



# Public Health (Wales) Act 2017

2017 anaw 2

## PART 8

### PROVISION OF TOILETS

#### *Local authority power to provide public toilets*

#### **116 Local authority power to provide public toilets**

- (1) A local authority may provide toilets in its area for use by the public.
- (2) A local authority must have regard to the relevant local toilets strategy when determining—
  - (a) whether to provide toilets under subsection (1), and
  - (b) the types of toilets to be provided.
- (3) For the purposes of subsection (2), the relevant local toilets strategy is—
  - (a) in the case of a county or county borough council (“a principal council”), the local toilets strategy most recently published under section 113 by that council, and
  - (b) in the case of a community council, the local toilets strategy most recently published under section 113 by the principal council of the area in which the community council is situated.
- (4) A local authority may not provide toilets under subsection (1) on or under land adjoining, or in the vicinity of, a highway or proposed highway unless—
  - (a) the local authority is (or in the case of a proposed highway, will be) the highway authority for that highway, or
  - (b) the local authority has obtained the consent of the highway authority for that highway, or (in the case of a proposed highway) of the authority that will be the highway authority for that highway, to provide such toilets.
- (5) A local authority that provides toilets under this section may charge fees for the use of those toilets.

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*Status: This is the original version (as it was originally enacted).*

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(6) In this section—

“highway” (“*priffordd*”) has the meaning given by section 113(9);

“local authority” (“*awdurdod lleol*”) includes a community council.