

GUIDANCE NOTE

PROVISION OF TOILETS AT CAFES etc

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 Section 20

The Local Government (Miscellaneous Provisions) Act 1976 allows local authorities to require, if necessary by service of notice, the owner or occupier of a “relevant place” to provide toilets and washbasins for use by customers. The provision of hot and cold water, soap and hand drying facilities can also be required. The facilities should be available free of charge.

A “relevant place” includes places where food or drink is sold to members of the public for consumption at the premises.

The Act does not specify the numbers of appliances that can be required. However, there is a British Standard that provides guidance on the minimum provision of sanitary appliances for restaurants and other places where seating is provided for eating and drinking.

This is as follows:

Sanitary appliance	For male customers	For female customers
WC	2 for up to 150 males; Plus 1 for every additional 250 males or part thereof 2 for up to 50 males if urinals are not provided	2 for up to 30 females; Plus 1 for every additional 30 females up to 120, plus 1 for every additional 60 females or part thereof
Urinals	1 per 60 males or part thereof to 120 males; Plus 1 for every additional 100 males or part thereof	-
Wash basins	1 per WC, plus 1 per 5 urinals or part thereof	1 per WC

Because the above standard was considered to be too onerous, in November 2002 Burnley Borough Council adopted a policy of requiring a lesser standard for the provision of toilets at premises such as small cafes, coffee bars, tearooms and takeaways where seats are provided for customers to eat takeaway food on the premises.

The standard to be required is as follows:

No. Customers	WCs	Wash basins
1 - 25 customer seats	1 WC(Shared)	1 wash basin
25-50 customer seats	Male 1 WC Female 1 WC	1 wash basin
51+ customer seats	Use British Standard Guidance above	Use British Standard Guidance as above

It is acceptable for customers to share accommodation provided for staff if it is not practical to provide separate facilities.

If a situation is discovered where due to circumstances such as limited size of premises, situation or usage etc, the provision of accommodation to be required would be impractical or impossible a relaxation or exemption from the standard is permitted.

Any request for relaxation or exemption must be made by the proprietor in writing to the Environmental Health and Licensing Manager who will consider the request.

For premises subject to liquor or entertainment licensing refer to Building Surveyors for standards required by them.

For “new build” refer to Building Surveyors for information about Disabled Access facilities.

REFERENCES

1. Local Government (Miscellaneous Provisions) Act 1976 Section 20
2. Individual Decision by the Executive Member for Public Protection and Community Safety 13 November 2002.
3. **British Standard 6465-1:2006 + A1:2009 Sanitary installations – Part 1:** Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances.