

RECEIVED 29 DEC 2009



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Rt Hon Tessa Jowell MP  
House of Commons  
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24 DEC 2009

Thank you for your letter of 10 November to the Rt Hon John Denham MP, with regards to Changing Places toilets. As Minister responsible for the Building Regulations it has been passed to me to reply. I apologise for any delay in responding.

I have every sympathy for the challenges that your constituents face in accessing toilet accommodation better suited to their individual needs, and it is clear that Changing Places can make a significant difference to every day quality of life.

My department has already been active in promoting better public access to toilets. We published a Strategic Guide on public toilets in March last year - [www.communities.gov.uk/publications/localgovernment/publicaccesstoilets](http://www.communities.gov.uk/publications/localgovernment/publicaccesstoilets) - the first of its kind - and more detailed guidance on approaches like community toilet schemes in November - [www.communities.gov.uk/publications/localgovernment/guidancetoiletschemes](http://www.communities.gov.uk/publications/localgovernment/guidancetoiletschemes)

We have also committed to ensuring that Changing Places are considered for inclusion in the Building Regulations when Part M is next reviewed. We will be shortly commencing an evaluation of Part M, and if it is decided that updated guidance is necessary, this would come into place in 2013.

During the review process Changing Places facilities will be considered for inclusion alongside other measures in order to further improve the guidance in Part M, and ultimately there will be full public consultation on any new guidance which is proposed. Whilst it is premature to say whether Changing Places will be included or not – we are obliged to follow a rigorous process before deciding what new Regulation should be put in to place – I can assure your constituents that we will continue to look at this important matter closely.

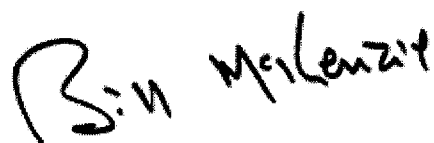
Indeed, my officials met with representatives of the Changing Places Consortium on 28 October to explain how the review process works and to discuss how we can best work together. I am confident that it will be a productive relationship.

That said, it is important to recognise the limitations of what the Building Regulations can achieve. The Regulations are not retrospective – they apply only to new ‘building work’ which is being carried out, typically the erection or extension of a building. The Building Regulations are also not universally applicable – for example they do not always apply to railway stations, ports and airports. As a result, inclusion within Building Regulations will not address all of the issues which the Changing Places Campaign has identified.

Your constituency members may also wish to raise this issue with the local authority. This can be done through a number of mechanisms, including through the local councillor, or the council's overview and scrutiny committee, which prioritises issues of local concern for review and can make reports and recommendations to the council's executive.

The Government, in its recent *Strengthening Local Democracy* consultation paper, set out proposals to build on this important role by broadening local authority scrutiny powers and extending them to a wider range of organisations, so that overview and scrutiny committees can better influence local decision making on behalf of local people. The Government intends to publish a response in Winter 2009.

I hope that this reassures your constituents that we are investigating what action needs to be taken on Changing Places toilets, and I would like to thank them and you for raising this important matter.

A handwritten signature in black ink that reads "Bill McKenzie". The signature is written in a cursive, slightly slanted style.

**BILL MCKENZIE**