

Scottish Property Federation Response to the Changing Places Toilets Building Standards Consultation

Introduction

1. The Scottish Property Federation (SPF) is the voice for the property industry in Scotland. We include among our members: property investors, including major institutional pension and life funds; developers; landlords of commercial and residential property; and professional property consultants and advisers.
2. Members of the SPF are committed to creating great places to live, work and enjoy. Ensuring these places are accessible to as many people as possible is important; we welcome, therefore, the Scottish Government's consultation on Changing Places Toilets.
3. We support the proposals to amend building standards regulations in Scotland to require the provision of Changing Places Toilets into the following buildings:
 - a shopping centre/mall with a gross floor area of 30,000 m² or more;
 - a single retail premises with a gross floor area of 10,000 m² or more;
 - a place of entertainment or place of assembly with a capacity of 2,000 persons or more;
 - a hospital;
 - a secondary school providing community facilities; or
 - a leisure centre or similar building containing a swimming pool.
4. We are also not opposed to the regulations applying to extensions and conversions, although there could be issues around practicality in certain situations.

Question 1

Do you support the proposal to introduce a requirement for Changing Places Toilets in certain buildings through building regulations?

5. The SPF supports the proposal to introduce a requirement for Changing Places Toilets in certain buildings. Indeed, many of our members have already embraced the existing good practice guidelines for enhanced sanitary provision, as set out in BS 8300. We feel that the building types proposed by the consultation are reasonable and proportionate.

Question 2

Do you agree with the proposed circumstances, listed in draft clause 3.12.3 within the consultation document, where a Changing Places Toilet should be provided on the construction, conversion or extension of a building?

6. The SPF agrees with the circumstances that would require the provision of a Changing Places Toilet, as listed in clause 3.12.3. The 25% increase in floor space for extensions is a reasonable threshold for the mandatory provision of a Changing Places Toilet. We feel, however, that it would be disproportionate to place this threshold any lower, as this could affect the viability of the extension.
7. The SPF supports the inclusion of building conversions as a trigger for requiring a Changing Places Toilet. However, we do have reservations that this may be challenging in particularly older, city centre buildings. This could have the potential to affect investment in such buildings, which are already extremely challenging, time-consuming and expensive to develop.

Question 3

Are there any other situations where you consider building work should trigger a requirement to provide a Changing Places Toilet?

8. Our members would be concerned if the current proposals were expanded to include other buildings not covered in the consultation. The Business and Regulatory Impact Assessment (BRIA) outlines the potential costs of installing a Changing Places Toilet as ranging between £41,000 and £56,100. This figure is based on 7-year-old research and could be significantly higher in some cases. This represents a significant investment and, as such, it would be disproportionate to expect smaller scale developments to incur such costs. Further, any expansion of the proposed regulations could make smaller scale developments unviable.
9. The BRIA does not consider the opportunity costs associated with the provision of Changing Places Toilets. The installation of a Changing Places Toilet requires the setting aside of a significant area of floorspace (minimum 3m by 4m), and this reduces the available space that can be used for other activities, such as retail. We appreciate that larger buildings may be able to accommodate the floorspace needed for a Changing Places Toilet. If the regulations were to be extended, however, to include smaller developments then this could severely impact the viability of such projects.
10. More broadly, there is also a strong case for the public sector to contribute to the provision of Changing Places Toilets in public spaces. This is particularly important in areas where there are fewer large shopping centres/malls, leisure centres, or other buildings that sit inside these proposed regulations. The SPF recognises that this falls outside the jurisdiction of building standards regulation, however, public sector investment is key to ensuring the holistic provision of Changing Places Toilets across Scotland.

Question 4

Please use this question to provide any other commentary or observations you have on the proposal to make provision for Changing Places Toilets through building regulations.

11. Further clarification is needed on the treatment of mixed-use premises, such as buildings that include retail space but for which retail is not the primary use.

Contact

12. The SPF welcomes the opportunity to respond to this consultation and would be pleased to discuss our views and comments at BSD's convenience. We are also happy for our comments to be shared with other public bodies.

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