number of WCs	Number of urinals	Number of wash hand basins
1 to 15	1	1	1
16 to 30	2	1	2
31 to 45	2	2	2
46 to 60	3	2	3
61 to 75	3	3	3
76 to 90	4	3	4
91 to 100	4	4	4
Above 100	One additional WC for every 50 (or part of 50) males plus at least one additional urinal for every one extra WC.		
Note 1: You should also see the Workplace (Health, Safety and Welfare) Regulations 1992			
Note 2: Where work activities result in the heavy soiling of hands and forearms, wash hand basins should be provided for the staff as follows:			
a) One wash hand basin per 10 (or part of 10) people at work up to 50 people			
b) For more than 50 people, one additional wash hand basin for every further 20 (or part of 20) people.			
Note 3: Where sanitary conveniences provided for staff are also used by the public, the numbers given in table 7 should be increased by at least one for each sex so that staff can use the facilities without undue delay.			

<b>Table 8 – Hotels</b>			
Type of accommodation	Appliances/facilities	Number required	Remarks
Hotel with en-suite accommodation	En suite	1 per residential guest bedroom	Containing bath/shower, WC and wash hand basin
	Staff bathroom	1 per 9 residential staff	Containing bath/shower, WC and wash hand basin
	Bucket/cleaners sink	1 per 30 bedrooms	At least 1 on every floor
Hotels and guest houses without en-suite accommodation	WC Wash hand basin Bathroom	1 per 9 guests 1 per bedroom 1 per 9 guests	Containing bath/shower, WC and wash hand basin

	Bucket/cleaners sink	1 per floor	
Tourist hostels	WC	1 per 9 guests	Containing bath/shower, WC and wash hand basin
	Wash hand basin	1 per bedroom or 1 for every 9 guests in a dormitory	
	Bathroom	1 per 9 guests	
	Cleaner's sink	1 per floor	

**Table 9 – Residential homes and Nursing Homes for elderly people**

Type of accomm.	Appliances	Number recommended	Remarks
Residents	WC	1 per 4 persons	An adequate wash hand basin is also required
	Bath	1 per 10 persons	
	Wash hand basin	1 to each bedsitting room	
Staff	WC	At least 1 for staff	
	Wash hand basin	1	In WC compartment
Visitors	WC	1	
	Wash hand basin	1	In WC compartment
Kitchen	Sink	As appropriate	
Cleaners room	Cleaner's sink	1	In each cleaners room
Other	Bed pan cleaning/disposal	As appropriate	Service area

**Table 10 – Outdoor music and similar events**

For events with a gate opening time of 6 hours or more		For events with a gate opening time of less than 6 hours	
Male	Female	Male	Female
1 WC per 500 males plus 1 urinal per 150 males	1 WC per 100 females	1 WC per 600 males plus 1 urinal per 175 males	1 WC per 120 females
1 wash hand basin per 5 (or part of 5) WCs plus 1 per 5 (or part of 5) urinals		1 wash hand basin per 5 (or part of 5) WCs	

**Table 11 – Nursery Schools and Play Schools**

WCs	1 per 10 pupils (not less than 4)
Wash hand basins	1 per WC/urinal
Deep sink, bath or shower	1 per 40 pupils