

## Crawley Borough Council

### Council-owned Neighbourhood Parades Scrutiny Panel

Agenda for the **Council-owned Neighbourhood Parades Scrutiny Panel** which will be held **virtually - Microsoft Teams Live**, on **Tuesday, 2 February 2021 at 6.30 pm**

Nightline Telephone No. 07881 500 227

A handwritten signature in black ink, appearing to read 'A. Lanzer'.

**Chief Executive**

Membership:  
Councillors

R A Lanzer (Chair), M L Ayling, T Lunnon, M Mwangale and D M Peck

**Please note:** in accordance with Regulations in response to the COVID-19 Public Health Emergency, from April 2020 committee meetings will be held virtually via online video conferencing with committee members in remote attendance only. Any member of the public or press may observe a committee meeting (except where exempt information is to be discussed) via a link published on the Council's website at least 24 hours before the scheduled start time. Please note that there will be no public questions at meetings of the scrutiny panel.

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The order of business may change at the Chair's discretion

## Part A Business (Open to the Public)

	Pages
<b>1. Apologies for Absence</b>	
<b>2. Disclosures of Interest &amp; Whipping Declarations</b>	
<p>In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.</p> <p>Councillors must also declare if they are subject to their party group whip in relation to any items under consideration.</p>	
<b>3. Minutes</b>	5 - 8
<p>To approve as a correct record the minutes of the meeting of the Council-owned Neighbourhood Parades Scrutiny Panel held on 8 December 2020.</p>	
<b>4. Background Information: Reviews by other Local Authorities</b>	9 - 108
<p>As per the Panel's request for comparisons to other local authorities, information is attached regarding neighbourhood parade reviews conducted by:</p> <ul style="list-style-type: none"><li>• Slough Borough Council</li><li>• Knowsley Borough Council.</li></ul> <p>The Panel is asked to note the final reports of these reviews and the resulting policies.</p>	
<b>5. Witness Sessions</b>	
<p>The Panel has invited the following witnesses to attend the meeting to help inform the review.</p> <p>Crawley Borough Council's Community Services Manager Paula Doherty to present information on crime and safety at and around Crawley's neighbourhood parades.</p> <p>Councillor Peter Smith, Cabinet member for Planning and Economic Development, to discuss the operation of the neighbourhood parades and provide relevant information for the Panel's consideration.</p> <p>Whilst these individuals are anticipated to speak at the meeting, this may change subject to availability and at the discretion of the Chair.</p>	

Further witnesses may be called in addition to, or instead of, those listed above.

**6. Public Consultation Arrangements**

As part of the scoping framework, the Panel agreed to set up a public consultation with Crawley residents. The consultation will aim to gather views on a range of matters related to the operation of the Council-owned neighbourhood parades.

The Panel is asked to agree details of the consultation, such as the timeframe and the questions to be asked.

**7. General Updates and Information**

To receive any relevant updates and information from Panel members and officers.

**8. Supplemental Agenda**

Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.

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# Agenda Item 3

Council-Owned Neighbourhood Parades Scrutiny Panel (1)  
8 December 2020

Crawley Borough Council

## Minutes of Council-Owned Neighbourhood Parades Scrutiny Panel

Tuesday, 8 December 2020 at 6.30 pm

### Councillors Present:

R A Lanzer (Chair)

M L Ayling, T Lunnon and D M Peck

### Officers Present:

Sue Bader                                      Asset Manager

Heather Girling                                Democratic Services Officer

Karen Hayes                                    Head of Corporate Finance

Jess Tamplin                                    Democratic Services Support Officer

### Announcements

Councillor Guidera had decided that, due to his involvement and associations with Tilgate parade, he had a prejudicial conflicting interest in becoming a member of the Panel. He had decided to step down and there was therefore a vacant seat on the Panel. The vacancy would be filled before the next meeting.

### **1. Disclosures of Interest & Whipping Declarations**

No disclosures of interest or whipping declarations were made.

### **2. Introduction to the Review: Setting the Scoping Framework and Timescales**

The Chair gave an introduction to the review and summarised the information set out in the draft scoping framework. It was explained that the Panel would explore how effectively the Council's policies (namely the Property Strategy, 2004) support the 11 neighbourhood parades to meet their objectives of being both community assets to local residents and property assets to the Council. The Chair clarified that the Panel was not limited to the evaluation of rental rates, but had a wide scope which may include evaluation of such matters as:

- The various types of units/usages of shops on the parades
- The public footfall – and how this can be maintained or increased
- The current maintenance agreement between tenants and the Council
- The effects of the Coronavirus pandemic on the parade shops.

Panel members gave their thanks to the officers involved in compiling a detailed and thorough report ([FIN/499](#)) regarding the parades, which had been considered by the

# Agenda Item 3

Council-Owned Neighbourhood Parades Scrutiny Panel (2)  
8 December 2020

Overview and Scrutiny Commission in June 2020. It was agreed that the report would assist the Panel's considerations and provided substantial background information.

The Panel expressed support for the notion of the parades being community assets, and discussed the need to ensure they continue to be meeting places for local people and to facilitate successful local businesses.

The Chair suggested, with agreement from Panel members, that a broad consultation should occur with local people via web surveys and the usage of community noticeboards. As part of the consultation process it was agreed that a witness session would be arranged with a relevant officer or councillor from a Council with a similar 'new town' nature and neighbourhood structure to Crawley. This would give an insight to neighbourhood parade strategies and objectives elsewhere. A further witness session was agreed with members of Crawley Borough Council's Community Services team to provide information on the public perception that there were crime and safety concerns at the parades. It was also suggested that Sussex Police could be consulted regarding this.

Officers answered a query regarding vacant units on the parades throughout Crawley, of which there were currently three (two of which were under offer, and the third was undergoing essential maintenance works). It was explained that interest in rental of the units was high and that usually the duration for which a unit was empty was due to the unit undergoing repairs.

Following a question from a Panel member regarding the rate of rent arrears, the Asset Manager noted that arrears were relatively high and had been exacerbated due to the effects of the Coronavirus pandemic. It was heard that payment plans were in place to recover arrears and tenants were working with the Council to assist with this. The Panel agreed that its considerations should also have regard to the financial position of the Council in the context of the Coronavirus pandemic.

Officers gave details of Government business grants which were currently available for certain businesses, which may include those on the parades. Information was available on the Council's website and it was agreed that councillors would be contacted immediately to distribute this information to ward residents.

A recorded vote was taken to agree the scoping framework (as amended) in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For:

Councillors Ayling, Lanzer, Lunnon, and Peck (4).

Against:

None.

Abstentions:

None.

## **RESOLVED**

That the scoping framework be agreed (subject to amendments to incorporate the above suggestions).

# Agenda Item 3

Council-Owned Neighbourhood Parades Scrutiny Panel (3)  
8 December 2020

## **3. Dates of Future Meetings**

With the scoping framework agreed, Panel members considered it appropriate to agree the dates of the next two meetings of the Panel. The dates were confirmed as:

Tuesday 2 February 2021 at 6:30pm,  
Thursday 11 March 2021 at 6:30pm.

It was agreed that the Panel would agree the dates of any further meetings at its meeting on 11 March.

## **Closure of Meeting**

With the business of the Council-Owned Neighbourhood Parades Scrutiny Panel concluded, the Chair declared the meeting closed at 7.04 pm

**R A Lanzer (Chair)**

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# Agenda Item 4

The following documents are attached in relation to agenda item 4:

- Appendix A: Slough Borough Council report and policy, 2009
- Appendix B: Knowsley Borough Council report, 2011
- Appendix C: Knowsley Borough Council policy, 2012

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# **SLOUGH BOROUGH COUNCIL**

## **REVIEW OF NEIGHBOURHOOD SHOPS POLICY**

**JANUARY 2009**

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## APPENDICES

### Appendix 1

Catchment Area Demographic Analysis

This Report has been prepared by:

The Research & Forecasting Department  
Colliers CRE  
9 Marylebone Lane  
London W1U 1HL

Contact: Sarah Banfield  
Tel: 020 7344 6513

## OBJECTIVE AND SCOPE OF THE REPORT

Slough Borough Council has expressed the intention to revise its Neighbourhood Shops Policy following concerns regarding the inflexibility of the current policy which was adopted in December 2002.

The objective of this independent research report is to review the current Neighbourhood Shops Policy and to provide recommendations and an evidence base to support modification of the existing policy. The report focuses on the following:

- The Sustainable Communities Agenda and the need to ensure that local resources meet the needs of local communities.
- The current and medium term economic climate – both nationally and in the Borough of Slough.
- The key issues with the existing policy as experienced by Colliers CRE in letting and managing the shops portfolio on behalf of People 1<sup>st</sup>.
- The current demographics of the catchment areas of the shops portfolio and changes since the adoption of the original Neighbourhood Shops Policy.
- The right balance between retail shops and A3 uses and how this could be achieved through policy.

We are confident that this report will assist the Council in revising its Neighbourhood Shops Policy.

## EXECUTIVE SUMMARY

Neighbourhood shops continue to play an important role in local communities by providing day to day convenience goods and services and are an essential element in creating a 'sustainable community' as they minimise the need to travel. The protection of local shops is vital as they offer accessible shopping facilities for all local residents and in particular the elderly, disadvantaged and less mobile groups in the community. Black and ethnic minority businesses are also often found in neighbourhood centres because of historic and economic factors. These businesses are an important source for providing goods and services to the black and ethnic minority community and also to the wider community.

Neighbourhood retailing sales, which include local shops and parades, have grown significantly in the UK over the past five years, outperforming town centres. This is a result of consumers becoming more time pressed leading to an increasing trend for convenience top up shopping. In recent years, however, the larger food store operators have entered the neighbourhood market and have put many smaller independent retailers under pressure. This is particularly pertinent in the current economic climate which is hitting all retailers hard, but especially small local traders, many of which are struggling to survive.

Slough Borough Council's current Neighbourhood Shops Policy is very restrictive with regard to change of use and will not generally allow an A1 shop to convert to A2 or A3/A4/A5 use. From Colliers CRE's experience of managing the Council's neighbourhood shops portfolio, it is apparent that, in a number of cases, despite significant attempts to find a prospective A1 tenant that is deemed 'acceptable' for an available unit, there has been limited interest and units are being left vacant for a considerable length of time.

Retail and consumer trends have changed since the policy was originally adopted in 2002 and we believe that the list of 'acceptable neighbourhood uses' does not reflect the current needs of the people living and working in the catchment areas of Slough's local shops and parades and is, therefore, in need of modification. Furthermore, despite the role of neighbourhood shops as providing convenience 'top up' goods and essential services, many of the uses on the current list are defined as comparison goods. Whilst there is indeed scope for some comparison goods retailers, the basic purpose of the neighbourhood shops should not be compromised.

It is our view that an acceptable distance to walk to local shops is 500 metres and, in order to ascertain the needs of those in the catchment area, we recommend that a resident survey is conducted once every five years as a minimum. The results can then form the basis of the revised 'acceptable neighbourhood uses' guide, which should be divided into 'essential' and 'desirable' goods and services.

When assessing a potential tenant for a vacant unit, preference should be given to those uses which are considered essential; however, consideration should then be given to non-essential A1 uses for which there is recognisable local demand. Following an acceptable period of marketing, applications for change of use will then be considered, taking into account the length of vacancy, the accessibility of the parade and the amount of non-A1 use or non essential/desirable uses existing in the parade. For those parades that have a road frontage we would suggest a maximum of 50% of non-A1 use or non essential/desirable uses for small parades (up to and including 6 units) and 60% for medium sized parades (7 to 10 units). Larger defined neighbourhood centres will have a higher shopping function so the need to protect A1 uses is greater. Therefore, we recommend a maximum of 30% non-A1 use or non essential/desirable uses on these parades; however a more flexible approach can be taken on competing uses in these locations if it is judged that the tenants can both survive jointly and trade successfully.

The Council's neighbourhood shops portfolio should be flexibly managed with early identification of tenants who are experiencing problems. For essential 'anchor' tenants the Council could consider greater flexibility in terms of the timing of rental payments, although this must be supported by clear evidence of financial hardship. This may also be appropriate for other tenants in exceptional circumstances, such as the difficult economic climate affecting the UK retail market at present. We advocate carrying out a tenant survey every two years as a minimum to establish their views regarding rental levels, trading issues, tenant mix, general facilities etc.

In recent years, difficulty has been experienced in attracting key tenants to vacant units and the introduction of an incentive scheme should be considered for specific uses that have been identified as benefiting the local community. This may include a rent free or reduced rent period at the beginning of a lease term or an upfront cash payment.

## 1. BACKGROUND CONTEXT

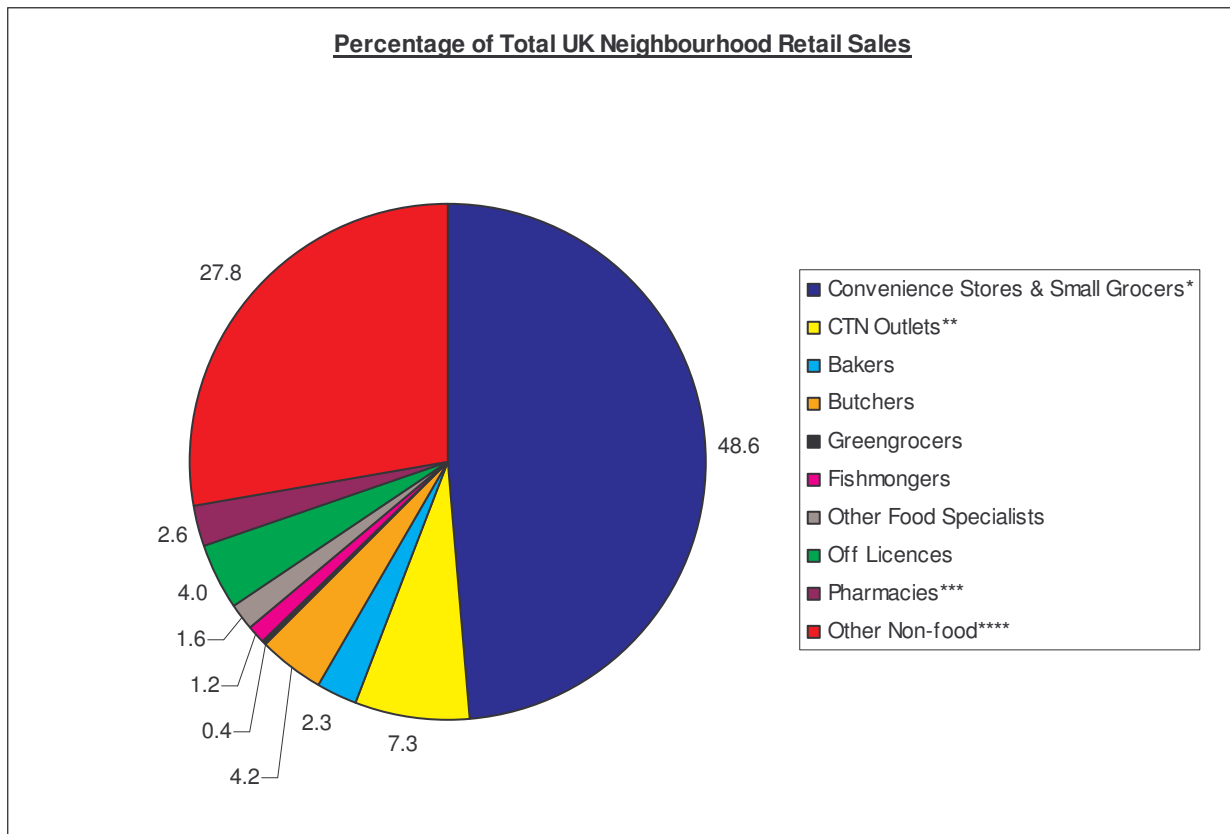
### Neighbourhood Retailing in the UK

- 1.1 According to Verdict, in 2007 sales in the UK neighbourhood retail market, which includes local shops and parades, totalled £45.9 billion – up from £41.1 billion in 2002 and representing growth of 11.7%. Although this level of sales growth was considerably lower than the out-of-town market, which grew by 21.9% over the same five year period, and non-store retailing (57.7%), it was a better performance than that achieved by town centres, which experienced sales growth of only 7.8%.
- 1.2 The driver of sales growth in the neighbourhood retail market has been food, which accounts for almost 60% of sales in the market. In today's market consumers are increasingly time pressed and this has led to trends towards convenient top-up shopping. Both Tesco and Sainsbury's have moved into the neighbourhood retail market over the past five years to exploit this trend which has provided a challenge for independent retailers and small chains to compete. As a result many independents are rushing to join symbol groups in order to raise standards and create an identifiable brand and symbol groups are, in turn, competing aggressively for new members.
- 1.3 Rapid growth of out-of-town grocery retailers, boosted by the popularity of one-stop shops and the customer-focused approach to retailing, has put a lot of pressure on smaller neighbourhood retailers over the past decade. This has also been exacerbated by the growth in non-food retailing in supermarkets, which has affected non-food neighbourhood retailers who often specialise in one sector. This has caused many independent neighbourhood retailers – food specialists, general food stores and other non-food specialists – to close down.
- 1.4 Verdict reports that in 2007 total neighbourhood retail floorspace in the UK (including local shops/parades) stood at 82.3 million sq ft, down from 85.1 million sq ft five years previous, equating to a fall of -8.6%. The total number of stores in the neighbourhood retail market also decreased, falling from 112,752 in 2002 to 103,106 in 2007.



1.5 In 2007, convenience store retailing accounted for 48.6% of the neighbourhood retail market. Food specialists (butchers, bakers, greengrocers, fishmongers etc) had a 9.7% share, CTNs (confectionery, tobacconist & newsagent) 7.3%, off licences 4.0% and pharmacies 2.6%, leaving other non-food retailers with 27.8% (see **figure 1.1**).

**Figure 1.1:**



Source: Verdict Research 'UK Neighbourhood Retailing 2008'

(\*includes small supermarkets; \*\*includes book specialists; \*\*\*includes health & beauty specialists, but excludes NHS prescription income; \*\*\*\*other non-food retailers include those selling DIY, clothing & footwear, furniture & floor coverings, electricals, second hand goods, photographic & optical goods)

1.6 It is estimated that the neighbourhood retail market will continue to outperform the town centre between 2007 and 2012, though the margin will be far smaller than previously experienced. Growth in sales in the neighbourhood market is expected to slow to 6.8% due to the limited opportunity for leading players to make further acquisitions and boost

productivity of existing space on a large scale. This compares to estimated sales growth of 6.1% for town centres (source: Verdict Research 'UK Neighbourhood Retailing 2008').

### Neighbourhood Retailing in the Borough of Slough

- 1.7 The current Neighbourhood Shops Policy for the Borough of Slough was adopted in December 2002 and covers all neighbourhood and local shops owned by the Council. Slough Borough Council supports the retention of local parades and the policy seeks to encourage uses which meet the needs of local people.
- 1.8 The neighbourhood and local shops owned by the Council are listed in **Figure 1.2** below:

**Figure 1.2 – Breakdown of Slough Borough Council’s Neighbourhood Shops Portfolio**

Address	No of Units	Ward
9-14 Anslow Place	6	Haymill
51-55 Cheviot Road	3	Foxborough
5-13 Harrison Way	5	Cippenham
74-104 Knolton Way	8	Wexham Lea
279 Long Furlong Drive	1	Britwell
9 Minster Way	1	Langley St. Mary’s
14-24 Parlaunt Road	6	Foxborough
84 St Andrews Way	1	Cippenham
252-254 Scaffell Road	2	Haymill
2-12 Stoney Meade	4	Chalvey
228-260 Trelawney Avenue	17	Kederminster
296-308 Trelawney Avenue	7	Kederminster
45-97 Wentworth Avenue	27	Britwell
	<b>88</b>	

*Source: Slough Borough Council*

- 1.9 People 1<sup>st</sup> (Slough) is responsible for managing these shops on behalf of the Council and in April 2007 instructed Colliers CRE to provide estate management and valuation services in respect of the shops portfolio.
- 1.10 The role of Colliers CRE includes being responsible for marketing any vacant units and dealing with assignments, subletting and change of use. When conducting these duties, Colliers CRE must refer to the Neighbourhood Shops Policy and advise People 1<sup>st</sup> on whether a prospective tenant meets the guidelines outlined in the policy.
- 1.11 In reviewing the Neighbourhood Shops Policy, consideration must be given to the Council's 'Key Priorities' which include:
1. Creating safe, environmentally friendly and sustainable neighbourhoods;
    - Deliver cleaner and safer neighbourhoods.
    - Adopt a green and sustainable approach to managing and developing the environment.
  2. Improving lives for those in need and creating thriving communities;
    - Focus on vulnerable people and those living in poverty.
  3. Ensuring excellence in customer services;
    - Deliver excellent customer focused services in an excellent customer environment.

## 2. SUSTAINABLE COMMUNITIES

- 2.1 The Communities Plan (Sustainable Communities: Building for the Future) was launched by the Government in February 2003 and sets out a long term programme of action for delivering sustainable communities in both urban and rural areas. The aim is to raise the quality of life in communities through increasing prosperity, reducing inequalities, more employment, better public services, better health and education and tackling crime and anti-social behaviour.
- 2.2 Sustainable Communities should 'meet the needs of existing and future generations' and some key requirements are:
- A flourishing local economy to provide jobs and wealth;
  - Effective engagement and participation by local people, groups and businesses, especially in the planning, design and long term stewardship of their community, and an active voluntary and community sector;
  - Sufficient size, scale and density, and the right layout to support basic amenities in the neighbourhood and minimise use of resources (including land);
  - Good public transport and other transport infrastructure both within the community and linking it to urban, rural and regional centres;
  - Good quality local public services, including education and training opportunities, healthcare and community facilities, especially for leisure.
- 2.3 Local Authorities are seen as having a critical role in achieving sustainable communities, working alongside Central Government. A set of shared priorities were agreed as a common focus, which were then transferred into a 'Community Strategy' involving Local Strategic Partnerships and Local Area Agreements.

### Social Objectives

- 2.4 An important element is to actively engage people to help shape their own sustainable community. With regard to neighbourhood shopping parades, it is, therefore, considered

necessary to ascertain the views of the local residents as to what they would like to see in parades and which uses they consider to be essential and those which are desirable.

- 2.5 One of the objectives of a Sustainable Community is to improve the quality of life of older people and local shopping parades are an essential feature in meeting their needs. Many elderly people are unable to travel very far and are reliant on public transport and shops located in their neighbourhood are, therefore, invaluable in providing day to day goods and services. This is also the case for those groups in the community who are disabled or disadvantaged.

### **Economic Objectives**

- 2.6 Promoting the economic vitality of localities plays a vital part in the Sustainable Communities Agenda. Local Authorities are required to encourage and support local businesses and employment opportunities and to create an environment where trade will be successful. Local shopping parades provide an outlet for local businesses to operate but they must be managed effectively by the Council in order to maintain their vitality and viability.

### **Environmental Objectives**

- 2.7 The environmental aim of Sustainable Communities is to reduce reliance on car travel and promote forms of transport which reduce emissions, such as public transport, walking and cycling. By providing day to day essential goods and services within a reasonable distance of people's houses, this encourages a healthier lifestyle and negates the need for people to travel outside of the local neighbourhood.

### 3. THE CURRENT NEIGHBOURHOOD SHOPS POLICY

- 3.1 The Neighbourhood Shops Policy was created to provide all stakeholders with a clear indication as to what the Council hopes to achieve from retaining the local shops and parades. It is imperative that these shops meet the needs of the local community in order to maintain their vitality and viability.
- 3.2 For a parade/shop to be successful there needs to be sufficient demand for the product/service from the local community and the policy states that '*The Council will find ways for local people to express their views as to what they would like to see in parades*' (Paragraph 3.2) and '*The Council will give preference to uses which demonstrably meet local needs and/or create employment opportunities.*' (Paragraph 3.3).
- 3.3 Secondly, the Council recognises the need to create strong local businesses which are commercially viable; particularly as the parades produce a valuable source of income which funds the Council's housing services (Paragraph 3.4).
- 3.4 A fundamental element of ensuring that the neighbourhood shops/parades are a success is creating a good 'tenant mix'. This is a key consideration when looking at changes of use and the existing Neighbourhood Shops Policy states:
- In parades where there are existing A3 uses (restaurant/hot food takeaway) uses, the Council as landlord will not generally allow a shop to change its use to Class A3 (restaurant/hot food takeaway). When considering any applications due consideration will be given to 3.3 above, as well as other estate management issues such as the vitality of the parade and cross-trading (i.e. duplication of trades and competition issues).
  - Change of use to A2 (financial services) will only be considered if it does not have a detrimental affect on the remainder of the parade.
  - Changes of use to community use will be considered on its merits and local circumstances.
  - Uses which compete with existing trades in a parade will generally not be considered.

- 3.5 To assist in identifying acceptable uses the Council compiled a guide of uses that are considered to be ‘neighbourhood uses’ (see **Figure 2.1** below).

**Figure 2.1: Neighbourhood Shops/Parades – Acceptable Uses**

Art Shop	Furniture Shop
Baker	Gift/Card Shop
Beauty Salon	Greengrocer
Bookmakers	Hairdresser
Butchers (including Halal butchers)	Health Food Shop
Car Accessories	Ironmongers/Hardware Shop
Carpet Shop	Launderette/Dry Cleaners
Chemist	Locksmiths
Children’s Clothing/Baby Shop	Off-licence
Chiropodist	Opticians
Clothing	Medical Clinic
Computer Shop	Music/Record Shop
Confectioner/Tobacconist/Newsagent	Pet Shop
Cycle Shop	Sports Shop
Dental Clinic	Toy Shop
Doctors Surgery	TV Rental Shop
DIY	Shoe Repairs
Electrical Shop	Post Office
Fishmongers	Charity Shop
Florist	Small Supermarket

*Source: Slough Borough Council*

- 3.5 With regard to Slough Borough Council’s planning policy, policy S2 of the adopted Local Plan - Protection of Small Shops/Parades’ - was directly applicable to neighbourhood, local parades and other smaller centres. This policy was, however, not saved when a review took place in September 2007.

- 3.6 Policy S1 – Retail Hierarchy – reveals that of the units owned by the Council, the following fall within defined centres:
- Trelawney Avenue – Neighbourhood Centre
  - Wentworth Avenue – Neighbourhood Centre
  - Parlaunt Road – Local Centre
  - Harrison Way – Local Centre
  - Knolton Way – Local Centre
- 3.7 The Council's previous approach (Policy S2) was to resist the loss of locally important shops. This was not in conflict with the estates management policy (as outlined in paragraphs 3.1 to 3.5 above).
- 3.8 The proposed Slough Local Development Framework Core Strategy 2006-2026 states that *'all of the existing neighbourhood and local shopping parades will be encouraged to improve the environment and facilities that they provide so that they can adapt to meet the diverse needs of the local population.'*



## 4. THE CURRENT NEIGHBOURHOOD SHOPS PORTFOLIO

### Location

- 4.1 The Neighbourhood Shops Portfolio owned by Slough Borough Council consists of 88 shops divided between 11 different locations – nine parades and two stand alone units (we have included 84 St Andrew's Way in the Harrison Way parade). These are shown in **Figure 7.1** following page 18.

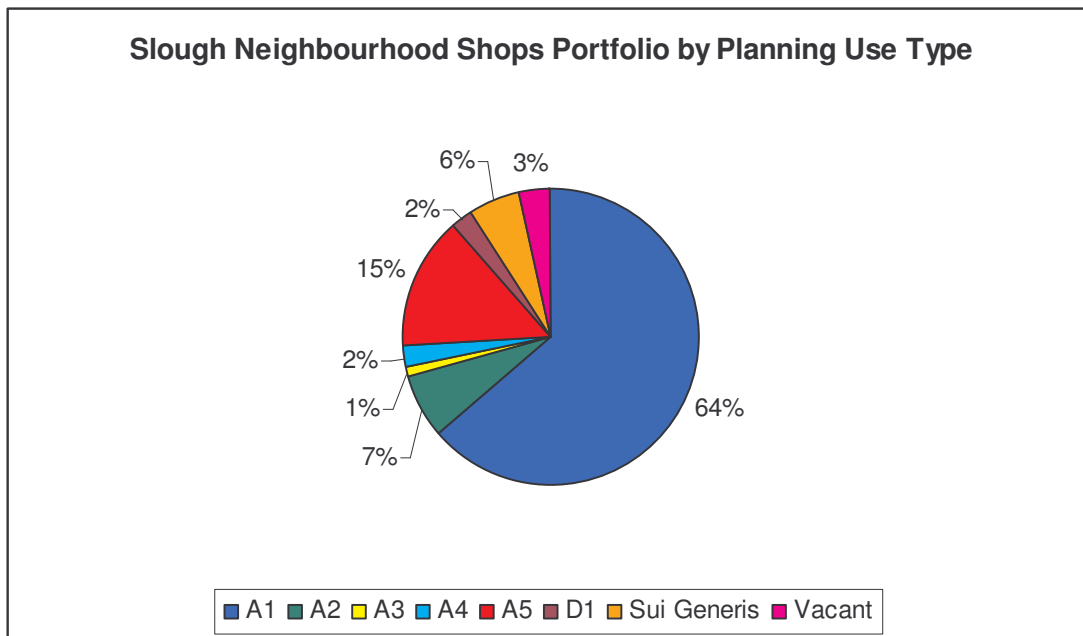
### Role and Function of the Neighbourhood Shops

- 4.2 Neighbourhood shops and parades play an important role in the shopping hierarchy. They cater almost exclusively for local neighbourhoods and tend to serve quite a limited catchment area.
- 4.3 Verdict states that *'neighbourhood stores provide convenient sites for top-up, meal solution and distress purchases. Consequently, retailers in the neighbourhood are less subject to comparison shopping than those elsewhere, which is an important distinction between this channel and the town centre. The comparatively small average store size and high number of independent stores are distinctive features.'*
- 4.4 One of the main purposes of local shops and parades is to ensure that all members of the community have access to basic amenities. This includes those who are disadvantaged, elderly or disabled and do not have access to a car and/or cannot travel long distances.
- 4.5 Neighbourhood shops provide significant economic, social and environmental benefits as they are able to meet the various shopping needs of residents and visitors in the most sustainable way. The need to travel is reduced and opportunities for walking, cycling and using public transport are increased.

## Uses

4.5 **Figure 4.1** shows that of the 88 neighbourhood shops owned by Slough Borough Council, 56 units are in A1 use, equating to 64%. A5 (hot food takeaway) accounts for 15% (13 units) of the portfolio, followed by A2 which has a 7% share. Only 3% of the total number of neighbourhood shop units owned by the Council are currently vacant.

**Figure 4.1:**



Source: Slough Borough Council

### Guide to Use Classes Order

A1 Shops – Hairdressers, undertakers, travel agencies, post offices, dry cleaners, internet cafes etc.

A2 Financial & Professional Services – Banks, building societies, estate & employment agencies, professional financial services, betting offices.

A3 Restaurants & Cafes

A4 Drinking Establishments – Public houses and bars

A5 Hot Food Takeaways

D1 Non-residential Institutions – Places of worship, health centres, crèches, museums, libraries etc.

Sui Generis – Any use not falling within a specific class category e.g. launderette, taxi company.

## 5. THE CURRENT AND MEDIUM TERM ECONOMIC OUTLOOK

### National

- 5.1 The UK economy contracted by 0.5% q/q in the third quarter of 2008 and is now in recession in all but name. Economic forecasters are expecting growth in the fourth quarter to fall by as much as 1.0% q/q. This fall will be driven by weaker consumer spending as uncertainty over future incomes increases. Claimant count unemployment is rising sharply and we believe it will reach 1.15 million by the end of 2008, before climbing to a 13 year high of 1.90 million during 2009. An easing in oil prices and industrial capacity pressures caused CPI (Consumer Price Index) inflation to fall from 5.2% to 4.2% in the last two months.
- 5.2 Fears over high inflation have now given way to fears of something far worse; a period of prolonged price deflation. In November and December, the Bank of England took strong action to arrest the economic decline by cutting interest rates by 150 basis points and 100 basis points respectively. The Bank of England is likely to continue to respond aggressively with significant interest rate cuts, possibly reducing base rates as low as the 0.00-0.25% range seen in the US by late spring. It is hoped that this may revitalise the housing market and improve flailing consumer confidence. This is unlikely to prevent CPI inflation falling well below target and possibly even turning negative as food and fuel prices decline. Meanwhile, RPI is now expected to fall as low as -2.0% in late 2009 as the effect of falling mortgage repayments enters calculations. Assuming fiscal policy does not deviate significantly from the Pre-Budget Report announcement and Bank of England policy does not extend far beyond cutting interest rates, the prospects for the UK in 2009 are grim. Consensus December forecasts indicate GDP growth of -1.7%, but the risks to this forecast must surely be weighted to the downside.
- 5.3 Growth forecasts for 2010 have also been downgraded recently, with some commentators expecting negative growth for the first half of the year. We see some merit in this argument but would tend to remain in line with consensus, expecting some form of recovery by the second quarter of 2010. GDP growth for 2010 is, therefore, forecast to be

in the range of 1.0-1.5%. We anticipate that by this time there will be something resembling a 'normal' lending market, both to consumers and businesses. The start of a new credit cycle will be vital to getting the UK economy back on track, although it is hoped that the Bank of England and other financial regulators will ensure the cycle is better managed this time around. Medium-term forecasts suggest that GDP growth will return to historical trend rates of 2.3%-2.6% by 2011.

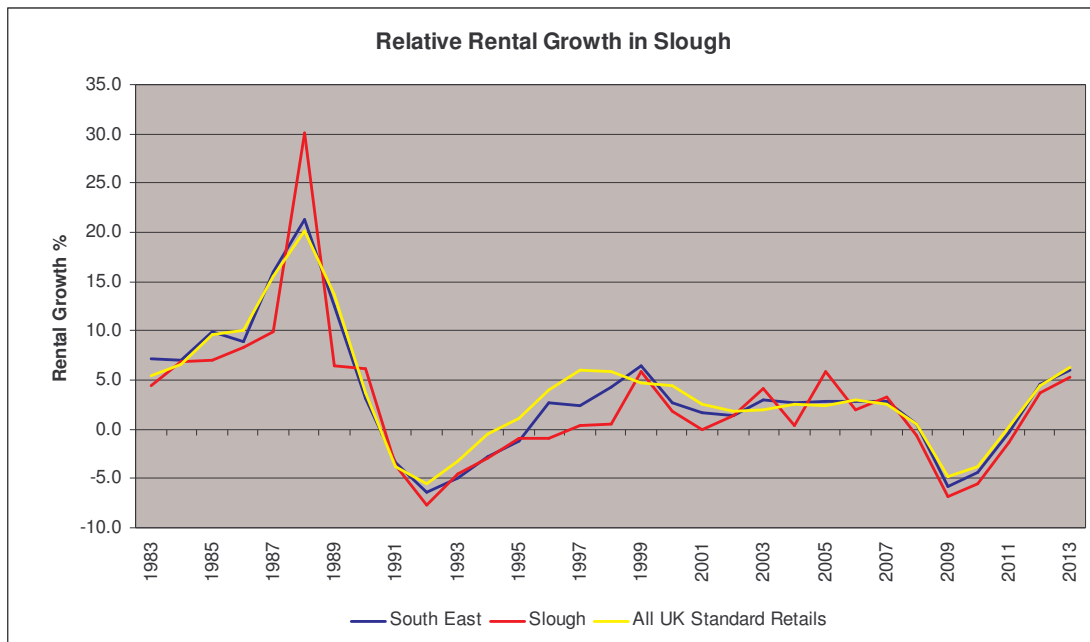
### **The Borough of Slough**

- 5.4 The local economy comprises 4,600 enterprises, accounting for a total of 77,000 jobs and producing annual output of £2.5 billion. Of this, £700 million stems from the manufacturing sector, which itself accounts for 9,000 jobs. Close to 50% of the Slough workforce commutes into the town on a daily basis. This large proportion may be explained by a skills deficit within the borough. In fact, whilst job-based salaries in Slough were £552 above the South East and national average, salaries of Slough residents were £402 below the UK median. Nevertheless, unemployment in Slough is below the national average and the Thames Valley region has the highest concentration of educated people in the UK.
- 5.5 Fifty local businesses are members of the Slough Business Community Partnership. It aims to get businesses working together with the voluntary sector to benefit all those who work, live and learn in Slough. The businesses provide their knowledge to local organisations and help support education initiatives in schools. They then benefit from improved skills of their employees by widening their experiences and developing the workforce of the future in Slough. This type of enterprise goes hand-in-hand with the council's housing strategy, which centres on a five-year plan. The ultimate aim is for sufficient, good quality, affordable housing set in thriving communities. The strategy therefore puts housing at the heart of Slough's future, contributing to wider improvements in health, educational attainment and social inclusion.
- 5.6 The Slough Trading Estate is the largest privately-owned trading estate in Europe and provides 20,000 jobs and 400 businesses. The Borough Council is also trying to encourage smaller enterprises, by offering three sites of industrial starter units with reduced rents in the first years of lease. Major businesses in Slough include Amazon.com, Masterfoods, O2,

Citroen UK, Honda UK, GlaxoSmithKline, ICI and YELL. In fact, Slough is identified as one of the top 20 most competitive areas in the UK. Furthermore, in 2006, Slough ranked third in the UK (outside of London) for productivity. Growth sectors include telecommunications, biotechnology, consumer electronics, ICT, automotive industries, business and financial services, pharmaceuticals and healthcare. The Council has also been swift to act in helping to support local residents and organisations through the current economic turmoil, by setting up the Slough Economic Taskforce (SET).

- 5.7 In 2007 retail rental growth in Slough stood at 3.2% - higher than both the South East and UK averages of 2.9% and 2.6% respectively (see **figure 5.1**). This year, however, and every year to 2013, retail rental growth is forecast to underperform the regional and national average. Colliers CRE predicts that annualised rental growth from 2008 to 2013 will be -1% for Slough, in comparison to 0% for the South East and 0.4% for the UK as a whole.

**Figure 5.1:**



Source: IPD/Colliers CRE

- 5.8 The national economy is currently drifting into recession with consumer confidence and spending at a low, a result of growing levels of unemployment and falling house prices. On a local level, forecasts point to a relatively poor economic performance for the Borough of Slough over the next five years. Coupled with the growing threat of out-of-town superstores, the need to protect the vitality and viability of local shops and parades will become increasingly important in the short to medium term.

## 6. KEY ISSUES WITH THE CURRENT POLICY

- 6.1 Slough Borough Council's decision to instruct an independent advisor to review the Neighbourhood Shops Policy originated from concerns about its inflexibility in terms of mixes on larger parades. More specifically, regarding the limit on A3 use (now sub-divided into A3/A4/A5 use) which *'allows no flexibility for the larger parades and potentially conflicts with the policy aim to encourage uses that meet the needs of local people.'*
- 6.2 Colliers CRE has had first hand experience of the issues relating to the current policy during the course of its involvement in managing the portfolio. These difficulties include finding interested tenants that fall within the 'acceptable uses' guide compiled by the Council, whilst also keeping cross-selling to a minimum (in accordance with the policy's competition restrictions).
- 6.3 The current Neighbourhood Shops Policy is very restrictive and will not generally allow the change of use from A1 to A3/A4/A5. The justification behind the existing planning policy is that A3/A4/A5 uses, A5 takeaways in particular, are often only open in the evening, thereby creating 'dead frontages' during the normal daytime trading hours. A cluster of A3/A4/A5 uses would, therefore, affect the overall vitality of the parade as these units would not be adding to footfall when the majority of other shops are open. Takeaways with late opening hours also create a nuisance for the local residents by way of noise, litter and often groups of young people gathering near the shops which can be intimidating to other people.
- 6.4 However, Colliers CRE can report that, in its experience of managing the Council's local shops portfolio, on a number of occasions the only interest being registered in a vacant unit has been from A3/A4/A5 retailers. Even if a prospective A5 retailer is not providing the same product as existing A5 tenants (for example a fish & chip shop where there is already an Indian takeaway), the current policy is inhibitive to achieving planning permission, even in the larger parades.
- 6.5 The increasing absence of any suitable A1 parties who are interested in available units and the current policy regarding A3/A4/A5 uses has meant that in a number of cases units are

being left vacant for a considerable length of time. This, too, creates 'dead frontages', which adversely affects the vitality of the parades and this issue was evident when we conducted site visits of the Council's neighbourhood shops portfolio on the 20<sup>th</sup> November 2008. Therefore, it could be reasoned that one of the key objectives of the Neighbourhood Shops Policy is being undermined by the policy itself. This could become more of a problem in the short to medium term as a result of the difficulties facing the UK economy at present.

- 6.6 When considering alternative uses, the policy states that consideration should be given to the Council's guide of 'acceptable uses' for neighbourhood shopping areas. However, it is our view that this list appears to be outdated and in need of revision. Some key examples are the inclusion of a TV rental shop and music/record shop, which we consider to have become virtually obsolete uses in current local retail markets. The former is a retail format that has lost its relevance to today's consumer and demand for this service would be limited. Secondly, the increasing popularity of downloading music, coupled with the competitive prices offered by the large entertainment retailers on the high street and supermarkets, as well as the online retailers such as Amazon and Play.com, means it is likely that an independent music retailer would struggle to be commercially viable.
- 6.7 Currently a significant proportion of the 'acceptable uses' contained in the guide provide comparison goods. This appears to contradict the function of neighbourhood shops as being convenience and service based destinations. Furthermore, Slough Borough Council's 'Balance of Trade Report' states that 92% of all spending on comparison goods by Slough residents is in Slough town centre. Therefore, we would question the inclusion of some of the comparison goods use types on the list.
- 6.8 Also of note is the lack of distinction between shops selling the same product but with a fundamental differentiation in their offer e.g. a general butchers shop and a Halal butchers. In the current policy the presence of both retailers would not be deemed acceptable as they are classified as the same use – *'Uses which compete with existing trades in a parade will generally not be considered'*. However, in our opinion they should not be categorised as competing uses as they serve the needs of different parts of the community.

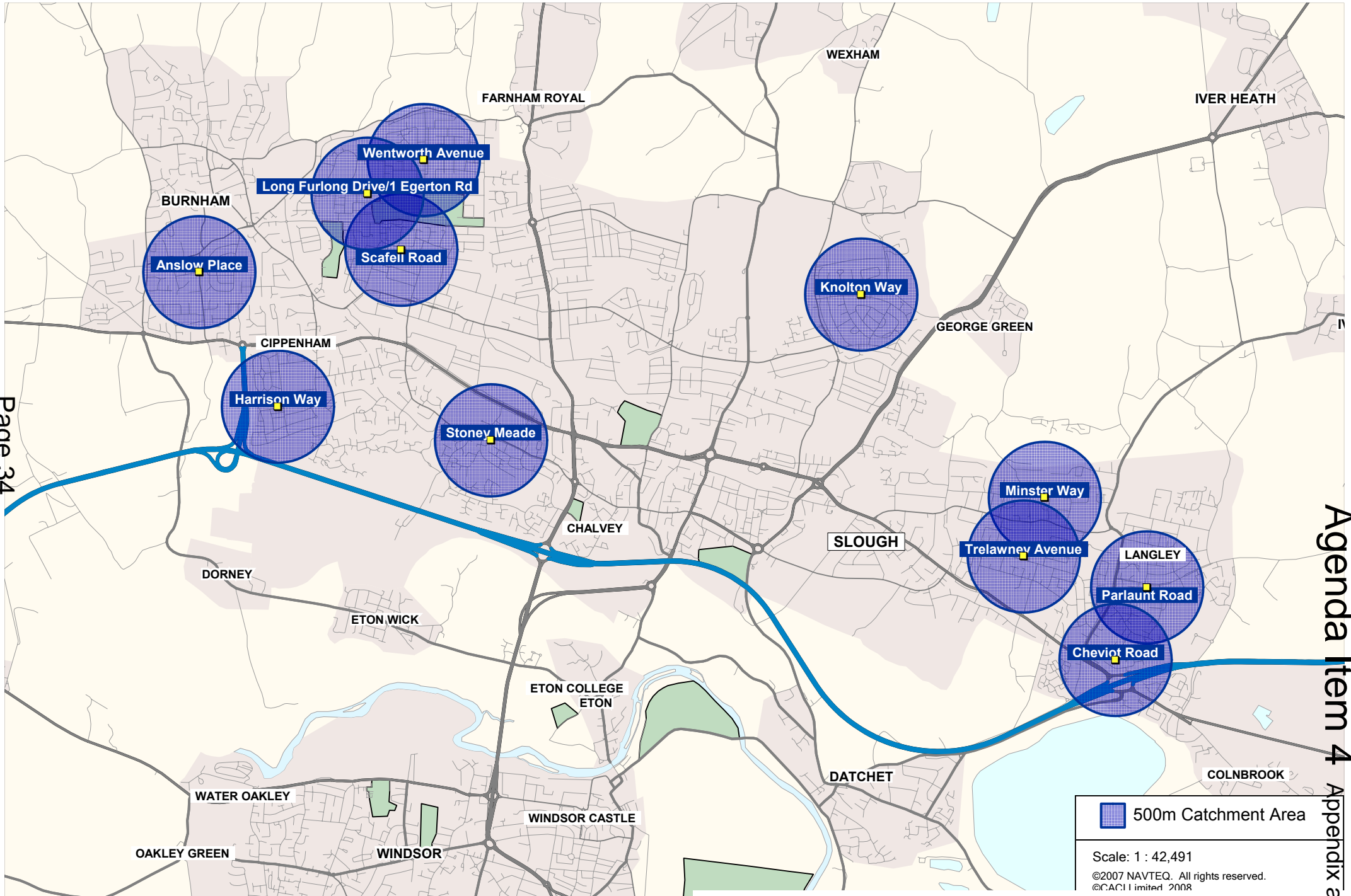


## 7. CATCHMENT AREA DEFINITIONS AND DEMOGRAPHICS

### Catchment Area Definitions

- 7.1 In order to make informed recommendations regarding the proposed revision of the Neighbourhood Shops Policy, it is necessary to assess the demographics of the catchment areas of the neighbourhoods in the Borough of Slough. This will be invaluable in providing an insight into the needs of the local community.
- 7.2 Neighbourhood shopping parades are, by their definition, intended to serve the needs of the immediate local community. As discussed in Chapter 4, an important element of their role is to provide access to essential goods and services to all members of the local community, including the elderly, disabled and disadvantaged. Furthermore, as part of the Sustainable Communities Agenda, neighbourhood shops are intended to reduce the need for car travel and the majority of shoppers should travel on foot or by bicycle.
- 7.3 We have examined the retail chapters of Slough Borough Council's Local Plan and the proposed Local Development Framework; however, there is no clear definition of the catchment area of a local parade/shop. Therefore, it was necessary to look at the retail planning policy of other local authorities in the UK. Our research revealed that the catchment area definitions ranged from 400 metres to 800 metres.
- 7.4 Taking these factors into account, we have assumed a catchment area of 500 metres for the neighbourhood shops and parades in the Borough of Slough. We feel that this is a reasonable distance for local residents to walk/cycle without feeling the need to get in a car and covers a 1 kilometre diameter which is a wide enough area to be able to analyse the catchment demographics.
- 7.5 **Figure 7.1** overleaf reveals that there is an overlap between the 500 metre catchment areas of a number of the Council's parades/shops and in some cases those included on the outer part of a catchment radius are actually nearer to a different neighbourhood shopping location.

Figure 7.1 - Location of Local Shopping Parades



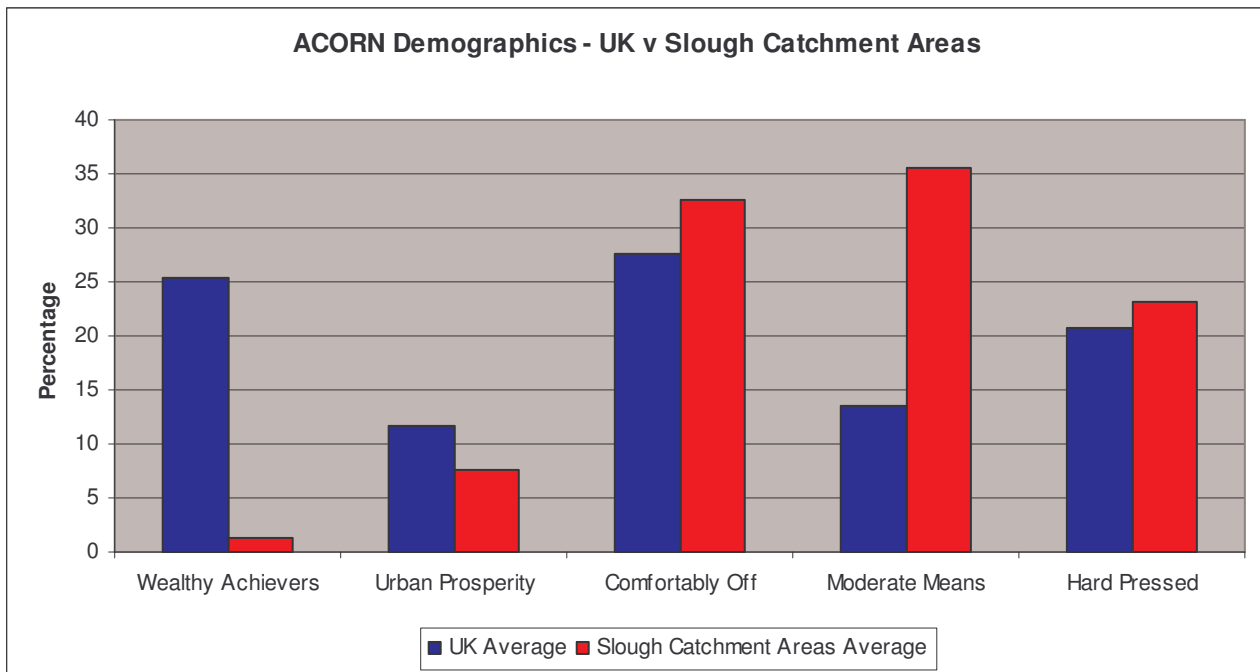
- 7.6 This is most notable at Wentworth Avenue, Scafell Road and Long Furlong Drive where a small section of the local population is within 500 metres of all three parades/shops; however, the latter two locations consist of only two units and one unit respectively and, therefore, do not provide significant competition to the large 27 unit parade on Wentworth Avenue. Conversely, the Wentworth Avenue parade may provide more of an attraction to local residents due to its greater retail offering and the opportunity for a linked trip, thus potentially creating 'leakage' from the Scafell Road and Long Furlong Drive catchments.
- 7.7 Other catchment crossovers occur at Trelawney Avenue and Minster Way, and Parlaunt Road and Cheviot Road. As with Wentworth Avenue, the former location is a sizeable parade consisting of 24 units in total so the solus unit at Minster Way does not offer a great deal of competition to the location. However, the Minster Way shop may lose trade to the Trelawney Avenue parade, particularly from those who live within 500 metres of both locations.
- 7.8 Parlaunt Road and Cheviot Road both provide a pharmacy and newsagent, but the former also has an estate agent, funeral parlour, butchers, bookmakers and public house. Cheviot Road, on the other hand, has a greengrocer so we would expect that the movement and leakage between these two catchments to be very much dependent upon the particular needs of the local residents at that time.

### **Catchment Area Demographics**

- 7.9 **Figure 7.2** overleaf reveals the average wealth of the Slough catchment areas in comparison to the UK average. It is evident that these areas of Slough are not considered particularly affluent, with the proportion of residents in the 'Wealthy Achievers' category at only 1.3%, compared to the UK average of 25.4%. Furthermore, the percentage of those grouped as 'Urban Prosperity' is also lower than the UK average at 7.6%, compared to 11.7%.
- 7.10 Almost a third of the population residing in the Slough catchment areas are considered 'Comfortably Off', this being higher than the UK average of 27.6%. Conversely, however, the majority of people in the Slough catchment areas are of 'Moderate Means' (35.5%),

which is considerably greater than the UK average of 13.6%. Furthermore, the least wealthy category 'Hard Pressed' is also overrepresented in the Slough catchments at 23.1% of the population, compared to the UK average of 23.1%.

**Figure 7.2:**

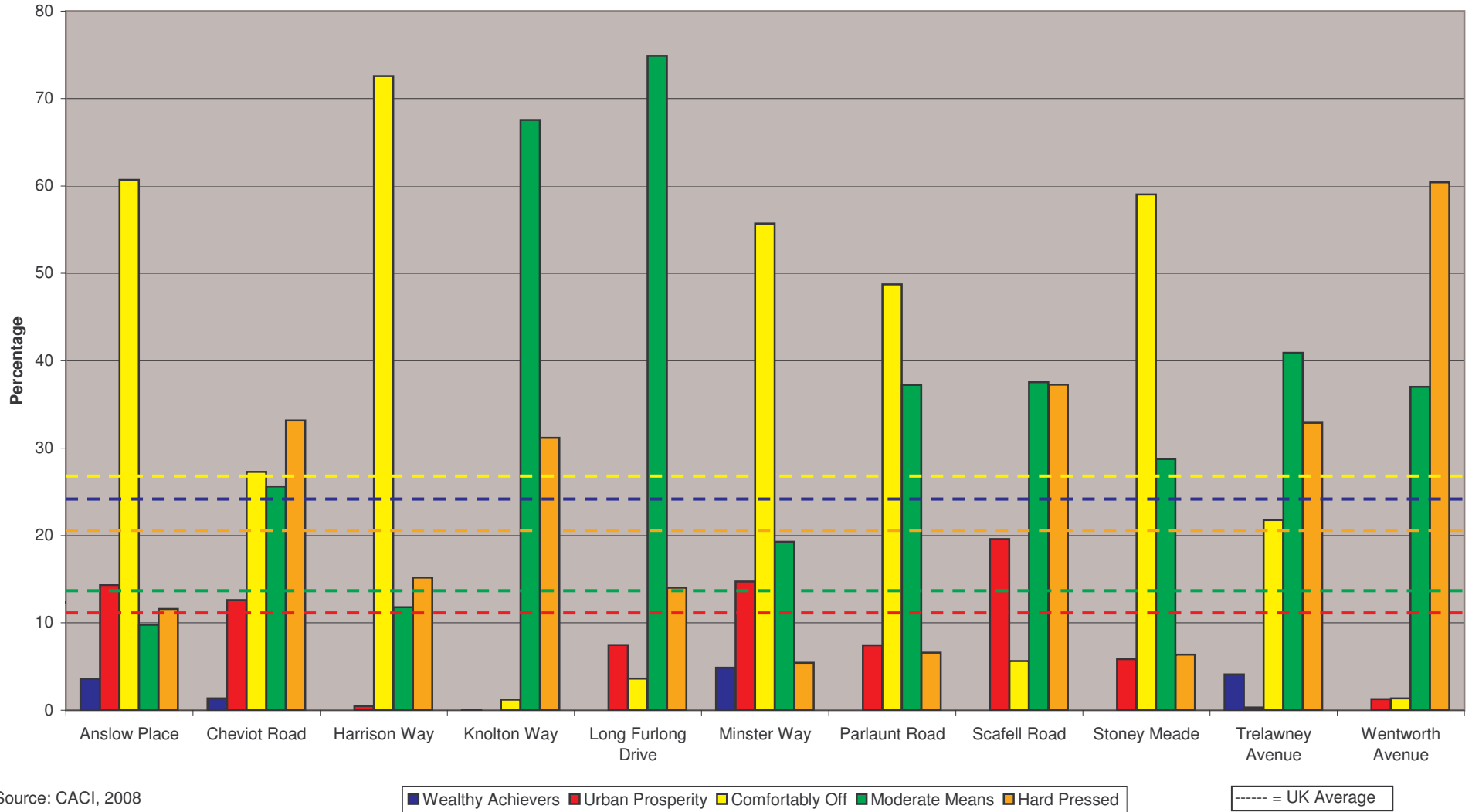


Source: CACI, 2008

7.11 Overall, it is clear that the population of the Slough catchment areas is less affluent than that for the UK. However, by analysing the catchment areas individually, it is apparent that the demographics of the population vary greatly between locations (see **Appendix 1** for an in-depth demographic analysis of each Slough catchment area).

7.12 **Figure 7.3** overleaf shows the demographic breakdown of each catchment area in Slough. Knolton Way and Wentworth Avenue have the largest proportion of their population in the 'Moderate Means' or 'Hard Pressed' groups at 98.7% and 97.4% respectively. Anslow Place, on the other hand, has only 21.4% of its population classified as either of these two groups and Minster Way is also low at 24.7%.

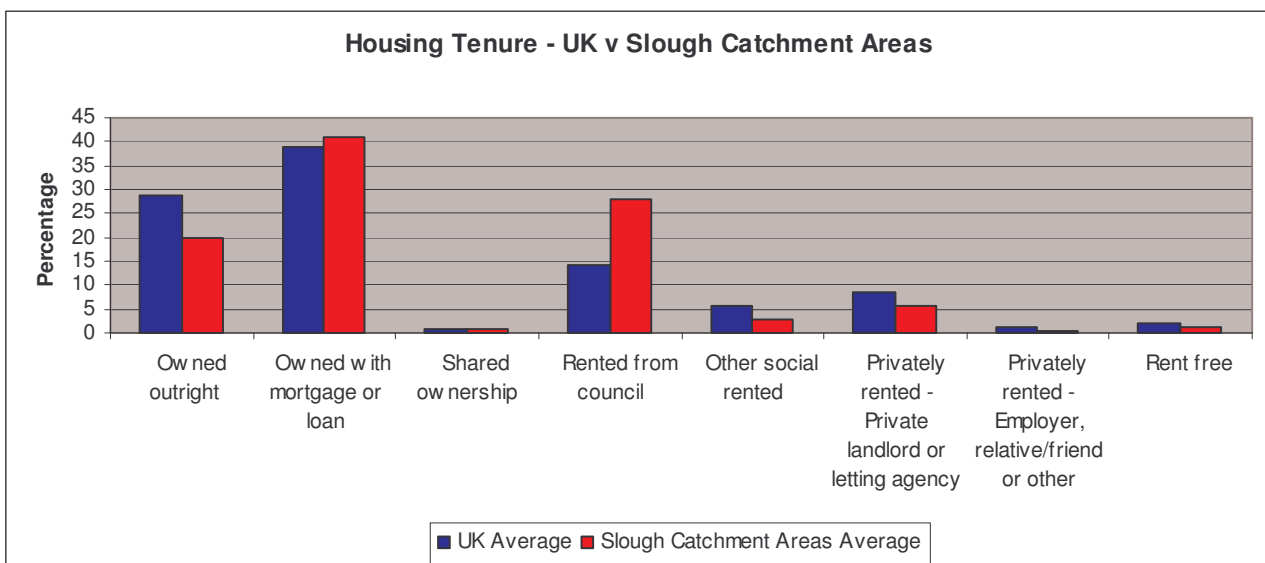
Figure 7.3 - ACORN Demographics by Slough Catchment Area



Source: CACI, 2008

- 7.13 Minster Way and Scafell Road are the most affluent catchments with 19.6% of their respective populations in either the 'Wealthy Achievers' or 'Urban Prosperity' categories. Knolton Way is the only location not to have any residents classified in either of these two groups.
- 7.14 The average level of car ownership in the Slough catchments is in line with the UK average. However, there are four catchments where the number of households with no car or van is above the UK average of 27.4%, these being Wentworth Avenue, Cheviot Road, Trelawney Avenue and Knolton Way at 37%, 32.5%, 30.3% and 28.2% respectively. It is these locations, therefore, where the presence of neighbourhood shops is essential, as otherwise a proportion of the population would have no easy access to basic goods and services.
- 7.15 In the UK, the majority of households own a property with a mortgage or loan (38.8%) and **Figure 7.4** reveals that this is also true in the Slough catchments. However, there is a significant variation in the proportion of households whose property is rented from the council. The UK average stands at 14.1%, yet the Slough catchment average is almost double that figure at 27.8%.

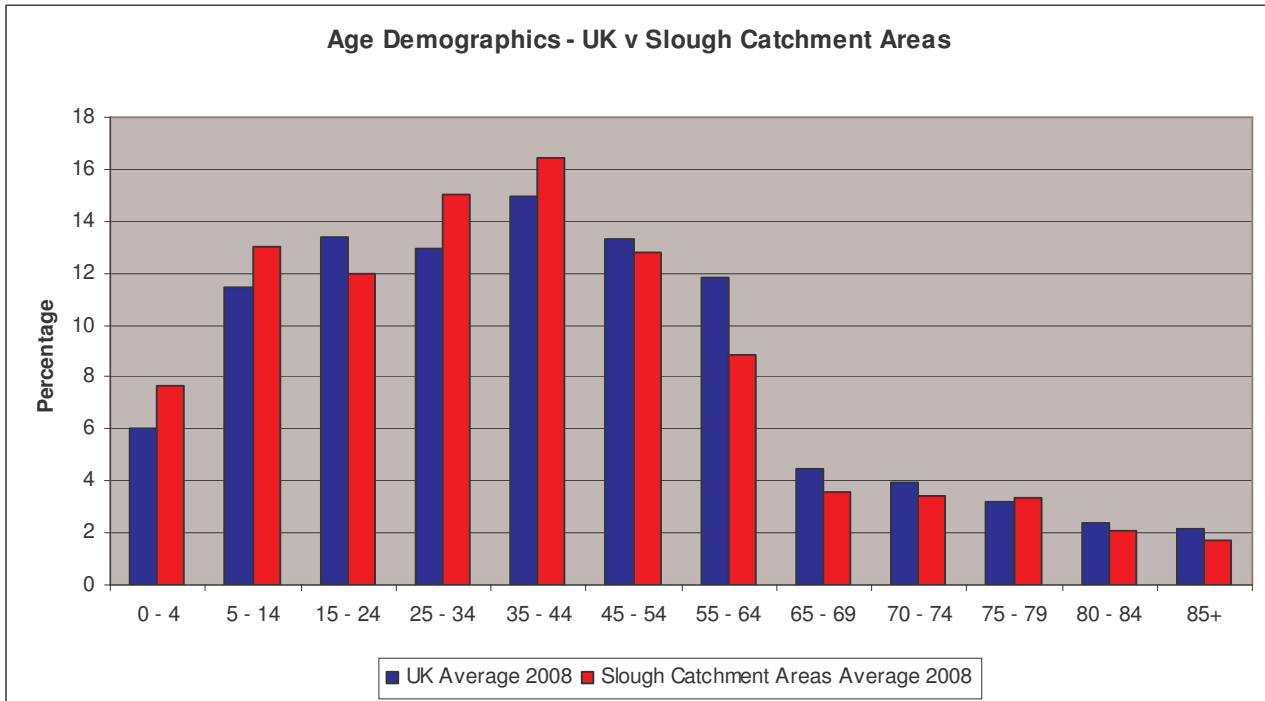
**Figure 7.4:**



Source: CACI, 2008

- 7.16 The catchment area with highest percentage of housing that is social rented (either from the council or other) is Wentworth Avenue at 46.3% - more than double the UK average of 20%. Private renting (of all types) is most common in Stoney Meade, equating to 15.2% of the catchment population, compared to the UK average of 9.6%. Harrison Way has the largest proportion of households who either own their home outright or with a mortgage or loan at 73.3% - higher than the UK average of 67.7%.
- 7.17 In all catchment areas in Slough the population is dominated by people of White origin (average of 79.6%). However, the proportion of White people in all of the catchments is lower than the UK average of 92.1%. Conversely, there is an overrepresentation of other ethnic groups within the Slough catchment areas, most notably those of Indian, Pakistani and Black Caribbean origin.
- 7.18 **Figure 7.5** overleaf highlights the average age demographics of the UK population and the Slough catchments. In line with the UK data, the greatest proportion of all the Slough catchment areas population is within the 35-44 age group and is actually higher than the average UK percentage. Other age groups that are overrepresented in the Slough catchments in comparison to the UK average are 0-4, 5-14, 25-34 and 75-79 age categories and this trend is forecast to remain over the next 10 years. This suggests that there is a high proportion of families in the catchment areas of the Slough shopping parades.
- 7.19 Once again there are differences between the catchment areas in Slough. For example, Anslow Place, Harrison Way, Knolton Way and Trelawney Avenue have a disproportionately high number of elderly people (75 years+), while Long Furlong Drive, Scaffell Road and Stoney Meade appear to be 'younger' areas as the population under 44 years old is greater than the UK average and of the other Slough locations.

**Figure 7.5:**



Source: CACI, 2008

7.20 An overall assessment of the Slough catchments appears to show some clear divides between the levels of affluence. Anslow Place, Harrison Way and Minster Way are the locations with the highest percentage of housing that is either owned outright or with a mortgage or loan, the greatest proportion of households with two or more cars or vans and the largest number of people classified as either 'Wealthy Achievers', 'Urban Prosperity' or 'Comfortably Off'.

7.21 At the other end of the scale, Wentworth Avenue, Knolton Way and Trelawney Avenue all have comparably high percentages of households with no car or van, in social rented accommodation and are classified as either 'Moderate Means' or 'Hard Pressed'. Other locations that are considered to be in the lower end of the affluence rankings are Cheviot Road, with a high proportion of households with no car or van and a large number of people in social rented accommodation, and Scaffell Road, which also has a high percentage of its



catchment without a car or van and has a large proportion of people in the less wealthy ACORN categories.

- 7.22 Overall, the analysis of the Slough catchment areas reveals that a large proportion of the population are classified as relatively poor and immobile (low car ownership), with a high ethnic differentiation. There is, therefore, likely to be a significant reliance on the local shops, highlighting the importance of maintaining the vitality and viability of the parades and ensuring that the Neighbourhoods Shops Policy facilitates this objective.

## 8. POLICY RECOMMENDATIONS

- 8.1 Firstly, it is apparent that the current Neighbourhood Shops Policy is out of date in respect of existing planning use type classifications. Use class A3 is now sub-divided into A3 (restaurants, snack bars & cafes), A4 (pubs & bars) and A5 (takeaways). The policy should be updated accordingly.
- 8.2 Our analysis has revealed that the neighbourhood shops and parades continue to play a vital role in the local community and are essential in creating a 'sustainable community' by providing all local residents and workers with access to basic goods and services and reducing the need for car travel.
- 8.3 This is particularly pertinent for the locations that we have identified as being 'less affluent', where a significant proportion of the population are without a car or van and do not have the disposable income to use public transport regularly and therefore rely on the local shops for essential products and services. It is this sector of the population who are most vulnerable to the effects of the credit crisis and economic recession and in the short term, at least, are expected to try to minimise the need to travel to reduce costs. Furthermore, factors such as the ageing UK population and the growing importance of 'green' issues also support the long term need for local shops.
- 8.4 The importance of the neighbourhood shops in the Borough of Slough is expected to remain in the coming decade. Although the growing consumer trend of internet shopping and home delivery might have an effect on the demand for local shops in some localities in the UK, the demographic analysis of the catchments suggests that this will have less of an impact in Slough than in other areas. We would anticipate that in the majority of the Slough catchments, particularly those with a high proportion of the population in the 'Moderate Means' or 'Hard Pressed' ACORN categories, the level of computer ownership and internet usage would be lower than the UK average.
- 8.5 Furthermore, consumers are becoming more time pressed than ever and this has led to the growing trend for convenience 'top up' shopping. This will continue in the future and supports the need for neighbourhood shops.

- 8.6 We believe that the fundamental role of, and need for, the neighbourhood shops has not diminished since the current policy was adopted in 2002 and recommend that Slough Borough Council's Neighbourhood Shop's Policy should, therefore, continue to recognise the importance of local shops and support the retention of the parades.
- 8.7 Having carried out site visits in November 2008, it was apparent that many of the parades are not operating to their maximum capacity with a number of vacant units, shops that were closed but are still leased and some shops that were clearly suffering from a lack of trade. This would suggest that the current retail offer does not entirely match with the needs of the catchment area and that some retailers are finding it difficult to sustain their businesses. In order to ensure the vitality and viability of the local shops/parades, it is essential to understand the needs of the neighbourhood residents. Retail and consumer trends have changed over the past six years since the current policy was adopted and, as a result, we would recommend that the Council carries out public consultation, such as a survey of residents/workers in the catchment areas of the shops, in order to establish their current needs and to ascertain suggestions as to how the parades can be improved.
- 8.8 The Council should then use this information to determine which uses have the greatest level of demand and those that are no longer commercially appropriate to a neighbourhood location. This can then form the basis of any decision-making on new lettings and change of use.
- 8.9 Our analysis of key demographic indicators reveals there are significant differences in affluence and ethnicity between the catchment areas of the Slough neighbourhood shops/parades. When assessing options for change of use or a new tenant, the Council should have regard to the characteristics and demographics of the local area and tailor the retail offer accordingly to specific identified need.
- 8.10 The current guide list of 'acceptable neighbourhood uses' is out of date and does not reflect modern consumer needs. Using the information obtained from the catchment area surveys, we recommend that this is revised and divided into two categories – 'essential good and services' and 'desirable good and services'.

- 8.11 The current guide on 'acceptable neighbourhood uses' includes a number of retailers offering comparison goods. Given the role and function of neighbourhood shops as a provider of everyday goods and services, we would advocate that uses offering convenience goods (inexpensive and frequent purchases) should form the crux of the 'essential' acceptable uses list.
- 8.12 Furthermore, the guide needs to acknowledge a distinction between uses offering similar goods and services but serve different parts of the community, as highlighted by the general butcher and Halal butcher example in Chapter 6. These should be classified as separate uses in order to avoid conflict with the competition requirements of the Neighbourhood Shops Policy.
- 8.13 When seeking a new tenant, we would suggest that preference is given to businesses providing 'essential goods and services'. If, however, there is no interest from essential A1 tenants, or these are already well provided, then uses on the list of 'desirable goods and services' should also be considered, as well as social/community services such as a doctors/dental surgery.
- 8.14 We would suggest that the acceptable neighbourhood uses guide list is split accordingly (see **figure 8.1** overleaf). However, the list of 'desirable goods and services' can be expanded following consultation with the local community.

**Figure 8.1:**

<u>Essential Goods &amp; Services</u>	<u>Desirable Goods &amp; Services</u>
Baker	Bookmakers
Bookshop/Stationer	Charity Shop
Butcher	Clothing Shop
Chemist/Pharmacy	Cycle Shop
Confectioner/Tobacconist/Newsagent	Gift/Card Shop
Launderette/Dry Cleaner	Health Food Shop
Fishmonger	Off-licence
Florist	Optician
Greengrocer	Specialist Hobby Shop (Toy Shop, Pet Shop, Art Shop etc)
Grocer/Supermarket	
Hairdresser/Beautician	
Hardware/DIY/Electrical Shop	
Locksmith/Shoe Repairer	
Post Office	

- 8.15 Vacant shops detract from the vitality of shopping parades and we recommend a greater level of flexibility on units that have been available for a considerable period (in excess of six months), providing there is evidence of attempts to let, lease or sell it for retail uses on reasonable terms.
- 8.16 The Council's neighbourhood shops portfolio is a valuable source of income that supports the housing services. Therefore, it is in the Council's interest that units are let as quickly as possible to maximise revenue, whilst also ensuring that any new tenant complements the 'tenant mix' and maintains the vitality of the parade. Colliers CRE's experience in managing the portfolio reveals difficulties in attracting key tenants. Consequently, we suggest introducing an incentive scheme for specific uses that have been identified as benefiting the local community. This may include a rent free or reduced rent period at the beginning of a lease term or an upfront cash payment.

- 8.17 Essential uses act as an 'anchor' for parades and the vitality of a location can be dependent on their existence. In the current challenging economic climate (as outlined in Chapter 5) many of these key retailers may become financially unviable. Although the existing Neighbourhood Shops Policy states that the parades 'will be managed in a commercial manner', it should be a key task for the Council/Management Company to ensure where possible shops remain open even in times of difficult trading conditions.
- 8.18 In a number of cases it appears that units are closed for business, yet the rent is still being paid by the lessee. This may be for a number of reasons such as the tenant is trying to get permission for change of use. Although the Council is still receiving income from the units, void properties have a corrosive effect on the trading of adjoining tenants giving a 'run-down' appearance to a parade if allowed to continue. In our view, the Council should consider a more flexible Neighbourhood Shops Policy, both with regard to new lettings and applications for change of use from existing tenants. In the case of existing tenants, greater flexibility should be given to units where the tenant has ceased trading and has been unable to assign the unit within the existing planning use.
- 8.19 A more flexible management approach could be considered, whereby tenants who are experiencing problems are identified at an early stage and assisted where possible. Although the Council is in opposition to rent subsidies, we believe consideration should be given to introducing greater flexibility on the timing of rental payments, for example permitting monthly payments, with the aim of ensuring the ongoing survival of these 'anchor' tenants. This would, however, be subject to clear evidence of financial hardship, demonstrated by bank statements and company accounts details.
- 8.20 In order to establish the views of the tenants regarding rental levels, trading issues, tenant mix, general facilities etc, we would advocate conducting a questionnaire every two years to ensure that the Council is aware of tenant needs and aspirations.
- 8.21 At present, the Neighbourhood Shops Policy is very restrictive with regard to changes from A1 to A3 (and presumably now A4/A5) use as it will only allow one A3/A4/A5 unit. Whilst it is necessary to safeguard the parades from 'dead frontages' during the daytime trading hours, we consider this unnecessarily restrictive as services offered by different operators

can be complementary, e.g. takeaway pizza and sit down/takeaway curry house. The vitality of some of the larger parades, especially those that are located on main roads, would not be adversely affected by change of use to a restaurant/takeaway and providing the local community with increased choice should be considered as a positive initiative.

- 8.22 The policy should be flexible enough to permit discretion in allowing in traders but not to such a degree that it would remove all A1 uses. In order to ensure greater flexibility on change of use, we would recommend that a limit is introduced on the proportion of non-A1 use or non essential/desirable uses in parades according to the size of parade and accessibility.
- 8.23 For those shops and parades that have a road frontage (i.e. can benefit from passing car trade) we would suggest a maximum of 50% of non-A1 use or non essential/desirable uses for small parades (up to and including 6 units) and 60% for medium sized parades (7 to 10 units). Larger defined neighbourhood centres will have a higher shopping function so the need to protect A1 uses is greater. Therefore, we recommend a maximum of 30% non-A1 use or non essential/desirable uses on these parades. Community uses may be permitted in addition, but subject to review of the merits and impact on the function of the parade. For those shops and parades that do not have a road frontage or are located on a non-through road we would advise no restrictions on change of use to A2/A3/A4/A5.
- 8.24 Applications for change of use should also take into account alternative facilities that are located within a reasonable walking distance from the parade. As previously stated, we believe 500 metres is an acceptable distance to walk and the Council should have regard to the number and range of uses within the nearby local area.
- 8.25 The current policy is very restrictive on competition, which we feel is unnecessary. Competition is, in general, a good thing, but the Council may wish to protect essential A1 traders in order to assist viability. On the whole we agree with competition restriction for A1 uses but it must be applied sensitively so as not to deprive certain sections of the community. The policy needs to be flexible enough to allow commonsense. This is particularly relevant to the larger parades that are defined by Slough Borough Council as being 'neighbourhood centres'. In these locations, we believe a more flexible approach can

be taken on competing uses if it is judged that the tenants can both survive jointly and trade successfully.

- 8.26 It is in the interest of the Council to ensure that the general facilities at the parades are maintained to create an attractive and safe environment for shoppers. This includes the provision of CCTV, cycle racks, litter bins, telephone boxes etc and the cleaning of any graffiti.



## DRAFT NEIGHBOURHOOD SHOPS POLICY

### 1. SCOPE OF POLICY

- 1.1 The policy is intended to cover all neighbourhood and local shops owned by Slough Borough Council. These are:

Address	No of Units	Ward
9-14 Anslow Place	6	Haymill
51-55 Cheviot Road	3	Foxborough
5-13 Harrison Way	5	Cippenham
74-104 Knolton Way	8	Wexham Lea
279 Long Furlong Drive	1	Britwell
9 Minster Way	1	Langley St. Mary's
14-24 Parlaunt Road	6	Foxborough
84 St Andrews Way	1	Cippenham
252-254 Scaffell Road	2	Haymill
2-12 Stoney Meade	4	Chalvey
228-260 Trelawney Avenue	17	Kederminster
296-308 Trelawney Avenue	7	Kederminster
45-97 Wentworth Avenue	27	Britwell
	<b>88</b>	

- 1.2 Of these units owned by the Council, five parades fall within defined centres in the Borough's 'Retail Hierarchy'. Trelawney Avenue and Wentworth Avenue are classified as 'Neighbourhood Centres' and Parlaunt Road, Harrison Way and Knolton Way are all 'Local Centres'.
- 1.3 The policy will also cover broader 'social' uses such as doctors and dentists who operate in the vicinity of these parades.

## 2. REASON FOR POLICY

- 2.1 The policy aims to provide the Council, shop tenants and local people with a clear indication as to what the Council, as landlord, hopes to achieve from retaining these parades and the management strategy that has been adopted.

## 3. POLICY

- 3.1 The Council supports the retention of local parades.

Reason: Neighbourhood shops are a fundamental part of a 'sustainable community'. It is important that all local residents and workers have access to essential goods and services to reduce the need for car use and provide a convenient solution to day to day shopping needs. Neighbourhood shops help the local economy and provide employment for local people.

- 3.2 The Council will seek to encourage uses which meet the needs of local people.

Reason: Local parades must adapt to meet local needs if they are to prosper. The Council will consult with the local community on a regular basis (a minimum of every five years) by way of a survey of local residents and workers to ascertain their current needs and assess whether they are being met sufficiently.

- 3.3 The Council will give preference to uses which demonstrably meet essential local needs and/or create employment opportunities.

Reason: The role of local shops/parades is to provide day to day, convenience goods and services and the Council wishes to encourage employment in the local area.

- 3.4 The parades produce a valuable source of income which funds the Council's housing services. They will, therefore, be managed in a commercial, yet flexible, manner, subject to other policy objectives.

Reason: The Council wishes to see strong local businesses and expects businesses to be commercially viable; however, it does not expect to directly support these through rent subsidies. It will aim to create an environment where tenants can trade successfully and, where appropriate, will take a flexible approach to management, subject to clear evidence of individual circumstances. The Council will conduct a regular tenant survey (a minimum of every two years) to highlight tenant issues and aspirations.

- 3.5 The Council will ensure that the general facilities at the local parades are maintained and will carry out inspections on a regular basis.

Reason: An attractive and safe environment is essential in order to attract shoppers and to maintain the vitality of the parades.

- 3.6 Policy regarding change of use:

Within local retail parades, the Council will normally only permit changes of use at ground floor level from shops (use class A1) where all the following conditions are met:

- i) The resultant reduction in retail facilities will not seriously weaken retail provision to local residents, in particular the range and choice of essential shops.
- ii) The proposed replacement use provides a service appropriate to a neighbourhood shopping area (use classes A2, A3, A4 or A5) providing the total non-A1 use or non essential/desirable uses does not exceed 50% for small parades (up to and including 6 units) with a road frontage and 60% for medium sized parades (7 to 10 units) with a road frontage. On larger defined neighbourhood centres with a road frontage a maximum of 30% non-A1 use or non essential/desirable use should be permitted. For those shops and parades that do not have a road frontage or are located on a non-through road there should be no restrictions on change of use to A2, A3, A4, or A5. Social/community services, such as a doctors or dental surgery may also be considered as an appropriate replacement use, subject to review of the merits and impact on the function of the parade.

- iii) Where a parade has reached the defined limit with regard to non-A1 and non essential/desirable uses and a unit has been on the market for in excess of three months without any viable commercial interest from an alternative A1 retailer, consideration should be given to applications of change of use if potential interest has been received. In the meantime, the vacant unit should, however, continue to be marketed for a further three months and if an A1 tenant is then found during this time then preference will be given to this use, providing the rental offer reflects the true market value.
- iv) Where there is a vacant unit and the level of non-A1 or non essential/desirable goods in a parade is below the defined limit, consideration should be given to alternative uses without the need to market the property for a minimum of six months. However, at all times a healthy tenant balance should be maintained and a commercial approach should be taken to ensure the future rental valuation of the parades is not compromised. In these circumstances, should interest be registered for a unit from both an A1 retailer and a non-A1 or non essential/desirable tenant, the level of rental offer will be the primary consideration. Where there is a considerable difference between the rental terms, the highest offer will be taken in order to protect the Council's interests. However, should the offers made be of a similar level, preference will always be given to the core A1 use.

Reason: Successful parades house a good 'tenant mix' (i.e. a mix of complementary uses) which provide essential goods and services to the local community. The Council also acknowledges the requirement for other goods and services for which there is a recognisable local demand, such as A2, A3, A4 and A5 uses. However, the Council will enforce restrictions on non-A1 uses or non essential/desirable uses according to the size of parade and accessibility (i.e. located on a major thoroughfare or non-through road) in order to ensure the vitality of the parade is not adversely affected. The commercial interests of the Council as landlord will, however, be a primary concern when assessing applications for change of use.

## 4. NEIGHBOURHOOD USES

- 4.1 To assist in identifying 'acceptable uses' the Council has compiled a guide listing uses which are considered to fall within a definition of an essential neighbourhood use and those which are non-essential but are desirable to the local community. Preference should be given to essential uses; however, non-essential but desirable uses will also be considered.
- 4.2 The list is not definitive and decisions on acceptable uses will be principally determined by the balance of existing uses in an area, the needs of local people or any particular requirement the Council may have. It is accepted that the list may change as markets develop and local demands change and the Council will ensure that the list is reviewed and, if necessary, updated on a regular basis.
- 4.3 Applications for uses outside the list will be considered on their merits in the context of the overall policy and circumstances in a parade. The list is attached on the following page:

<u>Essential Goods &amp; Services</u>	<u>Desirable Goods &amp; Services</u>
Baker	Bookmakers
Bookshop/Stationer	Charity Shop
Butcher	Clothing/Footwear Shop
Chemist/Pharmacy	Cycle Shop
Confectioner/Tobacconist/Newsagent	Electrical/Phone Shop
Launderette/Dry Cleaner	Gift/Card Shop
Fishmonger	Health Food Shop/Delicatessen
Florist	Optician
Greengrocer	Sandwich Bar/Café (open during daytime trading hours)
Grocer/Supermarket	Specialist Hobby Shop (Toy Shop, Pet Shop, Art Shop etc)
Hairdresser/Beautician	
Hardware/DIY Shop	
Locksmith/Shoe Repairer	
Off-licence	
Post Office	

## 5. PLANNING PERMISSION

5.1 The Council's role as landlord is entirely separate from its role as Local Planning Authority. The fact that planning permission has, or could be, obtained for a certain use does not override the policy as landlord's consent will be considered independently. Similarly, the fact that the Council as landlord may wish to see a certain use does not mean that planning permission will be granted.

## 6. EXCEPTIONS TO THE POLICY

6.1 This policy applies to all parades owned by Slough Borough Council. Should a parade be subject to redevelopment, however, it may be necessary to temporarily remove these units

from the remit of the policy in order to maintain the vitality of the location prior to any work being undertaken.

## 7. RETAIL MARKET

7.1 The retail market is a dynamic environment with ever-changing issues and trends. The Neighbourhood Shops Policy has been formulated with regard to the existing economic climate, which necessitates increased flexibility in terms of management of the shops/parades. There is, however, a need to continually review the policy in relation to evolving economic and retail trends and, if it is assessed that significant changes have occurred, there may be an increased need to promote and protect A1 uses and the introduction of greater restrictions on non-A1 use or non essential/desirable uses should be considered.

## 8. APPENDIX

### Guide to Use Classes Order

A1 Shops – Hairdressers, undertakers, travel agencies, post offices, dry cleaners, internet cafes etc.

A2 Financial & Professional Services – Banks, building societies, estate & employment agencies, professional financial services, betting offices.

A3 Restaurants & Cafes

A4 Drinking Establishments – Public houses and bars

A5 Hot Food Takeaways

D1 Non-residential Institutions – Places of worship, health centres, crèches, museums, libraries etc.

Sui Generis – Any use not falling within a specific class category e.g. launderette, taxi company.

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## **Overview and Scrutiny Board**

### **Neighbourhoods Theme**

## **A Review of Council Owned Shopping Parades**

**Final Report December 2011**



**DELIVERED**  
**BY SCRUTINY** ✓

## Chair's Comment (Foreword)



This report represents the findings of the second of three reviews that I have been asked to chair by the Overview and Scrutiny Board in my role as the Lead Scrutiny Member for the Neighbourhoods theme during 2011/12. This review has focused on the impact that council owned shopping parades have on our neighbourhoods and the health and well being of Knowsley residents. The main aim of the review was to seek to understand the role and purpose of these shopping parades and how we can, in our role as landlord, seek to ensure that these assets have a positive impact on our communities.

Members provided significant challenge during the working group sessions, which prompted many questions and much debate. The range of expert witnesses invited from within the council, and also Public Health greatly assisted the working group to make informed recommendations to improve the environmental impact of these parades and to reduce any negative impacts that certain retail activities can have on the health and well being of our residents.

I would like to express my sincere thanks to members of the working group, particularly my Deputy Lead Member, Marie Stuart, for their input into the review and also to the expert witnesses and officers for their interesting and valuable contributions.

Councillor Diane Reid  
Chair of the Council Owned Shopping Parades Working Group

Members of the Working Group:

Councillors Marie Stuart (Vice-Chair), Bill Brennan, Ray Halpin, Brian O'Hare, Shannon Arnall, Dave Tully, Dennis Baum, John Greer and Ian Smith

## A Review of the Council Owned Shopping Parades

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## 1. SUMMARY

- 1.1 There are 56 shopping parades within Knowsley, of which 35 are privately owned and 21 are owned by the council. These shopping parades can be valuable assets within the community as they provide a convenient source of goods and services to local residents. In addition, the local shops can provide a natural setting for residents to engage with each other, particularly elderly residents who may only have limited contact with family and friends. Therefore local shopping parades can enhance community cohesion within an area.
- 1.2 In recent years there has been a noticeable change to the mix of trades operating within local shopping parades and the range of goods and services that they provide. For example, at a national level there has been an increase in the number of solariums, taxi offices and fast food takeaways that are situated in local shopping parades and this trend is also present in Knowsley. At the same time there has been a reduction in post offices and local butchers. These are largely due to market forces - i.e. supply and demand and affect almost everybody in the local communities, which the shopping parade serves.
- 1.3 It has also been recognised that shopping parades can attract anti-social behaviour and crime with the widespread provision of certain products such as fast food and alcohol having a potentially detrimental effect on the health and well being of residents.
- 1.4 As stated above the business activities and provision of services that take place within all shopping parades across the Borough are largely based upon supply and demand, although certain activities are regulated by national guidance, particularly through the planning and licensing regimes. However the authority can have a much more influential role where it owns the shopping parades.
- 1.5 Consequently, in setting its workplan for 2011/2012, the Overview and Scrutiny Board felt that it was important to understand the position within the Borough and to identify ways in which any issues could be addressed. Therefore the focus of the review has been on the Council Owned Shopping Parades within the Borough.
- 1.6 In undertaking the review, the Working Group recognised that some of the changes could only be applied to new businesses as they sought to locate within the shopping parades. Existing tenants have rights, through existing lease agreements and existing planning permission, which provide them with security. Although the introduction of any new policy would also apply to existing tenants who request to change their lease conditions and business activities.

- 1.7 In addition, the Working Group recognised the importance of the financial contributions that the existing shopping parades make to the council's wider budget position and also that any proposed changes to the existing arrangements would need to be considered in the light of the current budget situation.

## 2. RECOMMENDATIONS

- 2.1 Taking into account all of the information and evidence gathered, working group members make the following series of recommendations:

### 2.2 Strategy Approach – moving forward

***Recommendation 1 – The council should retain ownership, and continue to manage its Shopping Parade portfolio for the reasons set out within the report.***

***Recommendation 2 – A detailed review should be undertaken of each shopping parade to assess its contribution towards the local community that it serves with a view to developing a repairs and maintenance programme incorporating any necessary physical improvements.***

### 2.3 Developing a Policy

***Recommendation 3 – The council should introduce a formal policy for the management of the council owned shopping parades.***

***Recommendation 4 – The management policy should aim to influence the type of businesses that operate in the council's shopping parades, including a complete ban on any new off-licences and betting shops and limitations on the number of fast food takeaways.***

***Recommendation 5 – The council should seek to retain, attract and encourage certain traditional businesses, particularly where they provide healthy products, such as butchers and green grocers, through for example the introduction of financial or other incentives.***

***Recommendation 6 – The council should seek to minimise the negative environmental and health impacts of the shopping parades, through the range of initiatives available to it as landlord, including for example, introducing service charges where applicable and promoting responsible retailer schemes.***

## 2.4 Wider Issues applying to all shopping parades

***Recommendation 7 – The Borough Treasurer should be requested to contact all local retailers to ensure that they are taking advantage of any small business rate relief, to which they may be entitled.***

***Recommendation 8 – The council should work with fast food takeaways to improve the nutritional content of takeaway food and the information on display to consumers, as well as continue to work with Heart of Mersey to develop an adaptation of the Food Charter to apply to takeaways***

***Recommendation 9 – The council should consider the merits of introducing supplementary planning guidance to influence the location and number of fast food takeaways across the Borough.***

***Recommendation 10 – Any findings or best practice arising from this review should be shared with the tenants and landlords of privately owned shopping parades.***

## **3. TERMS OF REFERENCE**

### **3.1 Background**

- 3.1.1 The Borough of Knowsley has 56 shopping parades, 21 of which are owned by the council with the remainder privately owned. The council owns 153 retail units within its shopping parades. These units include a range of retailers including hairdressers, newsagents, fast food takeaways and off licences, which generate in the region of £0.770m per year for the council.
- 3.1.2 Shopping parades are valuable community assets that provide local residents with access to a range of goods and services. They also act as a focal point for residents to engage with each other thus promoting cohesion within the community. This is particularly the case for elderly residents who may only have limited contact with family and friends.
- 3.1.3 On a national basis there has been a recent decline in both the number of local shopping parades and the range of goods and services that they provide. This development has been facilitated by an increase in the number of large supermarkets, due to popular demand, which provide ready and cheap access to the kind of products only previously available in local shops. This has led to a reduction in the number of butchers, green grocers and other facilities at a local level.
- 3.1.4 In addition shopping parades have not only been seen as a focus for anti-social behaviour and crime but also as having a negative influence on the health and well being of local residents through the increased availability of alcohol and fast food.
- 3.1.5 Whilst the business activities and provision of services that take place within all shopping parades across the Borough is largely influenced by national guidance, particularly through planning and licensing law, a council is able to exert more influence where it owns the shopping parades in question.

### **3.2 Reasons for the Review**

Therefore given the background to the review, its overall aim was to develop a vision for the council owned shopping parades across the Borough to ensure that they contribute positively to the council's key aims and objectives.



### 3.3 Terms of Reference

The main objectives of the Working Group were to:

- To examine and understand existing practice in relation to the Borough's council-owned shopping parades;
- To compare the council's approach to that practiced elsewhere;
- To assess the impact on the Borough's neighbourhoods of shopping parades in terms of health, the environment and crime and disorder; and
- To identify the priorities for the future management of the shopping parades within the council's ownership.

### 3.4 Methodology

3.4.1 At the initial meeting of the Working Group, members considered and determined the scope of the review. The methodology adopted included the provision of documentary evidence, including research undertaken by the council and the PCT, together with a number of presentations from the relevant Service Managers from across the council. In addition, the evidence received also included reference to a specific case. The expert witnesses included: -

Ian Capper	Head of Asset Management
Tracy Dickinson	Head of Environmental Health and Consumer Protection
Patrick McCarten	Head of Employment and Skills
Matt Ashton	Assistant Director of Public Health
Jon Dyson	Head of Waste and Street Scene Services
Caroline Davis	Technical Advisor – Street Scene Services
Jemma Jones	Senior Legal Advisor – Crime and Disorder
Nicola Haigh	Community Safety Manager (Huyton)
Nora Brinkley	Business and Sector Development Manager

The evidence sessions were delivered as follows:

#### 3.4.2 Evidence Gathering Session 1

The first evidence gathering session took place on 19<sup>th</sup> October 2011. The main purpose of this session was to identify the various management practices that were available and to compare these with the current practice in Knowsley. This evidence was provided by Ian Capper, Head of Asset Management, who gave a presentation to the Working Group, which outlined the various approaches that are adopted in other areas of the Country.

In addition, evidence was provided by Nora Brinkley (Business and Sector Development Manager) which detailed the financial support and business advice that is available to retailers as small businesses, or start up businesses, within the Borough.

This session also included a short presentation from Patrick McCarten (Head of Employment and Skills) entitled “Knowsley Retail Academy” and this highlighted the help that the council can provide retailers with in terms of recruitment.

The detailed outcomes from this session are set out in Appendix 1

### **3.4.3 Evidence Gathering Session 2**

The second evidence gathering session, which took place on 2 November 2011 focused upon the health and environmental impacts that council owned shopping parades have on the local community.

This evidence relating to the health impacts was given by way of a presentation by Tracy Dickinson (Head of Environmental Health and Consumer Protection) and Matt Ashton (Assistant Director – Public Health). The evidence with regard to the environmental impacts was provided by way of a presentation from Jon Dyson (Head of Waste and Street Scene Services).

The detailed outcomes from this session are set out in Appendix 2

### **3.4.4 Evidence Gathering Session 3**

The third and final evidence gathering session, which took place on 16<sup>th</sup> November 2011 focused upon the link between crime and anti-social behaviour and the council’s shopping parades. This evidence was given by way of a presentation by Jemma Jones (Senior Legal Advisor – Crime and Disorder) and Nicola Haigh (Community Safety Manager).

The detailed outcomes from this session are set out in Appendix 3

### **3.4.5 Special Evidence Gathering Session**

In addition to the three programmed evidence gathering sessions, a further meeting was held on 23<sup>rd</sup> November 2011 to capture all of the key issues raised during the review to ensure that the final report included the collective view of the Working Group can to make certain that any policies, which were recommended for development accurately reflected the views of the Group.

## **3.4.6 Wrap-up Meeting:**

A final meeting of the Working Group was then held to discuss the issues arising from the review and to agree its final recommendations and approve a draft copy of the final report.

## 4. FINDINGS

### 4.1 Strategic Approach

4.1.1 The Working Group received information about the various management models that had been adopted in other local authorities. From the information presented to the Working Group most local authorities had transferred their shops portfolio as part of a housing stock transfer to a Registered Social Landlord or Housing Trust. This was not the case in Knowsley, as the Council retained its shops following the transfer of the housing stock to Knowsley Housing Trust in July 2002.

4.1.2 The Working Group also received evidence in the form of a background document, which provided details for each of the Council's shopping parades, in terms of location, income, voids and mix of trades. Only limited information was available about the condition of each of the shopping parades and therefore the requirement for any future level of investment was unknown. However, it was reported that a programme of condition surveys was underway and it is anticipated that this exercise would be completed in the new year.

4.1.2 The Working Group considered the options and it was found that the current management arrangements allowed the local authority a level of control, which it is able to assert as owner. This control includes being able to influence the types of businesses and the way that they operate within the shopping parades. It was noted also that, as owner, the Council was entitled to receive the rental income from the tenants.

4.1.3 In Knowsley, it was noted that the current level of voids in the Council owned shopping parades was generally very low at less than 5%. There was a broad range of trades within the parades, and overall they generated in the region of £0.600m net income, which was particularly important given the council's overall revenue budget position. Taking on board this information, the Working Group was satisfied that there were a number of positive reasons for the council to retain ownership of its shopping parades.

4.1.5 The background documentation also demonstrated that each parade impacted upon their local community to a different extent. For example, Woolfall Heath shops were in poor condition, under-utilised, and traditionally had a high level of voids and consequently it had been agreed that this parade would be demolished.

4.1.6 The Working Group felt therefore that there would be merit in undertaking a detailed review of each council owned shopping parade to determine its contribution and value to the local community with a view to to developing a repairs and maintenance programme incorporating any necessary physical improvements.

***Recommendation 1 – The council should retain ownership, and continue to manage its Shopping Parade portfolio for the reasons set out within the report.***

***Recommendation 2 – A detailed review should be undertaken of each shopping parade to assess its contribution towards the local community that it serves with a view to developing a repairs and maintenance programme incorporating any necessary physical improvements.***

## 4.2 Management Policy

- 4.2.1 A key document presented to the Working Group was entitled “the health impacts of Council Owned Shopping Parades”. This paper was produced jointly between the council’s Environmental Health and Consumer Protection Service and Public Health and it discussed in detail the impacts that certain types of retailer, such as Hot Food Takeaways, Off-licenses and Bookmakers, had on the communities they served.
- 4.2.2 The report detailed the significant negative impacts that certain businesses can have on an individuals’ health and well-being, particularly young people. It was noted that an informal policy had been operating for a number of years, which included a ban on any new off licenses or betting shops in the council’s shopping parades, although no written policy could be located. This was evident from previous requests from businesses and it was also found that some tenancy/lease agreements included a clause banning the sale of alcohol.
- 4.2.3 Consequently, the Working Group felt that it was important to introduce a formal policy around the management of the shopping parades and that this, when developed, would provide clarity to all parties.
- 4.2.4 The Working Group heard that there was a clear link between gambling and alcohol abuse and that many gambling addicts were also addicted to alcohol. There had been a rise in on-line betting and bookmakers are also now introducing Fixed Odds Betting Terminals in store, which were highly addictive and particularly attracted young males. Also, the rates of depression and attempted suicide among gambling addicts and the level of crime committed by gambling addicts were higher than the national average across the whole population.

- 4.2.5 As stated above, it was established that an informal policy currently existed, which included a complete ban on any new off-licenses or betting shops. Following the evidence provided by Tracy Dickinson (Head of Environmental Health) and Matt Ashton (Assistant Director – Public Health), which outlined the associated risks with these types of businesses and particularly the potential harm to young people the Working Group endorsed that this existing approach should be fully formalised.
- 4.2.6 The Working Group also acknowledged that off licenses and betting shops could be popular in the community. This had been demonstrated by a request in 2011 to transform a solarium into an off-licence, which had been accompanied by a petition from local residents. Nevertheless, the Working Group endorsed transforming existing informal practice into a formal ban.
- 4.2.7 In addition, it was recognised that certain business types could potentially have a greater impact on the local environment than others. At the same time, the Working Group was convinced that local environmental quality should not just be viewed as a cosmetic issue, but as an essential part of local social and economic sustainability.
- 4.2.8 This was outlined in a presentation from Jon Dyson (Head of Waste and Street Scene Services), which highlighted that traditional shopping parade businesses such as newsagents, fast food takeaways and betting shops often generated more litter than other commercial outlets such as post offices. The importance of responsible containment / management of waste through appropriate commercial waste collection arrangements was also highlighted.
- 4.2.9 The Working Group also received evidence regarding the different ways that the council, as landlord, could influence the various business activities, without introducing a formal ban. These potential methods included a requirement for new retailers to sign up to an acceptable behaviour contract such as a 'Responsible Retailer Agreement or to adopt good practice such as that reflected in voluntary codes of practice e.g. 'Food on the Go'. It was felt that this may be applicable to newsagents, fast food retailers and betting shops whose business can result in higher levels of littering.
- 4.2.10 The Working Group also noted that the council provided a number of environmental services to businesses on a commercial basis, such as commercial waste removal and pest control and there was a clear opportunity for the council to promote these services to shop tenants, which could both generate additional income for the council and also have a positive impact on the shopping parades.

- 4.2.11 The Working Group felt that the steady decline in the more traditional local businesses, such as green grocers, family butchers and post offices was not a positive trend, as these businesses can provide a valuable service to the local community. Therefore the Working Group felt that any council policy should try to retain and/or increase the number of these businesses within the council's shopping parades by providing financial or other incentives. It was acknowledged however, that any decision to offer financial or other incentives to attract certain trades must be affordable.
- 4.2.12 The focus of the final evidence gathering session was on establishing whether there were any links between the shopping parades and crime and anti-social behaviour (ASB). It was clear from the evidence that there was a link as shopping parades became a focal point for young people, particularly during the early evening time. The evidence also indicated that levels of ASB at council owned parades were generally greater than those in non-council owned parades. It was recognised that this was thought to be because of the location of the council-owned parades rather than the management arrangements of those parades.
- 4.2.13 Further evidence showed that levels of ASB and crime tended to be greater in the evening, particularly where the shops were open, sheltered and lit, thus attracting young people.
- 4.2.14 It was also reported to the Working Group that the council currently worked with tenants to identify appropriate crime prevention measures, however shop tenants were often reluctant to incur even small amounts of expenditure.
- 4.2.15 Nevertheless, the Working Group agreed that tenants had a responsibility to work with the council to reduce ASB and crime, even if there was a cost involved. The council could no longer sustain a position where the tenants were heavily reliant upon the council. The Working Group felt that we had to manage expectations and that tenants should do more themselves to address the issues. Therefore it was agreed that the Council should look to introduce appropriate responsible retailer schemes and actively encourage tenants to work alongside the council.
- 4.2.16 The Working Group felt that the introduction of CCTV should also be encouraged, where appropriate. However it was acknowledged that this would also need to be funded by tenants, possibility through a service charge arrangement. It was also suggested that any improvements /changes in council owned parades should be extended to non-council owned parades as part of a wider review.

***Recommendation 3 – The council should introduce a formal policy for the management of the Council owned shopping parades.***

***Recommendation 4 – The management policy should aim to influence the type of businesses that operate in the council's shopping parades, including a complete ban on any new off-licences and betting shops and limitations on the number of fast food takeaways.***

***Recommendation 5 – The council should seek to retain, attract and encourage certain traditional businesses, particularly where they provide healthy products, such as butchers and green grocers, through for example the introduction of financial or other incentives.***

***Recommendation 6 – The council should seek to minimise the negative environmental and health impacts of the shopping parades, through the range of initiatives available to it as landlord, including for example, introducing service charges where applicable and promoting responsible retailer schemes.***

#### 4.3 Wider Issues applying to all shopping parades in Knowsley

4.3.1 The Working Group was also provided with evidence about the extent of the support provided to shop tenants, as small businesses in Knowsley, by the Council's Business Liaison team. This support was provided in a number of forms and included grants to start up businesses, business advice and guidance and training for potential new staff by the newly created Retail Academy. The Working Group acknowledged the important and valuable support that was provided and welcomed the fact that this support was available to all retailers in Knowsley, not just those in council owned shopping parades.

4.3.2 The Working Group also enquired about the possibility of providing business rate relief to these businesses. It was reported to the Working Group that discretionary rate relief was only available to non-profit making businesses, for example Charity Shops.

4.3.3 In addition to the above, further research identified that businesses with a rateable value of less than £15,000 were eligible to receive small businesses rate relief, although this was due to change from 31 March 2013 as part of the proposals contained within the Localism Bill. Nevertheless, it was agreed that the Borough Treasurer should be requested to contact all shop retailers across the Borough to ensure that they were taking advantage of this relief.



- 4.3.4 A key aspect of the presentation provided to the Working Group on the health impacts of the council owned shopping parades was the outcome of a nutritional sampling research project, which was developed by Environmental Health and Public Health, and funded by the Knowsley at Heart Board. This research took place between March and May 2011 and involved analysing the nutritional content of popular takeaway dishes served by fast food outlets in Knowsley.
- 4.3.5 This research demonstrated that some meals being served provided more than 3 times the guideline daily amount per meal in terms of saturated fat and calorie content. In some cases, these dishes also contained more than twice the guideline daily amount per meal of salt.
- 4.3.6 In general terms the research also found that the food on sale was of a poor quality, portion sizes were excessive and food labelling was very poor or non-existent.
- 4.3.7 The Working Group were also advised of the work that the council's Environmental Health and Public Health teams do with takeaway businesses in terms of educating them in relation to improving food standards and healthy eating. Reference was also made to the Merseyside Food Charter and the work that was on-going to create a Takeaways Food Charter.
- 4.3.8 The Working Group acknowledged that a number of the findings and recommendations that the review had prompted were equally applicable to privately owned shopping parades. These common aspects included improving food standards, security reviews and encouraging shop keepers to sign up to responsible retailer schemes.
- 4.3.9 Whilst not a key aspect of the review, reference was made during the evidence gathering sessions to the potential to use supplementary planning guidance to limit the number of takeaways within the Borough and for example to prevent new takeaways appearing within a certain distance of schools. This approach had been adopted in St. Helens and could apply to all shopping parades, both private and Council owned.

***Recommendation 7 – The Borough Treasurer should be requested to contact all local retailers to ensure that they are taking advantage of any small business rate relief, to which they may be entitled.***

***Recommendation 8 – The council should work with fast food takeaways to improve the nutritional content of takeaway food and the information on display to consumers, as well as continue to work with Heart of Mersey to develop an adaptation of the Food Charter to apply to takeaways***

***Recommendation 9 – The council should consider the merits of introducing supplementary planning guidance to influence the location and number of fast food takeaways across the Borough.***

***Recommendation 10 – Any findings or best practice arising from this review should be shared with the tenants and landlords of privately owned shopping parades.***

## **5. CONCLUSION**

This review has enabled a considerable amount of evidence to be considered from expert witnesses, as well as a significant volume of documentary evidence including research, current working practices and operational policies, alongside best practice that already exists in other areas.

The Working Group feels that they have developed a set of recommendations which will help to ensure that local shopping parades, particularly those that remain in Council ownership, make an overall positive contribution to the communities in which they are located.

## **6. APPENDICES**

1. Summary note - Evidence Taking Session 1 – 19<sup>th</sup> October 2011
2. Summary note - Evidence Taking Session 2 – 2<sup>nd</sup> November 2011
3. Summary note - Evidence Taking Session 3 – 16<sup>th</sup> November 2011
4. Summary note - Evidence Taking Session 4 – 23<sup>rd</sup> November 2011

<b>OVERVIEW AND SCRUTINY BOARD</b> <b>Review of Council Owned Shopping Parades Working Group</b> <b>Wednesday 19<sup>th</sup> October 2011</b> <b>Summary of Meeting</b>	
<b>Attendees:</b>	
<ul style="list-style-type: none"> <li>• Councillor Diane Reid</li> <li>• Councillor Marie Stuart</li> <li>• Councillor Dave Tully</li> <li>• Councillor Brian O'Hare</li> <li>• Councillor Shannon Arnall</li> <li>• Councillor Ray Halpin</li> </ul>	<ul style="list-style-type: none"> <li>• Mark Butterworth</li> <li>• Ian Capper</li> <li>• Patrick McCarten</li> <li>• Nora Brinkley</li> <li>• Holly Kennedy</li> </ul>
<b>Detail of Evidence Provided</b>	
<b><i>List of documentary evidence considered at meeting</i></b>	
<ul style="list-style-type: none"> <li>• Background information providing details of council owned shopping parades, including location, trades, void levels and rent levels.</li> </ul>	
<b><i>Issues Raised?</i></b>	
<ul style="list-style-type: none"> <li>• Cllr O'Hare queried whether the document was complete as it excluded Manor Farm Road shops</li> </ul>	
<b><i>Potential Findings</i></b>	
<ul style="list-style-type: none"> <li>• The document would be reviewed and updated.</li> </ul>	
<b>Expert Witness (1)</b>	
<ul style="list-style-type: none"> <li>• Ian Capper presented a paper entitled "review of approaches adopted by other local authorities". The paper identified the various arrangements in a small number of other local authorities, which had replied to a request for this information. The paper highlighted that most authorities had transferred their shopping parades to the local housing association. Ian Capper also presented a further paper entitled "summary of current management arrangements" which explained the legal relationship between the council and its tenants.</li> </ul>	
<b><i>Issues Raised?</i></b>	
<ul style="list-style-type: none"> <li>• That a transfer or sale could generate significant capital receipts (potentially in the region of £6m), however the council would lose a significant annual revenue stream in the region of £0.600m.</li> <li>• That the transfer of shops to a third party, such as a housing association removed any form of control away from the local authority.</li> <li>• Each shopping parade is different in terms of voids, backlog repairs and mix of trades and therefore provides a different contribution to the local neighbourhood.</li> <li>• It was also clarified that the council does not own any maisonettes above any of its shop units, although it does own office space in certain parades.</li> <li>• The various roles that the authority has, as landlord, licensing authority and planning authority was discussed. The working group felt that these</li> </ul>	

<p>roles were not always clear to tenants and this could cause confusion, and specific reference was made to a recent case at “5 Loweswater Way”. It was felt that this could lead to great expense to both tenants and the council in terms of officer time.</p> <ul style="list-style-type: none"> <li>Reference was made to existing council policy around betting shops and other night time activities, although a specific document could not be located.</li> </ul>
<p><b>Potential Findings</b></p> <ul style="list-style-type: none"> <li>There are a number of options available to the Council in terms of ownership and these would have significant financial implications and impact upon the council’s ability to control the activities that take place within them.</li> <li>The council has the ability, as the landlord, to control the activities that take place within its shopping parades and the opening hours which are operated by its tenants. This control would not be there if the council disposed of its shopping parades to a third party.</li> <li>The council has separate roles when considering activities that take place within the Borough, for example its role as “licensing authority” and its role as “planning authority” and that there are clear statutory guidelines and requirements, which the council must follow when acting in these roles. However, its role as landlord is complete separate and the above roles do not fetter its ability to control the trades within its own shopping parades.</li> <li>No specific policy document could be located, which provided the basis on which to move forward and control/encourage the trades/activities, which took place within the council’s shopping parades.</li> </ul>
<p><b>Expert Witness (2)</b></p> <ul style="list-style-type: none"> <li>Nora Brinkley presented a paper which summarised the financial support and business advice available to small businesses and start up businesses within the Borough. The paper identified two funding streams, one for new businesses to support job creation and one for more established businesses to encourage growth. In addition, Nora explained the business advice that was provided by the council.</li> </ul>
<p><b>Issues Raised?</b></p> <ul style="list-style-type: none"> <li>Funding was currently available although this may reduce in the future due to the council’s financial position.</li> <li>Businesses were made aware of the advice and funding through a variety of ways, including general advertising and direct contact.</li> </ul>
<p><b>Potential Findings</b></p> <ul style="list-style-type: none"> <li>The council’s business liaison team worked actively with the retail sector in the Borough to provide advice, support and funding on both a general and ad hoc basis.</li> </ul>
<p><b>Expert Witness (3)</b></p> <ul style="list-style-type: none"> <li>Patrick McCarten talked through a presentation entitled “Knowsley Retail Academy” and highlighted the help that the council can provide retailers within in terms of recruitment and also the background and role of the new Retail Academy.</li> </ul>
<p><b>Issues Raised?</b></p>

- The Retail Academy is receiving 12 new applicants each day and has created 14 jobs already.
- Attendance is not compulsory although this was queried and would be clarified.
- The courses were run over 4, 8 or 12 weeks (2 days per week) travel costs were paid and uniforms provided.

***Potential Findings***

- The Retail Academy provided a source of training for individuals who wanted to work in the retail sector and a potential source of trained for all retailers across the Borough.

***Draft Recommendations***

- As a general principle, the council should retain ownership of its shopping parades as this provides a level of control on the activities that take place within them.
- Although consideration could be given to reviewing the contribution that each individual shopping parade makes to the local area, given the level of backlog repairs and number of voids, which may lead to further proposals.
- A clear policy outlining the range of trades, operating hours and other activities should be developed taking on board the relevant financial considerations and the impact that individual trades may have in the local community, including for example, health and environmental considerations.

<b>OVERVIEW AND SCRUTINY BOARD</b> <b>Review of Council Owned Shopping Parades Working Group</b> <b>Wednesday 2<sup>nd</sup> November 2011</b> <b>Summary of Meeting</b>	
<b>Attendees:</b> <ul style="list-style-type: none"> <li>• Councillor Diane Reid</li> <li>• Councillor Marie Stuart</li> <li>• Councillor Dave Tully</li> <li>• Councillor Shannon Arnall</li> <li>• Councillor Brian O’Hare</li> <li>• Councillor Bill Brennan</li> </ul>	<ul style="list-style-type: none"> <li>• Mark Butterworth</li> <li>• Tracy Dickinson</li> <li>• Jon Dyson</li> <li>• Caroline Davies</li> <li>• Matt Ashton</li> <li>• Katherine Taylor</li> <li>• Holly Kennedy</li> </ul>
<b>Detail of Evidence Provided</b>	
<b><i>List of documentary evidence considered at meeting</i></b>	
<ul style="list-style-type: none"> <li>• Background information providing details of health and environmental impacts of Council-owned shopping parades, was distributed prior to the meeting and this was discussed as part of the officer presentations.</li> </ul>	
<b><i>Issues Raised?</i></b>	
<ul style="list-style-type: none"> <li>• None – please see below</li> </ul>	
<b><i>Potential Findings</i></b>	
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	
<b><i>Expert Witness (1)</i></b>	
<ul style="list-style-type: none"> <li>• Tracy Dickinson and Matt Ashton provided a presentation entitled the health and environmental impacts of Council-owned shopping parades.</li> </ul>	
<b><i>Issues Raised?</i></b>	
<ul style="list-style-type: none"> <li>• The presentation focused mainly on the impacts of the following retail types, hot food takeaways, off-licenses, bookmakers, solaria and hair and beauty premises. TD identified the potential negative health impacts such as poor nutrition, poor quality food, litter problems, noise pollution and odour problems.</li> <li>• There are 59 hot food takeaway outlets currently registered with Knowsley Council. Of the 59 hot food takeaways in the borough approximately 20 are located within Council-owned shopping parades, making up 13% of Council-owned stock. A significant amount of work has been undertaken in Knowsley to fully understand the nutritional standard of takeaway food and therefore its impact on the health of the residents. Two food samples were collected from each outlet by the Council’s Environmental Health Team between March and May 2011. The type and number of dishes chosen was based on research into popular takeaway food dishes and a number of other criteria. On collection the dishes were analysed for the portion size, calories, fats, salt etc. Portion size was found to be a major issue in the majority of meal-types. Some of the largest portions sampled were over 1kg in weight. In many cases the large portion sizes were the main cause of a dish containing way over 100% of recommended daily</li> </ul>	

amounts for fat, saturated fat, salt and sugar.

- There are 66 premises which are licensed for the sale of alcohol for consumption off the premises within Knowsley. These include supermarkets, petrol stations, corner shops / grocery shops, general stores and traditional off licences. There are 23 traditional off-licences in Knowsley with 10 located within Council-owned shopping parades, making up 6.5% of Council-owned stock. Alcohol misuse negatively impacts on health and wellbeing in terms of heart disease, cancers, cirrhosis of the liver, mental wellbeing, behavioural problems, teenage pregnancy, domestic abuse, crime and anti-social behaviour. There is particularly concern around underage drinking and a report released recently by Alcohol Concern shows a link between the density of off-licensed premises and harm from alcohol in underage drinkers. Similar to hot food takeaways, off-licences can also be associated with anti-social behaviour and noise problems, due to groups of mainly young people congregating outside. In addition, violence towards staff and armed robbery can also be an issue, having a direct negative impact on the health and wellbeing of staff.
- There are 19 bookmakers in Knowsley and 5 are located within Council-owned shopping parades, making up 3.2% of Council-owned stock. There is a link between gambling and alcohol abuse. Many gambling addicts are also addicted to alcohol. Rates of depression and attempted suicide among gambling addicts are around double the national average. Gambling addicts are also more likely to go to prison as a result of criminal activity. This is almost entirely theft and fraud. If a gambling problem is left to develop, debts can spiral out of control and people can become withdrawn and depressed, which can affect their professional lives and relationships with other people. In addition, this can lead to consumers approaching illegal money lenders, loan sharks and unregulated debt management companies to help them get out of trouble.
- Knowsley currently has approximately 60 sunbed/solariums within the borough, with 6 solariums within Council-owned property (4% of Council-owned stock). There are no unmanned sunbed premises or equipment in council premises. The operation of tanning equipment may expose staff and will expose customers to UV radiation. There is now a wealth of evidence regarding the adverse ill health effects and injuries caused by UV radiation. Short term risks include burns, skin dryness and itching and eye irritation/ conjunctivitis. Long term health risks are skin cancer, cataracts and premature aging of the skin. Strong evidence also shows that the risks are greater to young people using sunbeds. Since April 2011, anyone who provides a sunbed for tanning at a premise must now comply with the Sunbeds (Regulation) Act 2010. The main requirement is to prevent under 18 year olds from using tanning equipment.
- Knowsley has approximately 70 hair and beauty salons in the borough. There are 17 hairdressers within Council-owned premises, but no record of the number of beauty salons. Previous visits to the premises highlighted common areas of concern in relation to the potential risk of dermatitis to staff through poor awareness of the condition, a lack of controls to minimise the effects of contact with water, poor understanding of chemicals used and a lack of monitoring of staff to address any potential

cases of dermatitis at an early stage.
<b>Potential Findings</b>
<ul style="list-style-type: none"> <li>• In many cases the large portion sizes were the main cause of a dish containing way over 100% of recommended daily amounts for fat, saturated fat, salt and sugar.</li> <li>• There is particularly concern around underage drinking and a report released recently by Alcohol Concern shows a link between the density of off-licensed premises and harm from alcohol in underage drinkers.</li> <li>• There is a link between gambling and alcohol abuse. Many gambling addicts are also addicted to alcohol.</li> <li>• Strong evidence also shows that the risks are greater to young people using sunbeds.</li> <li>• MB advised we have to follow guidance on the planning permission, licensing and inspections but we as a landlord can control the use of a premises.</li> <li>• MB also raised the fact that when purchasing a sandwich/pasta from a retailer, the calorie content is on the packaging, also when purchasing a bottle of wine from an off license you can see how many units of alcohol are in it so is there anything we can do in our takeaways to let people know. Maybe the introduction of a byelaw may address this issue?</li> <li>• It was suggested that the feasibility of offering incentives to encourage new “healthy” businesses should be considered.</li> </ul>
<b>Expert Witness (2)</b>
<ul style="list-style-type: none"> <li>• Jon Dyson presented a paper entitled “shopping parades and environmental quality”. The paper focused mainly on the impacts of the following retail types, hot food takeaways, off-licenses, bookmakers, solaria and hair and beauty premises have on local environment.</li> </ul>
<b>Issues Raised?</b>
<ul style="list-style-type: none"> <li>• Poorly maintained, dirty retail and commercial areas do not stimulate investment and are not appealing to prospective customers and the wider community. The quality of the local environment is therefore important for local businesses, because it can help to initially draw in and attract customers.</li> <li>• It is also important to note that if shops are allowed to fall into disrepair this can create unsafe or "no-go" areas, which have a wider impact upon their surrounding communities. Similarly, run-down neighbourhoods are not attractive places for prospective house buyers, and can even reduce local property prices. The quality of the local environment is therefore far more than just a cosmetic issue: it forms an essential part of social and economic sustainability, regardless of local deprivation.</li> <li>• By way of broad national context, over 30 million tonnes of litter are collected from our streets every year and it costs council tax payers £780 million a year (money that could be better utilised in delivering essential services and supporting investment in communities).</li> <li>• The type of litter generated in and around Shopping Parades varies depending on the retail offer. General litter i.e. confectionary packaging, cigarette stubs (and other smoking materials), betting slips, drinks containers / cans and fast food / packaging tends to be the most predominant type of litter in Other Retail and Commercial areas.</li> </ul>



- Certain retail outlets will be associated with higher levels of littering, such as fast food outlets. Litter from these premises will include all the associated packaging and paraphernalia associated with fast food, often large pieces of litter which are very visible to members of the public. In some cases the actual food becomes the litter, which not only stains the ground but can attract vermin and pose additional health and safety risks.
- It is also worth noting that the range of shops in ORC areas tends to differ for a number of reasons. Areas with higher levels of deprivation often have a poor local economy and this in turn can affect the types of business attracted to the area.
- Commercial waste and the adequate containment of waste can also impact on the LEQ of an area. This is waste that has originated directly from the premises within the shopping parades. All businesses have a legal responsibility i.e. Duty of Care to ensure that they produce, store, transport and dispose of their business waste without harming the environment under the Environmental Protection Act 1990 (Section 34) and the Environmental Protection Act (Duty of Care) Regulations 1991. This however is a key issue with a number of tenants perhaps being unaware of their obligations, claiming ignorance or having inadequate contracts in place (in order to reduce their costs) i.e. insufficient storage capacity or inadequate frequency of collection.

***Potential Findings***

- The environmental quality in and around shopping parades is important in terms of maintaining and attracting new tenants/businesses.
- The cost of litter collection and enforcement is significant and therefore it is important to educate and encourage responsible behaviour in both customers and shopkeepers.
- Shopkeepers need to understand their responsibilities better and can be educated/encouraged through a range of responsible retailer schemes. For example, Recycle on the Go, Food on the Go and other local initiatives schemes. Consideration should be given to building these into lease agreement in future to help control the litter problems.

***Draft Recommendations***

- Given the negative impacts on the community consideration should be given to limiting the number of hot food takeaways, off licenses and betting shops in shop owned shopping parades.
- The feasibility of introducing food labelling (similar to McDonalds) should be considered with regard to takeaway food, including the potential use of new legislation.
- Consideration should be given to requiring shop tenants to sign up to appropriate responsible retailer schemes as part of their lease conditions.

<b>OVERVIEW AND SCRUTINY BOARD</b> <b>Review of Council Owned Shopping Parades Working Group</b> <b>Wednesday 16<sup>th</sup> November 2011</b> <b>Summary of Meeting</b>	
<b>Attendees:</b> <ul style="list-style-type: none"> <li>• Councillor Diane Reid</li> <li>• Councillor Marie Stuart</li> <li>• Councillor Dave Tully</li> <li>• Councillor Shannon Arnall</li> <li>• Councillor Brian O’Hare</li> <li>• Councillor Bill Brennan</li> <li>• Cllr Ray Halpin</li> </ul>	<ul style="list-style-type: none"> <li>• Mark Butterworth</li> <li>• Jemma Jones</li> <li>• Nicola Haigh</li> <li>• Ian Capper</li> <li>• Holly Kennedy</li> </ul>
<b>Detail of Evidence Provided</b>	
<b><i>List of documentary evidence considered at meeting</i></b>	
<ul style="list-style-type: none"> <li>• There were no background documents for the meeting</li> </ul>	
<b><i>Issues Raised?</i></b>	
<ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>	
<b><i>Potential Findings</i></b>	
<ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>	
<b><i>Expert Witness (1)</i></b>	
<ul style="list-style-type: none"> <li>• Jemma Jones provided a presentation entitled ‘Analysis of Crime &amp; Disorder’. JJ identified the impacts anti-social behaviour has on Council-owned shopping parades.</li> <li>• Within Knowsley there are 22 designated shopping parades, which are owned and managed by the Local Authority. There are also over 35 privately owned shopping parades/areas in the borough. There are no council owned shopping parades in the areas of Halewood, Cronton and Whiston and only one located within Prescot.</li> <li>• JJ explained that making comparisons is difficult as the number of parades is not the same and that aspects of each parade are different – for example parades may have a different type of store (a late night off license may attract more ASB than say a florist irrespective of the ownership of the parade itself) also as the analysis was done at a street level individual repeat &amp; problematic callers may skew the results slightly. Nevertheless a simple comparison, using an average, shows the following for ASB calls on the street.  <b>Council owned</b> – total of 652 – 22 parades = average of 29.6 incidents  <b>Non council owned</b> – total of 759 – 35 parades = average of 21.7 incidents</li> <li>• JJ explained that shopping parades in Knowsley experience ASB due to the location and are often attractors for ASB as they are the centrepiece of communities. Also the nature of shops (newsagents, take-aways &amp; off licenses in particular) will attract and generate ASB calls, particularly as these trades open in the evening. Some parades will also ‘enable’ ASB</li> </ul>	

with poor lighting and poor CCTV coverage and a lack of a 'suitable capable guardian'

- The ASB data has shown that both Council & Non Council owned parades suffer from ASB and the streets that they are located on (residents who live near these locations will often suffer ASB by groups of individuals travelling to/from the shops or experience the impact from groups congregating near them) also see an impact. Although, it is difficult to show one type of parade suffers higher ASB than others.
- Raw data may show higher volumes of ASB & business crimes at some locations compared to others but difficulties with sample sizes and the data involved makes definite conclusions difficult.

***Issues Raised?***

- It has suggested, and this was supported by the evidence to some degree, that parades with shops open in the evening generated higher levels of ASB.
- As a general point, it was felt that when the shops were shut that they were prone to graffiti and this needed to be dealt with better.
- It was noted that Betting shop security was generally lower than it should be and therefore this attracted crime, particularly robberies.
- The question of whether the levels of ASB in Huyton were as high as in Kirkby was raised and this was found to be broadly the case.
- It was suggested that the removal of canopies deterred young people from gathering in the area and therefore this reduced ASB levels.
- Gating schemes in Kirkby were a good security measure and it was suggested that this type of deterrent should be considered elsewhere.
- The question was asked whether reductions in ASB levels could be linked to the reduction in the number of teenagers in the Borough.
- There was a discussion about the use of CCTV and it was felt that increased usage, linked to Stretton Way, could be beneficial, although it was recognised that shop tenants would need to contribute to this.
- It was noted that responsible retailer schemes could be introduced as a measure to reduce ASB and crime.

***Potential Findings***

- The levels of ASB at council owned parades was generally greater than those in non-council owned parades but this was because of their location as opposed to the management arrangements.
- ASB and crime was greater in the evening, particularly where the shops were open, sheltered and lit which attracted young people.
- Tenants had a responsibility to work with the council to reduce ASB and crime, even if there was a cost involved, therefore the council should look to introduce appropriate responsible retailer schemes.
- The introduction of CCTV should be encouraged, where appropriate although this would need to be funded by tenants, possibility through a service charge arrangement.
- It was also suggested that any improvements /changes in Council owned parades should be extended to non-council owned parades as part of a wider review.

***Draft Recommendations***

- Consideration should be given as to whether the council introduces a

policy which discourages or does not allow trading outside of normal working hours.

- Considerations should be given to undertaking a security assessment of each parade to identify any additional security measures that are required.
- The Council as landlord should seek to encourage tenants to join/participate in responsible retailer schemes.

<b>OVERVIEW AND SCRUTINY BOARD</b> <b>Review of Council Owned Shopping Parades Working Group</b> <b>Wednesday 23rd November 2011</b> <b>Summary of Meeting</b>	
<b>Attendees:</b> <ul style="list-style-type: none"> <li>• Councillor Diane Reid</li> <li>• Councillor Dave Tully</li> <li>• Councillor Brian O'Hare</li> <li>• Mark Butterworth</li> <li>• Jemma Jones</li> <li>• Ian Capper</li> </ul>	<ul style="list-style-type: none"> <li>• Tracy Dickinson</li> <li>• Jon Dyson</li> <li>• Caroline Davies</li> <li>• Catherine Taylor</li> <li>• Holly Kennedy</li> </ul>
<b>Detail of Evidence Provided</b>	
<b><i>List of documentary evidence considered at meeting</i></b>	
<ul style="list-style-type: none"> <li>• There were no background documents for the meeting</li> </ul>	
<b><i>Issues Raised?</i></b>	
<ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>	
<b><i>Potential Findings</i></b>	
<ul style="list-style-type: none"> <li>• Not Applicable</li> </ul>	
<b><i>Expert Witness (1)</i></b>	
<ul style="list-style-type: none"> <li>• Mark Butterworth provided a presentation entitled 'Summary of Key Issues'. MB provided an overview on the three previous evidence gathering sessions.</li> </ul>	
<b><i>Issues Raised?</i></b>	
<ul style="list-style-type: none"> <li>• It has been established that the shops are valued in the community and well used although they can create issues. It was also established that the Council can retain control of the business activities and opening hours as landlord which therefore established that we want to retain ownership of the shopping parades.</li> <li>• Although it would be prudent to undertake a further review of each individual parade to assess its contribution/impact on the local community and that we need a formal policy for the management of Council owned shopping parades.</li> <li>• We need to decide whether we want to influence the type of businesses that operate i.e. ban, limit, discourage, or encourage businesses such as Hot Food Takeaways, Off Licenses, Sun bed shops, Betting Shops, Fresh food outlets, Newsagents/general stores. Also how we want to influence these businesses by reducing the opening hours to say (7pm), or by adjusting rent levels and providing incentives, also by adding services charges for pest control and waste management or adding conditions such as responsible retailer schemes.</li> <li>• It was also noted that other issues to be considered would be to look to influence food labelling in hot food takeaways to allow customer to make informed decisions on what the calorie/fat contents are before buying.</li> </ul>	

- Look to support shop tenants as small businesses in terms i.e. grants, advice and also staff training and also look to undertake a security review of each shopping parade to design out crime.
- It was also noted that tenants had a responsibility to help to reduce any negative impacts and that they should not rely on the council as much, therefore we should actively encourage the shopkeepers to do more.

***Potential Findings***

- The Council has a social responsibility to prevent underage sales at off licences and we have the ability to control this.
- Informally the Council have had a policy in place for a number of years preventing new hot takeaways, off licences and betting shops, this should be made formal.
- Shopkeepers should work along the council to address any negative impacts.

***Draft Recommendations***

- It was recommended that the Council retain ownership of their shopping parades but conduct a review for each parade on an individual basis.
- To develop and implement a formal policy for the management of Council owned shopping parades and to include a ban on off licences and also betting shops.
- To provide incentives to encourage such as reduction in business rates, rent level etc to valuable local services such as post offices, butches, and greengrocers.



Knowsl@y Council

## Management of Council Owned Neighbourhood Shopping Parades Policy

Version:	01
Approved by:	
Date formally approved:	
Document Author:	Jonathan Lowe
Name of responsible Directorate:	Corporate Resources
Review date:	July 2012
Target audience:	Council wide

*This policy can only be considered valid when viewed via the Policy Library on the Knowsley Council intranet site. If this document is printed into hard copy or saved to another location, you must check that the version number on your copy matches that of the one online.*

July 2012

<b>KMBC DOCUMENT CONTROL PAGE</b>	
<b>TITLE</b>	<p><b>Title:</b> Management of Council Owned Neighbourhood Shopping Parades Policy</p> <p><b>Publication Date:</b> July 2012</p> <p><b>Document Type:</b> Corporate Policy</p> <p><b>Version Number:</b> 01</p> <p><b>Brief Summary:</b> A policy to establish a clear, consistent and equitable basis on which decisions regarding the management of the Council's neighbourhood shopping parades can be made in order to make a positive impact upon the general health and well-being of the residents of the Borough</p>
<b>ORIGINATOR</b>	<p><b>Document Author and Job Title:</b> Jonathan Lowe – Asset Manager - Strategic</p> <p><b>Responsible Directorate:</b> Corporate Resources</p> <p><b>Policy Operational Level:</b> Level 2: Corporate Policies and Strategies</p>
<b>FORMAL APPROVAL</b>	<p><b>Approved by:</b></p> <p><b>Date approved:</b></p>
<b>REVIEW</b>	<p><b>Review Date:</b> July 2013?</p> <p><b>Responsibility of:</b> Asset Management</p>
<b>SUPERSEDES</b>	<p><b>Supersedes:</b> N/A</p> <p><b>Description of Amendments:</b> N/A</p>
<b>POLICY DEPENDENCIES</b>	<p><b>Link to other Council documents:</b> Corporate Plan, Sustainable Communities Strategy and Corporate Property Plan, draft Health and Wellbeing Strategy</p> <p><b>Link to Council Primary Objective:</b> -----</p> <p><b>Link to Sustainable Communities Strategy Driver Priority:</b></p>



<b>KMBC DOCUMENT CONTROL PAGE (2) Continued</b>	
<b>EQUALITY IMPACT ASSESSMENT</b>	<p>In order to carry out an EIA you should first complete a screening matrix which can be accessed through the Corporate Equality and Diversity Team.</p> <p><b>Screening Matrix Complete: Yes <input type="checkbox"/> No <input type="checkbox"/> Date Complete:</b></p> <p><b>Manager/Group responsible:</b></p> <p><b>Category: High <input type="checkbox"/> Medium <input type="checkbox"/> Low <input type="checkbox"/> No relevance <input type="checkbox"/></b></p> <p>Based on the category indicate the date that a further assessment must take place:</p>
	<p><b>Initial Assessment is complete: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></b></p> <p><b>Date Complete:</b></p>
	<p><b>Full EIA Process is complete: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></b></p> <p><b>Date Complete:</b></p>
<b>SUSTAINABILITY APPRAISAL</b>	<p>To evaluate the economic, social and environmental impacts of a policy you should complete the Integrated Sustainability Appraisal Toolkit on the Policy Hub.</p> <p><b>Policy has been appraised for sustainability: Yes <input type="checkbox"/> No <input type="checkbox"/></b></p> <p><b>Action has been taken to mitigate any identified negative impacts:</b></p> <p><b>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></b></p> <p><b>Date Complete:</b></p>
<b>RISK ASSESSMENT</b>	<p>A risk assessment template is available on the Corporate Risk Management intranet site.</p> <p><b>Policy has been risk assessed: Yes <input type="checkbox"/> No <input type="checkbox"/></b></p> <p><b>Date complete:</b></p>
<b>TRAINING/ AWARENESS RAISING</b>	<p><b>Training / awareness raising required to fully implement document:</b></p> <p><b>Yes <input type="checkbox"/> No <input type="checkbox"/></b></p> <p><b>If no please state why:</b></p> <p><b>If yes indicate the date of training / awareness raising:</b></p> <p><b>Training provided by:</b></p>
<b>POLICY LIBRARY</b>	<p>Once formally approved the document should be posted onto the Policy Library on the Council intranet.</p> <p><b>Date Posted:</b></p> <p><b>Posted by:</b></p>

**July 2012**

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### Appendix A

Shop Management Working Group - Terms of Reference

## **Part 1**

### **1. Policy Aims and Objectives**

#### **1.1 The aims of this policy are:**

- a) to establish a clear policy for the management of the Council's Neighbourhood Shopping Parades to ensure clear, consistent and equitable decision-making that has a positive impact upon the general health and well-being of the residents of the Borough.
- b) to set standards for the letting of shop units; and
- c) to describe the Council's arrangements for managing the Council's neighbourhood shopping parades

1.2 As stated in the Council's Corporate Property Plan, the Council is committed to using its property as a tool to directly contribute to the Council's key aims and objectives in addition to providing a financial return. To achieve our aims, the following policy objectives will be adopted, which will directly shape and influence the management decisions made across the Council in respect of the Council's Neighbourhood Shopping Parades:

- (i) The incidence of voids at parades should be reduced and the retail offer should meet the shopping needs of local residents, having regard to both economic trends and social factors;
- (ii) The management of the neighbourhood shopping parades should aim to minimise the negative environmental and health impacts of the parades and to maximise the potential positive impacts to local communities.
- (iii) Traditional businesses should be retained and encouraged to occupy shop units and to trade successfully, particularly where they provide healthy products (such as butchers and greengrocers),

1.3 This policy will be reviewed at intervals of not more than 3 years in line with the Corporate Property Plan and any revision will be notified to relevant persons.

## **Part 2**

### **2.0 Background and Introduction**

#### **2.1 Local Context**

During 2011/12 the management of the Council's shopping parades was the subject of a scrutiny review. The Scrutiny Working Group completed its review and proposed a series of recommendations which aimed at providing clarity in relation to the management of the Council's shopping parades and potentially provide additional support to existing and new local businesses. One of the recommendations was for the Council to introduce a formal policy for the management of Council owned shopping parades. It was considered that a formal policy would ensure clear, consistent and equitable decision-making and could have a positive impact upon the general health and well-being of the residents of the Borough.

The Council owns 21 shopping parades comprising 153 shops located within the Borough. The majority of the shops were built in the 1950s and serve local housing estates. The most modern parade of shops, set in its own grounds, was built in the 1980s. Some parades have been partly demolished and converted from multi-storey buildings to single storey parades. However, there are other parades where the shops occupy ground floor positions with flats above.

The current approach to the letting and management of the shops has evolved over many years via a series of resolutions, often in response to specific issues. There is a need to consolidate this position, formalise current practice and ensure all areas are covered.

## 2.2 National Context

Central Government has for many years sought to develop a successful neighbourhood renewal strategy to tackle the problems faced by people living in deprived neighbourhoods. A report by the Social Exclusion Unit in the late 1990s stated that:

*'Neighbourhood renewal is about putting the heart back into communities. It's not just about bricks and mortar. It's about the people who live there and enabling them to live their lives in a way which most people take for granted. It's about generating a sense of belonging to and being part of a community. Vibrant local shops can play a vital part in this process.'*

*'Thriving local shops can provide employment for local residents and a pathway into new skills and training opportunities, can reduce crime and can improve health by providing a range of quality goods, including food, at affordable prices.'*

More recently, The Government has published guidance on how local shops should be restored into vibrant business areas that are full of local character and sit at the heart of neighbourhood communities. The Government stated that "Parades should be thriving beacons of local business, home to the character of the neighbourhood community and the local shoppers' destination of choice."

It is acknowledged that local shops can provide a natural setting for residents to engage with each other, particularly elderly residents, who may have only limited contact with family and friends. Therefore, local shopping parades can support community cohesion within an area.

## 2.3 Policy Review

Members and officers via the Scrutiny Review have examined the role that the Council's neighbourhood shopping parades play in reducing the high levels of deprivation within the borough, in particular:

- How the management of the shops could improve accessibility for local communities to essential amenities and services, for example Post Offices, grocers, pharmacists and provision of fresh produce etc.
- The impact that anti-social behaviour has on the viability of shops having particular regard to the effect of voids on local communities (loss of services and environmental blight) as well as to the income loss to the portfolio.
- The part that some lettings within the shopping parades play in exacerbating levels of deprivation and health problems within local communities e.g. off-licenses, takeaways and betting shops.

Unfortunately, for economic reasons, traditional shop uses that could promote healthier living such as butchers, bakers and greengrocers are becoming increasingly rare. Mobility of shoppers and the pricing policies employed by large stores/retailers (loss-leaders or very competitive price offers) are drawing customers away from local shops. It is unlikely that this trend will be reversed although recent research has shown that the proportion of total spend through neighbourhood shops is holding steady at around 16%. If traditional trades are to be retained or increased on the council's parades it will be necessary to adopt a proactive and supportive approach.

The viability of shops on neighbourhood parades is currently determined by market forces. Many of the most popular and profitable businesses are suntan centres, hot food takeaways, off-licenses and betting shops. Such businesses are however associated with negative side effects, such as anti-social behaviour and crime, and potentially have an adverse effect on health. It is these side affects which have damaging consequences for the wider local community and do not support the Council in meeting its priorities.

### **Part 3 - Organisation and Responsibilities for The Management of Neighbourhood Shopping Parades**

3. The Council has a devolved approach to the management of the neighbourhood shopping parades with responsibilities for various functions delegated across the directorates of the Council to encourage and enable issues to be addressed at a local level wherever possible.

The overall responsibility for Neighbourhood Shops currently rests with the Director of Regulation and Enforcement but during the course of the year (2012/13) will transfer to the Director of Business Investment and Sustainability, with the day to day management being the responsibility of the Asset Management Team (Directorate of Corporate Resources).

#### **3.1 Asset Management Team (Function)**

A new structure for the future delivery of Asset Management was approved in April 2011 and has been implemented. The Asset Management Team has brought together Asset Management, Estate Management, Property Maintenance, Project Management, Energy and PFI Contract Management. This has paved the way for closer joint working and improved services in areas such as property performance, estate management, maintenance and data management.

Nevertheless, there remain a number of facilities management, financial, environmental health and other operational activities connected to the management of the shops, which will be undertaken across the Council and that will continue to be delivered by services across the organisation. These include: -

- Cleansing and street scene services
- Business Rates
- Security and Retail Violence
- Health and Safety, Food safety and hygiene
- Business liaison and investment
- Healthy Living Promotion\*
- Duty of care for waste disposal
- Environmental crime

\* This is currently delivered by the Knowsley Public Health Team, which is likely to become part of the Council's structure following the abolition of the Primary Care Trusts in March 2013.

It is essential that these operational activities are co-ordinated to ensure that a consistent borough-wide approach is being adopted. To this end, more recently, a multi disciplinary cross-directorate Shop Management Working Group has been established to ensure that the operational management decisions relating to the council's shopping parades are made in a more co-ordinated manner.

The first meeting of the Working Group was on 29 May. The Working Group reports directly into the Land and Property Steering Group with agreed actions or operational issues and performance information.

### 3.2 Shop Management Working Group

The Shop Management Working Group is attended by the following officials representing each Service:-

- Asset Manager – Strategic, Asset Management Team (DCR)
- Principal EHO, Environmental Health & Consumer Protection Service (DCR)
- Revenues Manager ( Business Rates) DCR Borough Treasurer
- Health and Regeneration - Project Officer, Regeneration (Public Health Team/DRES)
- Business & Sector Development Manager, DRES Business Liaison & Investment (DRES)
- Technical Advisor, DNS Street Scene (DNS)
- Community Safety Manager, DNS Neighbourhood management (DNS)
- Compliance and Prevention Officer, Active Leisure (DWS)
- LDF Senior Planner (CEO)

The group now meets on a monthly basis with support coming from the Asset Management Team. To terms of reference for the group are attached at Appendix A.

The devolved structure and performance relating to the management of the neighbourhood shopping parades will be monitored by the Land and Property Steering Group through the production of quarterly reports by the Shop Management Working Group to ensure that the arrangements are effective and appropriate.

### 3.3 Land and Property Steering Group

The Land and Property Steering Group, which is chaired by the Director of Regulation and Enforcement reports directly into the Senior Managers Group with agreed actions. The Cross-Directorate Land and Property Steering Group ensures that strategic decisions relating to the management of the shops are being made in a more co-ordinated manner with the following senior officials representing each Directorate:-

- Director Regeneration & Housing
- Director of Schools and Educational Attainment
- Director Community & Leisure
- Director of Change and Transformation
- Director of Neighbourhood Delivery
- Head of Asset Management
- Head of Knowsley Solutions

The group meets on a fortnightly basis with support coming from the Asset Management Team.

### 3.4 Allocation of Responsibilities

The general duties and responsibilities for the Management of the Neighbourhood Shopping Parades are allocated as follows:

**Table 1:**

<b>Management Responsibility</b>	<b>Who this includes</b>	<b>Responsibility</b>
<b>Policy Makers</b>	Council Members, the Deputy Chief Executive, Asset Management Steering Group,	Overall responsibility for strategic implementation, enforcement, and regular review of this policy.

	Director of Regulation and Enforcement, Director of Business Investment and Sustainability, Shop Management Working Group and Asset Management Team	Making sure that this policy is taken into account, as appropriate, when decisions are made relating to the Council's Neighbourhood Shopping Parades.
<b>Landlord &amp; Tenant contract management and lettings</b>	Council Members, the Deputy Chief Executive, Service Director Regulatory Services and Asset Management, and Asset Management Team	Responsible for implementing policy and procedures at a local level. Ensuring that criteria/procedures for new lettings are adhered to in order to achieve stated objectives.
<b>Maintenance of Shop Units</b>	Asset Management Team (DCR) Tenant's Responsibilities (see section 3.5)	Responsible for ensuring that the maintenance of the shopping parades is carried out in accordance with the contractual terms to maintain the physical appearance of the parades to a good standard and where feasible to make planned improvements to the parades.
<b>Adopted Footpaths and highways</b>	Planning & Transportation (DRES)	Responsible for ensuring that the adopted footpaths and carriageways surrounding and serving the shops are maintained.
<b>Street Service and Cleansing</b>	DNS Street Scene (DNS)	Responsible for ensuring refuse collection and street cleaning.
<b>Promotion of Health Agenda</b>	Compliance and Prevention Officer, Active Leisure (DWS) Health and Regeneration - Project Officer, Regeneration (Public Health Team/DRES),	Responsible for promoting health initiatives (e.g. Working Well) and the development of Supplementary Planning Guidance to limit the negative health impacts of hot food takeaways.
<b>Enforcement – Food Hygiene and Consumer Protection</b>	Environmental Health & Consumer Protection Service (DCR)	Responsible for ensuring businesses meet their legal duties in areas including health and safety, food safety and waste duty of care (correct storage and disposal of waste). Food businesses must be registered and their piercing/cosmetic and beauty treatments must be appropriately licensed. Registration/licensing allows the council to keep an up-to-date list of all those premises in their area so we can visit them as required to ensure high standards of health and hygiene are maintained, The service can also provide environmental health guidance on proposed change of uses within shopping parades.
<b>Security, Retail Violence, Anti Social</b>	Community Safety Manager, DNS Neighbourhood management (DNS)	Security Assessments, consultation with retailers and promotion of security

<b>Behaviour and Designing out crime</b>	Asset Management Team (DCR)	initiatives/projects (Retail Violence Project) to be routinely undertaken to minimise the negative impacts of the parades. Action to be taken against tenants in breach of covenants.
<b>Financial Support and Grant Assistance</b>	Business & Sector Development Manager, DRES Business Liaison & Investment (DRES) Asset management Team (DCR)	To promote and encourage tenants to access grants to ensure the sustainability or expansion of small businesses and to attract new start up businesses, particularly 'Traditional Traders'.
<b>Non-Domestic Rates</b>	Revenues Manager ( Business Rates) DCR Borough Treasurer	To ensure that those businesses who may be entitled to Small Business Rate relief (SBR) are in receipt of it.

### 3.5 Tenants Responsibilities

Under the terms of the lease agreements granted by the Council, which are negotiated by the Asset Management Team, a tenant is required to:

- Pay rent
- Pay other charges associated with the shop units (e.g. business rates, utilities etc
- Ensure that their activities do not to cause a nuisance to neighbours
- Use the shop unit for the agreed use and not without the Council's consent as landlord to change the use
- Occupy the building and not to sublet or assign the lease without the Council's consent as landlord

In addition to the above, a tenant is generally responsible for keeping the whole of the interior and exterior of the premises and any additions thereto in good repair to the reasonable satisfaction of the Council.

The Lessee's repairing responsibilities shall generally include (without prejudice) all of the following items:

- i) drains up to their connection into the main sewer and sanitary and water apparatus including piping and water heaters
- ii) electric wiring meters and consumer units
- iii) plateglass shop front windows and all other glass
- iv) boundary walls, gates and fences
- v) surfaces - painting, interior and exterior. To keep the premises neat and clean and free from graffiti
- vi) fixtures and fittings
- vii) shop fronts and roller shutters to doors and windows
- viii) rainwater pipes, downspouts and soil pipes

Exempt from the Lessee's repairing obligations (Without Prejudice) and therefore the responsibility of the Council's Asset Management Team are the following items:

- i) the structure of the roof defined as the roof timbers, joists and rafters, all slates, tiles, felt or other coverings including the fixings thereof but excluding ceiling boardings and plaster
- ii) the load-bearing walls and foundations
- iii) the structure of the floor but excluding screedings, coverings and finishes



It is the responsibility of the Asset Management Team to ensure that shop tenants comply with the terms and conditions (covenants) of their leases and to take action where it is considered appropriate for any breach.

## **3.6 Financial Responsibilities – Rents**

Shops are let to traders to be run as private businesses at market rents. Rent levels are determined by tender, negotiation, arbitration, independent expert or reference to Court. In setting (and collecting) rents there are legal and financial duties on the Council which are outlined below.

Section 123 of the Local Government Act 1972 imposes duties upon the council which vary depending upon whether leases are granted for periods of up to 7 years or over 7 years.

In the case of leases granted for periods up to 7 years the Council has discretion about the rental levels it charges, subject to a general duty to have proper regard to interests of council tax payers.

In the case of leases granted for periods in excess of 7 years the Council is under a duty to obtain the market rent unless approval is obtained from the Secretary of State. Such approval is however deemed to be granted in the following circumstances:

- a) the local authority considers that the purpose for which the lease is granted is likely to contribute to the achievement of any one or more of the following objectives in respect of the whole or any part of its area, or of all or any persons resident or present in its area;
  - i) The promotion or improvement of economic well-being;
  - ii) The promotion or improvement of social well-being;
  - iii) The promotion or improvement of environmental well-being; and
- b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds).

In either of the above cases if the Council wished to grant a lease at a rent which was less than market value then it would need to set out clearly how this would benefit council tax payers or fit within the criteria set out above. Any concessionary rent would also need to be personal to a particular tenant, reviewed annually, and subject to submission of certified accounts/income tax returns which supported the case for the concession. A valuation is also required which identifies the undervalue.

## **Part 4 - Arrangements for Applying the Policy**

- 4. In order to achieve the aims and objective of the shops portfolio, as set out in Part 1, the following arrangements will be adopted for the management of Council owned shopping parades:

### **4.1 Objective 1 - Void Reduction**

#### **4.1.1 Flexible Lease Terms**

Where shops are tending to become vacant frequently or for long periods, the Asset Management Team will recommend that the Council, in specific cases, take special action. Such action could include for example, granting introductory rent free periods or stepped rental increases, rent reductions reviewed annually, consent to subletting, short or long term leases with agreed rent review dates, transfer of repair & maintenance responsibilities.

Where appropriate, the Asset Management Team will consider utilising the RICS Small Business Retail Lease which was introduced in July 2012. The lease is intended to encourage small/new business take up space by making the leasing process shorter and less complicated. The lease has been produced in short form for retail property, in relatively simple terms, for a short term lease (up to 5 years) with no rent review.

Each letting will be dealt with on its own merits and specific interventions developed to suit the particular circumstances. The Asset management will still continue make every effort to secure a use that will have a positive impact on the local community.

#### 4.1.2 Shop Design

There has been a decline in the number of shops operated by specialist trades such as butchers, bakers and greengrocers due to the increased mobility of shoppers and the highly competitive prices offered for such commodities by large, high turnover, stores serving wide catchment areas. Whilst some remain viable in local shopping parades, the general trend seems to be for them to be amalgamated and provided by one proprietor in a "General Store". Such amalgamations tend to diminish overheads in proportion to turnover. The Asset Management Team should, therefore, work with existing or potential retailers, particularly 'Traditional Traders' to consider opportunities for the redevelopment / conversion of units to provide viable, modern shop outlets attractive to traders and customers alike. Proposals will be developed on a case by case basis to meet local requirements.

#### 4.1.3 Non-Domestic Rate Relief

Lessees will be eligible for a discount under the small business rate relief scheme in England if they only occupy one property and it has a rateable value below £12,000.

The Government has temporarily doubled the level of relief available. Between 1 October 2010 and 31 March 2013, eligible ratepayers will receive small business rate relief at 100 per cent on properties up to £6,000 (rather than 50 per cent), and a tapering relief from 100 per cent to 0 per cent for properties up to £12,000 in rateable value for that period. The temporary Small Business Rate Relief increase will therefore apply throughout the whole of the 2012-13 billing year (until 31 March 2013).

The Revenues Manager (Business Rates) will periodically write to the occupants of the Council's Neighbourhood Shops to inform them of their eligibility for rate relief and to update them on decision made by the Government in respect of non domestic rates.

#### 4.1.4 Condition Surveys, Repairs and Maintenance

The shops portfolio has received disparate investment to address structural defects or to improve the appearance of the shops. This has helped the shop

tenants and benefited trade where investment has been made. In order to adopt a planned approach to maintenance and to tackle priority repairs to the neighbourhood shops, condition surveys have been completed and will continue to be updated through a rolling programme that will ensure that all surveys are less than two years old. A programme of planned and prioritised maintenance will be carried out to improve the overall appearance of the shopping parades, paying particularly attention to the areas considered to be part of the public realm.

#### 4.1.5 Grant Assistance & Training

See Grants available in Section 3.23 below

#### 4.1.6 Vacant Flats

Where shopkeepers or potential shopkeepers do not wish to lease flats above retail units and they remain vacant for a period of time then they should be offered to RSLs for social housing. Such lettings should be structured to ensure there is no legal impediment to the flat being returned if subsequently required to provide residential accommodation for the trader's own occupation so as to facilitate the operation of the shop.

#### 4.1.7 Vacant Shops

Where shops have been vacant and marketed through the Council's website, advertising boards and local press for more than six months and no reasonable rental offers have been received, the facts and recommendations should be reported to the Deputy Chief Executive to consider what further action should be taken

### 4.2 **Objective 2 – To Minimise the Negative Environmental and Health Impacts Of The Shopping Parades**

#### 4.2.1 Control of Uses and Opening Hours – New lettings

Certain types of shops are known to be a focus for anti social behaviour and others are known to contribute to poor health outcomes. Consequently the Asset Management Team will not permit any new lettings for shops to be used as tanning centres, off-licenses or betting shops and will limit hot food takeaways to one per parade. Off licence sales of alcohol within a general convenience store will be considered only if it is ancillary to the main use. The control of opening hours will be managed, where it is considered appropriate, through the terms and condition of the lease to minimise the impact of retailers on local communities, whilst taking into account the shopping needs of local residents.

#### 4.2.2 Control of Uses – Existing Lettings

Requests from existing tenants for a change of use to tanning centres, off-licenses and betting shops will be refused. Requests for a change of use to a hot food takeaway will only be considered if one is not present on the parade and will be subject to planning permission being secured. Requests to include off licence sales of alcohol within a general convenience store will be considered only if it is ancillary to the main use.

#### 4.2.3 Security

In the retail sector, employees are potentially subject to a range of violence ranging from verbal abuse to physical assaults including the use of weapons. This

may be due to dealing with complaints, unpredictable behaviour of customers and violent crime. Such incidents may also occur more frequently within this sector due to such businesses handling large amounts of cash, being open later in the evening and requiring staff to have face to face contact with customers. In some areas shoppers and traders may be deterred by the fear of violence.

Security Assessments will be routinely undertaken by the Community Safety Manager (DNS) to usefully examine possible means of preventing anti-social behaviour or security threats such as the provision of CCTV cameras and other security/ surveillance measures. The findings of the security assessments will be shared with tenants and issues addressed wherever possible.

#### 4.2.4 Retail Violence Project

The Cheshire and Merseyside Health and Safety Liaison Group consisting of representatives from the region's local authorities (LA's) and Health and Safety Executive recognised the need to address the risks of work related violence in the retail sector.

Through the liaison group, the Retail Violence Project was initiated in partnership with Merseyside and Cheshire Police in 2009-10. The project has since developed as follows:

- A quarterly 'Retail Violence' working group consisting of LA officers including Knowsley and Police Crime Reduction Officers (CRO's) meets on a quarterly basis to share good practice and achieve consistency when advising on or enforcing standards across the region.
- An 'Information Sharing Agreement' is now in place to allow LA's access to Police crime data and provide effective intelligence for informing on retail premises visits.
- The development of guidance for employers to effectively manage the risks of work related violence
- An ongoing programme of targeted joint visits by LA officers and Police CRO's to retail premises.

The workplace visits by LA officers and CRO's forms a major part of the project. Such inspections take place in response to reportable incidents of violence at work, information obtained in crime statistics and in response to complaints made by employees. The visits are used to identify any failings of employers to effectively manage workplace violence risks. Appropriate action can then be taken to ensure those risks are properly controlled. Effective control measures employers should identify may include:

- Work Environment - Suitable design and layout of the premises including adequate visibility/lighting, provision of surveillance/CCTV and security devices
- Working Practices – Suitable cash handling procedures in place and adequate staffing
- Training – Adequate provision of training to address preventing and also dealing with violent incidents

Knowsley has been extremely proactive in delivering the Retail Violence Project in the Borough. Environmental Health and Consumer Protection Service has made significant improvements in how the risks of work related violence is managed by many retail businesses in the area. Nearly 60 visits have been undertaken to retail premises in the Borough.

#### 4.2.5 Street Scene and Cleansing – Food on the Go Initiative

The Council takes pride in our streets and take environmental health issues seriously. The Directorate of Neighbourhood Services provides a street cleaning service to make sure that our streets are free from litter, grafitti and road spillages.

The Council has the power to issue a Fixed Penalty Notice of £75 fine to anyone caught littering the street or throwing litter from their car.

The Environmental Health and Consumer Protection Service investigate fly tipping incidents and prosecute offenders. Dumping waste illegally is a serious criminal offence that carries a fine of up to £50,000 (unlimited if the case goes to the Crown Court). Offenders could also face a prison sentence of up to five years for fly-tipping.

Offenders could also face the same penalties if a person allows someone to fly-tip on their land and/or their registered vehicle is used to fly-tip.

As part of the Cleaner, Safer, Greener campaign, Council officers are working in partnership with fast-food outlet owners across Knowsley as part of the Food on the Go Initiative to reduce litter from food packaging, half eaten burgers and drinks containers, which is on the increase.

#### 4.2.6 Health Initiatives

The health impacts of the shopping parades will be addressed by promoting responsible retailer initiatives and registration schemes through the Health and Regeneration - Project Officer (Public Health Team/DRES); Active Leisure; and Environmental Health & Consumer Protection Service. The range of initiatives available, which will be highlighted to the retailers at no less than yearly intervals, includes:

- Working Well - There is a growing body of evidence showing the financial benefits found by organisations that implement wellbeing programmes. Working Well supports organisations in addressing key areas which can improve the health and wellbeing of their employees and assist in complying with health and safety legislation.

Businesses in Knowsley who sign up to Working Well will be asked to agree to six central commitments and are then supported to work towards six health specific standards. Businesses that complete all of the standards can also achieve the first stage in the Regional Workplace Workplace Wellbeing Charter which is also a recognised award.

Signing up to Working Well has a number of benefits including:

- Access to small grants for workforce health (see info in 4.3.2 iii)
  - Support to help with all aspects of business
  - Access to discounted leisure offers at Active Knowsley facilities
- Business Registration / Licensing Schemes - food business, hairdressers, barbers and businesses that carry out skin piercing (body piercing, acupuncture, tattooing etc.) must register or be appropriately licensed with the Council prior to the commencement of the lease.
  - Food Charter Awards - The Food Charter is an award scheme that recognises the contribution that food businesses can make to improving diet and health. Throughout 2011, in partnership with Heart of Mersey, Knowsley has been leading on the delivery of the Food Charter for businesses in the borough.

To achieve the award, food businesses have to meet certain criteria which broadly are aimed at increasing the availability and provision of nutritious, healthy and safe food. A total of 21 food premises have now achieved the award.

- Planning Policy - The Council is currently considering the merits of introducing supplementary planning guidance as part of the development of its Local Plan to influence the location and number of fast food takeaways across the Borough.

#### 4.2.7 Service Charges

The Scrutiny Review suggested introducing service charges to pay for additional measures that could minimise the negative environmental and health impacts of the shopping parades. For example, through the introduction of CCTV.

As set out in the Royal Institution of Chartered Surveyors RICS Code of Practice for Service Charges in Commercial Property, a service charge is set down in the lease(s) and the aim is to entitle the owner to recover charges and associated administrative costs incurred in the operational management of the property. This will include reasonable costs of maintenance, repair and replacement (usually where beyond economic repair) of the fabric, plant, equipment and materials necessary for the property's operation plus any other works and services which the parties agree are to be provided by the owner and subject to reimbursement by the occupier.

If the property is fully let, the owner will normally be able to recover all expenditure on services through the service charge, except any concessionary discounts the owner has given.

Service charge costs **cannot** include:

- Any initial costs (including the cost of leasing of equipment) incurred in relation to the original design and construction of the fabric, plant or equipment.
- Any setting up costs, including costs of fitting out and equipping the on-site management offices that are reasonably to be considered part of the original development cost of the property.
- Improvement costs above the costs of normal maintenance, repair or replacement. Service charge costs may include enhancement of the fabric, plant or equipment where such expenditure can be justified following the analysis of reasonable options and alternatives and having regard to a cost benefit analysis over the term of the occupiers' leases. Managers should provide the facts and figures to support and vindicate such a decision.
- Future redevelopment costs.
- Such costs which are matters between the owner and an individual occupier, for instance: enforcement of covenants and collection of rents; costs of letting units; consents for assignments; sub-letting; alterations; rent reviews; additional opening hours, etc.
- Any costs arising out of the failure/negligence of the manager or owner.

The provision to recover a service charge is contained in around half of the shop leases currently let by the Council. However, the only parade that currently makes the provision to recover a Service Charge from all the tenants within the parade is at Moorfield, where a Service Charge is successfully administered.

The standard Service Charge Clause within a standard Council shop lease allows for the recovery of the following:

- Lighting of the Parade to a reasonable standard including the repair renewal and maintenance thereof;
- Cleaning of the common parts walkways access and service road and car parks of the Parade and serving the Demised Premises;
- The hiring of skips and bins for the disposal of refuse including trade refuse serving the Parade;
- Maintenance to such a standard as the Council may from time to time deem adequate of the common parts walkways access and service roads and car parks alarm system pipes wires cables drains and other service media inside or connected with the Parade and the boundary walls and fences service yard and landscaped areas;
- Management fee of ten per cent of the total costs actually incurred;
- The payment of all rates charges assessments taxes and outgoings payable in respect of the common parts access ways car parks service and access roads and undeveloped areas of the Parade and the supervisors/caretakers premises; and
- Any other services considered necessary in the interests of prudent estate management and provided by the Council for the Parade from time to time and not expressly mentioned within the lease.

The Asset Management Team will give consideration to introducing and administrating a service charge at all the Council's neighbourhood shopping parades to meet the cost of facilities or services required to reduce the negative impacts of the shops. However, the opportunity to do so at this time is curtailed by the absence of the service charge clause from many of the shop leases. The potential to introduce a service charge will be reviewed by the Asset Management Team on a parade by parade basis once all the tenants within a parade hold a lease containing the service charge provision. When considering the introducing of a Service Charge, the Asset Management Team will also take into account the following:

- The level of negative environmental and health impacts generated by each shopping parade
- Viability of the parade

#### **4.3 "Traditional Traders" are to be encouraged and assisted to occupy the Council's shop units**

'Traditional Traders' for the purpose of this policy will be defined as:

- Butchers
- Bakers (Not chain or franchise)
- Greengrocers
- Hardware Stores
- Laundrettes (incl. Dry Cleaners)
- Fish Mongers
- Chemists
- Post Offices
- Banks / Credit Union
- Barbers / Hairdressers (Not solarium)
- Undertakers / Funeral Directors

##### **4.3.1 Flexible Lease Terms**

Where "Traditional Traders" are not attracted to the neighbourhood shopping parades or are known to be experiencing serious viability problems, traders or potential traders will be targeted for support and assistance from the Council. After an examination of the traders' certified accounts or business plans and an

assessment of social needs in the locality, the Council may grant short term rent subsidies, concessions or other appropriate methods of alleviating financial pressures having regard to the specific circumstances of each case and the legal/financial duties criteria set down in section 3.6.

As outlined in Section 4.1.1, where appropriate, the Asset Management Team will consider utilising the RICS Small Business Retail Lease.

## 4.3.2 Grant Assistance & Training

Subject to availability, Traditional Traders will be supported to access grants and other incentives such as:

- Business Rates Relief (see section 4.1.3),
- Business Grants - A grant being a sum of money given to an individual or business for a specific project or purpose. A grant will cover only part of the costs involved - the remainder should be provided by the individual or their business.

Grants are available from a variety of sources including government, the European Commission and the local authority. Knowsley is located in an assisted area and can therefore offer :

- i) Small Business Growth Grant** - assistance to growing small businesses in the Borough towards the purchase of capital equipment, if the project is creating new jobs through this growth or able to access significant new markets (*£10,000 max, 50% project cost max, for capital equipment, job creation requirement, no chains or franchises*).
- ii) Fresh Start Grant** - The Fresh Start Gateway was officially launched in December 2005 by Knowsley Council and its partners to increase the number of local residents starting-up their own businesses or anyone wishing to start a business in Knowsley. Fresh Start is a free service that will help guide you through all aspects of getting started in business, linking you in with a qualified business advisor and providing ongoing support when you need it. The Fresh Start Gateway offers continued support and mentoring even after your business has started trading (*£200 to £1800 for new business, creating at least one job, no match requirement*).

The team may be able to link to other support that is available. Contact us on 0151 477 4000.

<http://www.knowsley.gov.uk/knowsley-business/finance/available-grants.aspx>

- iii) Working Well Grant** - Businesses in Knowsley who sign up to Working Well will be asked to agree to six central commitments and are then supported to work towards six health specific standards. These can be completed in any order and to a time scale suitable to the business.

Signing up to Working Well has a number of benefits including:

- Access to small grants for workforce health up to £1,000
- Support to help with all aspects of business
- Access to discounted leisure offers at Active Knowsley facilities



- Training - The Council and its partners offer a variety of training courses that could assist or support Traditional Traders. Consideration will be given to delivering these to Traditional Traders at reduced or fully subsidised rates. For example:
  - i) For food handlers and managers. These include:
    - Chartered Institute of Environmental Health (CIEH) levels 2, 3
    - Food safety awards.
  - ii) Health and Safety
  - iii) Business Skills & Development
  - iv) HM Revenue & Customs (HMRC) Free Online Seminars for Businesses and the Self-Employed

## Appendix A

### Shop Management Working Group Terms of Reference

#### Group Objectives

The multi disciplinary cross-directorate Shop Management Working Group has been established to ensure that the operational management decisions relating to the council's shopping parades are made in a more co-ordinated manner. More specifically, the core objectives of the Group are to ensure that:-

- The Policy for the management of the Council's Neighbourhood Shopping Parades is being implemented to ensure clear, consistent and equitable decision-making across the Council, which has a positive impact upon the general health and well-being of the residents of the Borough.
- Incidence of voids at parades should be reduced and the retail offer should meet the shopping needs of local residents, having regard to both economic trends and social factors;
- Shop Management should minimise the negative environmental and health impacts of the shopping parades; and
- Traditional businesses should be retained and encouraged to occupy shop units and to trade successfully, particularly where they provide healthy products (such as butchers and greengrocers),

#### Group Functions

The Group will achieve its objectives by receiving reports (verbal and written) for consideration and endorsement; by circulating information relating to initiatives and projects; by building working relationships and integrating service delivery across the council; and by undertaking tasks on behalf of the Land and Property Steering Group including:-

- Reviewing the performance of the Neighbourhood Shopping Parades;
- Developing and prioritising a programme of maintenance and improvement works which takes into consideration:
  - the condition of the shop units
  - the condition of the public realm
  - street furniture and obstruction to street cleansing
  - security
- Identifying best practice initiatives to minimise the negative environmental and health impacts of the shopping parades and to improve the general management of shopping parades. For example:
  - Ensuring that new lettings or change of uses to hair and beauty, hot food and piercing will only be completed by the Asset Management Team once the potential lessee has registered with the Environmental Health and Consumer Protection Service.
  - DNS to be notified of new lettings or change of uses as part of the lettings process to ensure that adequate waste collection arrangements are in place before new businesses open.

- Targeted consultation to promote the Working Well Initiative.
- Adoption of the new lettings criteria outlined within the Policy to reflect the recommendation of the Scrutiny Review (e.g. control of takeaways).
- To ensure that retailers who may be entitled to access financial assistance (Grants or Small Business Rate relief) are aware and are in receipt of it.

## **Membership of Shop Management Working Group**

The proposed membership of the Partnership Board is:-

### **Representatives (core members)**

- Asset Manager – Strategic, Asset Management Team (DCR)
- Principal EHO, Environmental Health & Consumer Protection Service (DCR)
- Revenues Manager ( Business Rates) DCR Borough Treasurer
- Health and Regeneration - Project Officer, Regeneration (Public Health Team/DRES)
- Business & Sector Development Manager, DRES Business Liaison & Investment (DRES)
- Technical Advisor, DNS Street Scene (DNS)
- Community Safety Manager, DNS Neighbourhood management (DNS)
- Compliance and Prevention Officer, Active Leisure (DWS)
- LDF Senior Planner (CEO)

And other Council officers or partner organisations to be invited as and when appropriate.

### **Frequency of Meetings and Administration**

The Group will meet on a bimonthly basis and the meeting will be supported and administered by the Council's Asset Management Team.

