

# Public Document Pack

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| <b>Date of meeting</b> | <b>Monday, 17th September, 2012</b>  |
| <b>Time</b>            | <b>7.00 pm</b>   |
| <b>Venue</b>           | <b>Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffs ST5 2AG</b> |
| <b>Contact</b>         | <b>Louise Stevenson ext 2250</b>   |

## **Economic Development and Enterprise Overview and Scrutiny Committee**

### **AGENDA**

#### **PART 1- OPEN AGENDA**

- 1 Apologies**
- 2 DECLARATIONS OF INTEREST**  
To receive Declarations of Interest from Members on items included in the agenda.
- 3 MINUTES OF THE PREVIOUS MEETING (Pages 1 - 6)**  
To agree as a correct record the minutes of the meeting held on 21 June 2012. The minutes for 28 June 2012 are to follow.
- 4 TOWN CENTRE INITIATIVES FOR VACANT SHOPS (Pages 7 - 64)**  
To receive an update regarding the meeting of the Chair and vice-Chair with Officers on 6<sup>th</sup> September 2012, to consider town centre initiatives for empty shops.
- 5 TOWN CENTRE PARTNERSHIPS DEVELOPMENT - 2ND ROUND PORTAS PILOT BID (Pages 65 - 66)**  
To receive an update note regarding the progress in developing the Newcastle Town Centre partnership and plans for a Kidsgrove Town Centre Partnership.
- 6 NEWCASTLE TOWN CENTRE PUBLIC REALM PROJECT (Pages 67 - 68)**  
To consider a report requesting that a sub group of the Economic Development and Enterprise Scrutiny Committee is convened to review progress with the public realm project and discuss decisions that will shortly have to be made on delivery of the project.
- 7 THE DRAFT EMPTY HOMES STRATEGY (Pages 69 - 126)**  
To consider a report regarding the draft Empty Homes Strategy which is currently being consulted upon. The report outlines the main aims and objectives of the strategy and highlights ways the Council may seek to utilise to tackle empty homes in the Borough.

- 8 THE FORMER ST. GILES AND ST. GEORGES (Pages 127 - 132)**  
To consider a report regarding the options available to the Council to bring forward the refurbishment and re-use of the former St Giles & St Georges School building in Newcastle Town Centre.
- 9 THE MANAGEMENT AND OPERATION OF CAR PARKING IN NEWCASTLE TOWN CENTRE (Pages 133 - 134)**  
To consider a scrutiny brief regarding the management and operation of car parking in Newcastle Town Centre.
- 10 UPDATE ON HS2 (Pages 135 - 138)**  
To receive an update regarding Government progress with their plans for a High Speed Rail link, Newcastle Borough Council's stance with regard to the plans and to update the Committee of the working group's position.
- 11 WORK PLAN (Pages 139 - 140)**  
To discuss and update the work plans to reflect current scrutiny topics.
- 12 URGENT BUSINESS**  
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

**Members:** Councillors Mrs Astle, Miss Baker, Boden, Cairns, Clarke, Fear, Holland, Lawton, Matthews (Chair), Olszewski, Mrs Peers, Stubbs, Studd, Taylor.M (Vice-Chair) and Wilkes

**'Members of the Council: If you identify any personal training / development requirements from the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Committee Clerk at the close of the meeting'**

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

## **ECONOMIC DEVELOPMENT AND ENTERPRISE OVERVIEW AND SCRUTINY COMMITTEE**

Thursday, 21st June, 2012

**Present:-** Councillor Ian Matthews – in the Chair

Councillors Cairns, Holland, Lawton, Mrs Peers, Studd and Taylor.M

### **1. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **2. APOLOGIES**

Apologies were received from Councillor Baker, Councillor Fear and Councillor Wilkes.

### **3. MINUTES OF A PREVIOUS MEETING**

**RESOLVED:** That the minutes of the meeting held on 25 April 2012 be agreed as a correct record.

### **4. INTRODUCTION AND REVIEW OF THE COMMITTEE'S WORK IN THE PREVIOUS YEAR**

The Council's Executive Director of Regeneration and Development provided the Committee with a verbal introduction and review of the Committee's work in the previous year by reference to the work plan. An updated version of the work plan was distributed at the meeting.

The Economic Development Strategy would remain on the work plan, with an update expected at the end of Quarter 3.

The Committee considered Local Enterprise Partnerships, which coordinate business across Stoke-on-Trent and Staffordshire through such initiatives as Regional Growth Fund Programmes. It was difficult to keep up with developments and it could be too large a topic for scrutiny to undertake. However, a working group could be set up to scrutinise in more detail. There was a possibility that the working group could work with officers. Members questioned what other Councils were doing with regard to LEPs. Staffordshire County Council and Stoke-on-Trent City Council had previously briefed the Cabinet with their progress. The emphasis was mainly on the County and City Councils through roads, the Local Education Authority and skills. It was currently not known what was expected of Newcastle Borough Council and where the Council fitted into the equation.

Members questioned whether Newcastle's business rates would go to other areas in Staffordshire. This was still to be confirmed, but Newcastle could stand to benefit from a proportion of the business rates collected. Central Government were preparing a new model for Staffordshire with incentives to promote growth and therefore increase rateable values, which in turn would generate more income. It was stressed that the Council had a public accountability that LEPs did not as they were

private sector led and that this Council should represent the public interest. Due to the huge sums of money involved, Members felt it was important that there was a dialogue with Members with regard to LEPs.

The Borough had not been successful in obtaining an Enterprise Zone, and it was still felt that there were issues to be addressed. The emphasis was on the Council to approach the LEP with suggestions and creative ways to fund infrastructure and receive something back from Government.

The Committee resolved to set up a working group consisting of Councillor Matthews, Councillor Peers and Councillor Studd. A summary paper was requested of progress to date, and the working group would meet if required.

Broadband provision would remain on the work programme as an ongoing scrutiny topic.

It was confirmed that a report regarding HS2 would be considered by Cabinet at its meeting in July.

A report was expected towards the autumn for the proposal to jointly commission a viability assessment with Stoke-on-Trent City Council for the Community Infrastructure Levy. Members noted that caution would need to be taken with regard to CILs, so as not to deter potential businesses or developers.

The Staffordshire Strategic Property Review and Town Centre Partnerships Development and Initiative would remain on the work plan, and were on the agenda to be discussed later in the meeting.

The Asset Management Strategy had been approved and was on its way to being implemented. When the strategy was refreshed in the future it could be a significant scrutiny topic for the Committee.

An additional meeting of the Committee had been arranged for 28<sup>th</sup> June 2012 to consider Knutton Recreation Centre and the Former St Giles and St Georges school building.

The review of the Home Improvement Agency Services was expected to come to the Committee in November. This service was currently provided by Revival, but options would be reviewed including a county wide service or the Borough Council standing alone to provide the service.

**RESOLVED:** (a) That the information be received.

(b) That a summary paper regarding LEPs be provided to the LEP working party.

## **5. WORK PLAN ITEMS**

Members were able to suggest items for inclusion on the work plan.

The question was asked if there was anything that could be done to attract new businesses to the town, or if there was any ongoing work that could be scrutinised. Members felt that short term initiatives for properties that had been empty for long periods could be beneficial, and any initiatives should attract the right kind of

businesses for the town centre. Caution was advised with regard to undermining the commercial and private sector market and potential initiatives should not undermine the business rates that were already received. Officers suggested that a softer approach could be adopted, such as making the journey to starting a business easier, which could be done through the Council website. Private landlords should also be brought on board. Members felt that any approach, whether soft or hard, should be adopted.

It was resolved that the Chair and Vice-Chair would meet with the Council's Head of Assets to discuss this further, and report back to the Committee at its next meeting.

RESOLVED: (a) That the Chair and Vice-Chair meet with the Head of Assets to discuss initiatives to attract new businesses to the town centre.

(b) That following the meeting with the Head of Assets, the Chair and Vice-Chair report back to the Committee at its next meeting.

## **6. STAFFORDSHIRE STRATEGIC PROPERTY REVIEW**

The Committee considered a report regarding the Staffordshire Strategic Property Review Report and its implications for the Borough Council and local stakeholders. Staffordshire County Council had invited all District Councils across the County, along with Stoke-on-Trent City Council and other public bodies including the NHS and the Police to participate in a project to review the public sector estate. This was paid for from funding provided by the West Midlands Regional Improvement and Efficiency Partnership. The aim of the project was to establish comprehensive identification of the Public Sector Estate across Staffordshire and to analyse the information collected to promote the most efficient and effective use of the combined assets. Staffordshire County Council alone had £1.5 billion of property assets along with all the attendant operating costs. Through property rationalisation, Staffordshire County Council and its public sector partners in the districts, health, fire, police and others had much to gain both in terms of reduced property costs but also higher productivity and improved services that result from integrating service provision and property use.

It was felt that there was a lot of value to be unlocked through multi-agency collaboration and jointly aligned service delivery. There was a need to be less wasteful and dispose of assets where sensible to do so. Assets within Newcastle belonged mainly to the local authority rather than to other public bodies. The value of modern, thermally efficient buildings was emphasised. As were the potentially huge benefits of a 'Civic Hub'. This would involve the co-location of partners who could or do work closely with Officers already, e.g. the Police and Social Services.

It would be necessary to establish what both residents and buyers would want. It would be necessary to explore the possibilities; the question was how to do this.

As the holder of the largest public sector property portfolio in the county, Staffordshire County Council is well placed to lead the implementation of the property rationalisation programme but it is important that as many of the other public sector partners play as full a role as possible.

One of the primary aims of this review was the identification of specific rationalisation opportunities.

**RESOLVED:** That the information be received.

**7. NEWCASTLE-UNDER-LYME TOWN CENTRE PARTNERSHIP AND PORTAS PILOT BID**

The Committee received a report informing them of the outcome of the recent application to become a Portas pilot town and plans to resubmit for the second round and updating them on the progress of setting up a town centre partnership for Newcastle-under-Lyme town centre.

There was a one in thirty chance of Newcastle-under-Lyme winning the first round bid to be a Portas pilot town, and it was felt that the Council had done its best. The Council may not have won round one, but what participating had achieved was it had brought partners together who have agreed on initiatives etc that will help to improve the situation with town centres. Work was underway on the second round bid and it was necessary to tighten up the good ideas (of which there were many) from the first round. Members stated the Council's bid was good, but questioned whether it was too generic and perhaps the shortlisted town centres were more specific in their applications. Furthermore, it was suggested that the link between Keele University and the town centre needed to be emphasised and made more distinctive. Officers stated that Mary Portas had 28 recommendations and the shortlisted town centres may have fit more with her recommendations than Newcastle town centre did. Perhaps some of what this council was doing just did not fit with what Portas wanted. It was felt that intellectually our ideas were good; the summary points could have been sharper though.

Some members had been following the Portas Pilot project from the beginning and felt that many of the towns shown on the television looked a lot worse than Newcastle. They felt that Newcastle should be proud of its bid. Members questioned whether the Council could contact the Local Authorities who had won the first round to find out how they put their bids together. Wolverhampton City Council, who had got through the first stage of the process, had compiled a list of bullet points that councils should be considering if resubmitting their bid. One of the key elements of the pilot was for Local Authorities to share information on improving town centres. Members felt that although winning may be a long shot, the Council must give it its best shot.

Officers highlighted to members the planning permission that had been granted to Marks and Spencer to develop at Wolstanton Retail Park. As part of the conditions attached to the planning permission, Marks and Spencer must give £100,000 to the Council for town centre development, and a further £10,000 per year. The Council would receive money for town centre development one way or the other. Moreover, the Council should not get too caught up in trying to obtain the money. The work that had been done and the partnerships were good. The Council could improve the town centre without the Portas money if necessary. This council could learn from what other towns were doing and could determine what works and what doesn't.

Towns that had applied in the first round were automatically entered into the second round; there was no need to reapply. However, if a council wanted to improve their first bid they could do. The deadline for the second round bid was 30<sup>th</sup> June. Members questioned whether the second round bid could be circulated. The Council's Business Development Officer confirmed it could. The draft bid would hopefully be ready on Tuesday 26<sup>th</sup> June, with 48 hours for Members to respond.



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## **BRIEFING NOTE –TOWN CENTRE INITIATIVES FOR EMPTY SHOPS**

The Chair and the vice-Chair of the Economic Development and Enterprise Overview and Scrutiny Committee met with Officers on 6<sup>th</sup> September 2012 to discuss initiatives for empty town centre shops. A summary of the meeting follows:

- The Council is proactively promoting empty units. To Let boards are put in all empty units and are advertised on the Council website but only rarely advertised in the Sentinel due to the expense. The Council has endeavoured to create ties with Staffordshire and Keele universities. New ways of attracting tenants are needed.. It was questioned whether there is a website that is commonly used by business students – Officers would look into this.
- The Borough owned units within the town centre have a range of rent levels that are competitive. Furthermore, any unit with a rateable value of less than £6,000.00 a year does not pay business rates at the present time this is funding by central government.
- Lettings of industrial units are doing well; it is the letting of units in the town which are proving problematic. This is partly due to the current economic climate and that there are national issues with town centres.
- With the Police remaining in Newcastle and Staffordshire County Council bringing jobs to Newcastle by relocating to the Civic Offices, this means more people in the Town at lunchtime.
- Pop-up trading was noted as a new and innovative way to trade.
- Councillor Taylor is to be on the board of the Town Centre Partnership and it was agreed that the smaller businesses within the town needed to develop a stronger association and be more united. In Stafford there is a £99.00 per year fee for businesses within the town centre partnership. It was noted that for all of the town centre businesses combined this would be a significant sum.
- The vice-Chair would like to see more creative industries that are different from what is provided by out of town retail and questioned whether there was a sector of companies who the Council wanted to attract to the town centre. The Council would welcome and want to attract anybody who would like to come to the town centre. However, the Council would like to see entrepreneurs and graduates setting up business within Newcastle Town Centre.
- Officers pointed out that when the former St Giles and St Georges school site was purchased the intention was to have incubator units for design and creative arts. However, now Advantage West Midlands is no longer in existence the funding for these incubator units has gone.

- Officers highlighted the Strategic Investment Framework (SIF) -a copy of which is attached which is a previously developed vision for the town centre. The SIF resulted in the fledgling events programme and the town centre partnership being established. However, there is little funding at the present time for other projects.
- Newcastle is the most attractive town centre in the local area and has the best potential which needs to be made the most of. Newcastle town centre is a great setting for small independent businesses. It was noted that the former Sainsburys site would be perfect to cater for larger businesses that can't be accommodated in existing units. A strategy is being developed to attract developers for the former Sainsburys site. It was agreed that there were not enough big names in Newcastle and the former Sainsburys site could be a significant shopping development with big names to attract people to the town centre. Officers confirmed that when asked through surveys, the public want to see a department store in the town. It was noted that ladies fashion provision needs to be improved within the town. Furthermore, the Sainsburys site is central to the town.
- There is no mid-week night-time trade in Newcastle. Businesses need to work together to stage events. The town centre has a bad reputation for the evenings that is perhaps not justified. Newcastle has the potential to have a good night-time economy – there is potential for success.
- It was suggested that residents and businesses could put on their own events.
- It was noted that 'vintage' was currently very popular and this was something that could be taken forward.
- It was felt that an improved events programme was key. Councillor Taylor indicated that there are performers who would be happy to perform in the Town Centre. The bandstand in the Queen's gardens could be utilised for this purpose. Once the Town Centre Manager is in place they could organise these events.
- The question was raised whether the idea of living in the town could be incentivised and rooms above shops be used for accommodation. Officers noted that this week the Government has changed planning regulations to allow change of use to two dwellings above shops without planning permission. However, independent access to the upper floors of shops is an issue. If accommodation could be provided above shops it would create a community in the town to spend money in the Town Centre. Residential planning permission has been granted on the former Titleys and Zanzibar sites, but the planning permissions had not been implemented due to lack of demand for the accommodation.
- Properties within the town centre conservation area have benefited from shop front grants that consist of partly Borough Council and partly English

Heritage funding. These grants bring buildings within the conservation area either back into use or rejuvenate them.

- The discussion progressed to the market stalls. Officers confirmed that the market more than covers its costs. The town centre market is protected by market rights. Again, Officers are more than happy to receive new ideas regarding improving the market. The possibility of car boot sales on the Midway has been investigated but could not be taken forward due to the Fire Safety Officer not approving with the plans. The market is going to be refurbished and the intention is that the market stalls will trade outwards towards the shops. Food stalls are doing well. Newcastle's market is well known and is advertised regularly.
- The pedestrianisation of Hassell Street should produce a better market. The daytime taxi rank will move to outside Brassingtons and there will be larger market stalls facing outwards towards the shops by NatWest. The aim is to concentrate on where people walk. There will be market pitches on Hassell Street and there is scope for new traders which will be advertised. It was questioned whether the market could once again extend onto the Ironmarket. The problem however is that vehicular access is permitted on the Ironmarket up to 10am. It could however be included in a second phase of improvements for the market.

In conclusion:

- The town centre needs to be considered strategically and for the long term. It was noted that if fuel prices continue to rise, then people will want to come to their local town centre. There are initiatives that the Chair and vice-Chair weren't aware of and they felt that there were lots of good initiatives in place.
- Officers emphasised that these are unprecedented times and they would listen to any new ideas. They want to attract entrepreneurs with business drive, business acumen and determination.
- Newcastle Borough Council is doing well considering the resources available. Jobs have been brought back to the town and businesses are supported.
- Please find the documents considered at the meeting attached.

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**INFORMATION PROVIDED BY OFFICERS TO THE CHAIR AND VICE CHAIR  
AT THE MEETING ON 6<sup>TH</sup> SEPTEMBER**

**List of Strategies Assets Team use to Support Business Tenants.  
Notes for Scrutiny Chair and Vice Chair**

1. New (start up) tenants are provided with business support regarding their property responsibilities, costs, planning and maintenance requirements as business tenants. These are both general and also those specific to the building and they are leasing also the nature of their business. This is carried out by the property team one of whom won a West Midlands Regional award for business support in 2009
2. Rent free periods; typically new tenants are provided with rent free periods currently 3 months to 12 months. Although some prospective tenants are currently asking for as much 2 year rent free periods. For the longer rent free periods we structure these to include some rental periods each year so that tenants do not lose site of their commitment to pay rent and to aid the Council's cash flow.
3. Stepped rents are another technique used to support businesses during the period of their lease. Typically these reflect a reduction in the rental value in the early years of the lease and depend primarily on the conditions in the property market at the commencement of the lease and the length of the lease the tenant is taking.
4. Reduced rents in town centre sectors which have become less active e.g., Merrial Street, The Market, Lancaster Building.
5. Modifying the standard property sector 3 months rent in advance approach to 1 month in advance to align rental payments with tenants cash flows
6. Rental arrears are an issue for businesses at any time but in particular in the current protracted recession. The Assets Section have developed a strategy of early action and individual management of tenants who get into arrears to support them and gradually reduce arrears. The section are currently working to strengthen the system by improving the arrears reporting mechanism and to seek early court action where other techniques have failed.
7. Specific initiatives relating to creating extra footfall around Council owned retail properties. This includes a trail on Pink Day (27<sup>th</sup> October) from Lancaster Building to Merrial Street and within the empty shops at these locations there will be craft stalls.

## **Public Realm Position Statement September 2012**

The Ironmarket work to introduce a taxi rank by Queens Gardens and modernise disabled parking in this area is complete.

Works on Barracks Road to introduce a new bus lane and re-align the bus station to take buses out of Hassell Street are progressing to schedule and are due for completion by the end of September.

Two different sized wooden mock up market stalls were placed on site to facilitate discussions with market traders. This has enabled design modifications to take place and a metal prototype market stall will be placed on site at the end of September for traders to test out and also to test its resistance to vandalism.

There is a slight delay to the remaining elements of work to close Hassell Street to through traffic and refurbish the market. A revised timetable for these phases will be available in mid September. The next task is to introduce an additional daytime taxi rank in lower High Street. This will require removal of market stalls at the lower end of High Street and traders displaced by this work will need to be re-allocated to different market stalls. Plans for this are well advanced and it is likely that all traders can be accommodated within the existing market area. For the later phase of work when the market stalls are being replaced some temporary road closures will be needed to temporarily accommodate market stalls.

## **Council support for Businesses in the Borough**

### Introduction

There are three areas of strategy that your officers use to support businesses in the borough. Firstly Assets Section do so through 120 plus business tenants that occupy properties in the commercial portfolio. Secondly the Assets Section support 80 plus small market traders on the various markets held on the "Stones". Thirdly the Regeneration Section have evolved a number of business support initiatives to encourage the SME's in the Borough to develop self help strategies such as Town centre events and the Town Centre Partnership. These are detailed on the attached sheets.

## Support for Market Traders - 2012

### Existing Traders

- Traders can use a 2<sup>nd</sup> stall on a 'regular casual' basis which means that they only have to pay for 1 stall if they are absent from the market, the 2<sup>nd</sup> is only paid for when used.
- Traders using 2 stalls can get a 3<sup>rd</sup> for free (space allowing). The same 'regular casual' system applies as above when traders are absent from the market i.e. reduced to  $\frac{1}{2}$  rent
- Once traders have attended the market for 6 months they earn an annual allowance of 2 days holiday for every market day attended e.g. if they stand on all 4 market days 8 days holiday is earned
- Traders with arrears can pay these off in installments
- Traders absent with ill health that is supported by a GP/hospital medical certificate can apply to have their stall fees reduced for the period of the absence. Each case is taken on its merits
- Seasonal incentives for Jan – Feb, the 'kipper season' of poor trading. These are agreed annually and are generally designed to encourage attendance. For 2011-12:
  - $\frac{1}{2}$  stall fees on 28, 30 & 31 December 2011
  - 4 Jan – 27 Feb traders who attended for 5 out of 8 days (each market day taken separately) received a 50% discount on the stall fee which is paid back as credit to be used flexibly in the in the financial year starting April 2012
  - Specific offer to the plants men who struggle to supply stock in Jan/Feb – an 8 week rent free period in Jan/Feb in return for giving up their holiday entitlement for the April 2012 financial year
  - A stall fee reduction for the Tuesday licensed operator of £2.50 per stall for January/February 2012. This was matched by the licensee to reduce the cost of a stall from £20 to £15 for this period.
- Traders who wish to build up credit by a small overpayment each week can do so. They can use this flexibility when they wish to

### New traders who sign up to the market

For established traders:

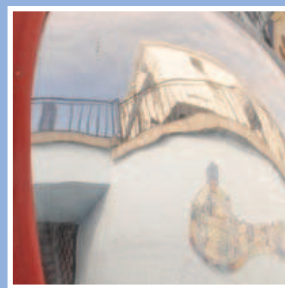
- 1<sup>st</sup> day full fee
- 2<sup>nd</sup> day 50% fee
- 3<sup>rd</sup> day no charge

For traders who are new to market trading:

- 1<sup>st</sup> day full fee
- 2<sup>nd</sup>/3<sup>rd</sup>/4<sup>th</sup> day 75%, 50% then 25% of appropriate fee
- 5<sup>th</sup>/6<sup>th</sup> day free.

New trader incentives are applied in this order to encourage traders to stand for a few weeks to build up their business





# STRATEGIC INVESTMENT FRAMEWORK FOR NEWCASTLE TOWN CENTRE

# Newcastle-under-Lyme Town Centre STRATEGIC INVESTMENT FRAMEWORK

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## Foreword

*Newcastle town centre is at the heart of the Borough's community and it is only right and proper that we invest in securing a strong and prosperous future for it. This Strategic Investment Framework sets out our ambitions for achieving this through strong leadership and co-ordinated action.*

*Development of this Strategic Investment Framework has been a journey that has engaged many partners and stakeholders with a shared interest in the future prosperity of Newcastle town centre and this has been invaluable in framing the aspirations that are set out in this document. Our strategic partners at Advantage West Midlands, Keele University, the North Staffordshire Regeneration Partnership and Staffordshire County Council have also played an active role in shaping development of the Strategic Investment Framework and they share our aspirations for the future development of Newcastle town centre.*

*Many of you participated in the 'Town Centre Summit' last summer where a number of the ideas which form the basis of this Framework were first aired. I would like to thank all of you who participated in the Summit for your collective inspiration and your commitment to the future of Newcastle. Thanks also go to Andy Spracklen of Urban 8 who has been the driving force behind a good deal of this work.*

*Underpinning the Strategic Investment Framework is a vision of the distinctive qualities of Newcastle Town Centre and how we might further develop these qualities if Newcastle is to perform to its potential and play its full role in the wider economic regeneration of the area. Newcastle Borough Council therefore presents this Strategic Investment Framework as a statement of our shared aspirations for the town centre and the actions needed to develop it further and also as a basis for framing both our own and our partners' investment plans for Newcastle town centre.*

*Kind regards,*



*Leader, Newcastle Borough Council*

## Endorsements

*We present this Strategic Investment Framework as our shared vision for the future prosperity of Newcastle Town Centre*

Henriette Lyttle-Breukelaar  
Partnerships Director

Professor Nick Foksett  
Vice Chancellor



Hardial Bhogal  
Director

Richard Higgs  
Corporate Director (Development Services)



Mark Barrow  
Chief Executive



## Explanatory Note

Please note that this document is structured into four parts:

**Part One** addresses the '**positioning**' of Newcastle Town Centre. This been drafted with a view to firmly establishing and confirming the role, identity and ambition of the Town Centre.

**Part Two** sets out the **rationale** and 'logic chain' for investing in the town centre. This is constructed in order to provide information and evidence to potential funders and investors, particularly public sector agencies.

**Part Three** is the '**framing**' of projects. This is based on extensive dialogue with a wide range of stakeholders regarding priorities. It has been prepared as an agreed action plan and programme for the Town Centre.

**Part Four** addresses the delivery of the programmes and projects, set out as a recommendations and advice for the partners to put in effect. This does not form part of the public part of the document

## PART 1: Positioning

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1. **The opportunity**
  - 1.1. **Newcastle town centre stands at an important threshold in its eight centuries of history.**
  - 1.2. **We choose, together with the collective will *and* action of our stakeholder partners, to transform our town centre as the jewel in the crown of a transformed North Staffordshire.**
  - 1.3. Economic and social change is now occurring at a more rapid pace than ever before, within an increasingly globalised world. Yet paradoxically within this context local distinctiveness – the very essence of a place – is the key to securing identity and sustainability.
  - 1.4. We have the opportunity to re-create an exciting urban market town which is distinctively Newcastle-under-Lyme, whose streets and spaces are animated by compelling design and activities.
  - 1.5. Set within the North Staffordshire conurbation, the Council commits to strong and consistent leadership of the regeneration of Newcastle town centre, particularly during these times of economic uncertainty.
  - 1.6. **In fact, the town centre is one of the Council's top five strategic priorities for investment in the Borough.**
  - 1.7. The argument for this is simple. The town centre is at the heart of the Borough community, and a key economic driver. It is here that all the Council's corporate priorities come together, and are achievable, in one place.
  - 1.8. Through the town centre we will demonstrate a dramatic shift in organisational and partnership culture towards a more creative, proactive and coordinated approach to delivering local quality of life.
  - 1.9. **We recognise that this will require us all to take bold steps and financial commitments, under the leadership of the Council with the particular support of NSRP. This means holding our nerve and making strategic investments in a planned and coordinated fashion over a long term managed programme.**
  - 1.10. In order to facilitate the delivery of the Strategic Investment Framework (SIF) we will work as partners to work more closely together and the Council is committed to organisational change and improved capacity to support this.
2. **The scale of the challenge**
  - 2.1. We do not under-estimate the scale of the challenge; though that should not dissuade or put off our collective action. Recognising this, the SIF is about setting on a journey for which short term paving actions will help to create confidence and focus to deliver longer term physical change.



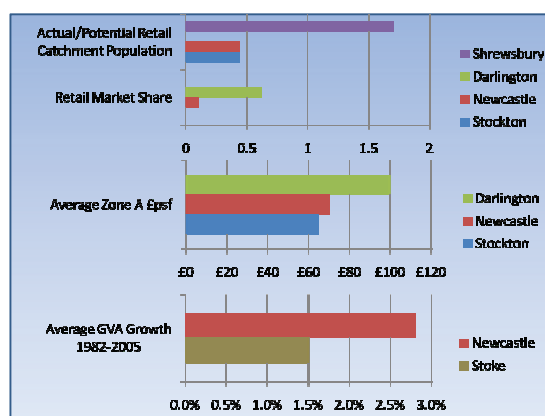
- 2.2. There are few instant fixes. As partners we are in this for the long haul, but with momentum that will achieve results.
- 2.3. The diagram below illustrates the scale of the challenge in numbers:

|   |  |  |   |   |
|---|--|--|---|---|
| <p><b>50%</b></p> <p>Current occupancy rate of street market by regular traders</p> | <p><b>9.99%</b></p> <p>Newcastle's retail market share</p> | <p><b>20.99%</b></p> <p>Market share leaked to Stoke</p>   | <p><b>£70</b></p> <p>Retail Zone A £psf</p>           | <p><b>£200</b></p> <p>Stoke</p>   |
| <p><b>134,000</b></p> <p>Primary catchment population</p>                           | <p><b>59,000</b></p> <p>Actual shopping population</p>     | <p><b>258<sup>th</sup></b></p> <p>MHE Retail Index Ranking 2008</p>                              | <p><b>214<sup>th</sup></b></p> <p>Ranking in 2005</p> | <p><b>366,000</b></p> <p>Population within 12-mile drive of Newcastle</p> |
| <p><b>40%</b></p> <p>Percentage of top 20 retailers located in town centre</p>      | <p><b>70%</b></p> <p>In Telford (2006)</p>                 | <p><b>1-3 Hours</b></p> <p>Amount of time 75% of respondents spend on average in town centre</p> | <p><b>10%</b></p> <p>Vacancy rate</p>                 | <p><b>3.5%</b></p> <p>Natural vacancy rate</p>                            |

Sources: Retail Distinctiveness Strategy (Miller Research) and Development Options Appraisal Baseline (Cushman & Wakefield)

- 2.4. Newcastle town centre, whilst relatively stable and rather charming, is under-performing in many respects most notably (as confirmed by the recent studies noted above):
- Its ability to attract and retain customers within its catchment area
  - Representation of key multiple retailers is poor notwithstanding the desire to encourage and support the independent retail sector
  - The management and growth of its retail distinctiveness
  - There is no formal town centre partnership and manager, unlike most other significant towns within the Staffordshire county
  - Expenditure is perceived to be driven by value rather than quality, undermining the ability to attract a 'higher class' of retail, food and drink outlets.

When compared to other towns of a similar size or disposition, the figures speak for themselves; our town centre could – and should – be doing a lot better:



Adapted From: Stockton Town Centre Study (NLP, 2009)

| Centre               | Region             | Shopper Population | Retail Ranking 2007 | Zone A 2007 (£psf) |
|----------------------|--------------------|--------------------|---------------------|--------------------|
| Middlesbrough        | North East         | 260,842            | 33                  | 150                |
| Darlington           | North East         | 166,297            | 61                  | 100                |
| Wakefield            | Yorkshire & Humber | 185,578            | 121                 | 115                |
| Ashton-under-Lyne    | North West         | 85,513             | 177                 | 100                |
| Stockton             | North East         | 82,937             | 189                 | 65                 |
| Hartlepool           | North East         | 83,796             | 227                 | 110                |
| Newcastle-under-Lyme | West Midlands      | c59,000            | c258                | 70                 |
| Leigh                | North West         | 72,005             | 276                 | 50                 |

Note: Newcastle-under-Lyme Retail Ranking 2007 data inaccessible – MHE 2008 Retail Index data used

- 2.5. Yet despite this regional targets for additional retail floorspace in Newcastle, as set out in the Regional Spatial Strategy for the West Midlands (RSS) are ambitious. Given the above and the current market conditions, this is a challenge. As partners working together, however, under a common direction we believe that this is also a great opportunity to 'raise the bar' of Newcastle town centre to a new level of economic performance and social and environmental experience.
- 2.6. The RSS Phase 2 Revision sets targets for the provision of additional gross comparison retail floorspace for the 2006 – 2026 plan period. These targets are set out in the table below:

### Retail floorspace targets

|  | Newcastle under Lyme | Stoke on Trent |
|--|----------------------|----------------|
| Additional floorspace (m <sup>2</sup> ) for 2006-2021  | 25,000               | 80,000         |
| Additional floorspace (m <sup>2</sup> ) for 2021- 2026 | 10,000               | 40,000         |
| <b>Total</b>   | <b>35,000</b>        | <b>120,000</b> |

2.7. Furthermore the core strategy of the Local Development Framework covering Newcastle Borough also anticipates:

- *1400 housing units over the plan period in town centre*
- *60,000 sq.m. of business uses over the plan period focused on town centre.*

### **3. The need for action**

3.1. The scale and nature of our challenge therefore requires a dual action approach – one that accounts for immediate-term financial constraints and longer-term value-generating opportunities.

3.2. This means that there are short term actions that we must and should do to improve the capacity and confidence of town centre stakeholders to promote and develop the town centre offer, while concurrently preparing larger, capital-intensive projects to be ready-to-go if and when additional funding becomes available.

3.3. The position with public sector funding – particularly that of the regional development agency at the time of writing – means that we have a maximum 2-year window to get major physical change onto the starting blocks.

3.4. So, there is no room for complacency. Momentum and confidence built through the process of developing the SIF has led to increased expectation and anticipation among local stakeholders. We understand this and therefore pledge to work hard to deliver.

### **4. Purpose of the SIF**

4.1. This is an ambitious document, setting out our long term vision and direction of travel for the town centre.

4.2. It is also a realistic and practical document with clear, short term paving actions and programme for achieving the vision and, importantly, where investment should be prioritised.

4.3. Specifically we have aimed to address:

- Role and identity – how the town should see itself and its relationship with Keele University and the rest of the conurbation
- Positioning – its distinctiveness and scale (qualitative and quantitative) relative to its role and identity within the wider sub-regional context
- Principles – what the parameters are by which it should be regenerated
- Leadership – where should this come from and how should it be organised
- Quantitative – what scale of change and development we are suggesting
- Timescales – what phasing and programme we aim to work to



- Projects – what we propose to do and which projects should be gotten on with now and which ones can wait
- Funding – what is required and our general approach, being clear about what is realistic and where investment will come from
- Who does what – who should lead and who should own each project.

It is deliberately strategic, and identifies where we wish investment to be broadly targeted and is designed to be a framework that guides investment, policy, service delivery and development over the next 10 years.

The SIF draws on existing available information and the findings of a specially-commissioned retail distinctiveness strategy. At the time of writing, work is currently ongoing in respect of a development options appraisal.

As such the SIF is a document that will be continuously updated; a journey document. Momentum will be maintained through active programme management, senior management leadership and Cabinet decision-making.

## 5. Background work

- 5.1. In 2008 Advantage West Midlands agreed to co-fund the development of the SIF and the appointment of an interim development manager to lead and manage the process.
- 5.2. Newcastle Town Centre is identified as one of two strategic centres within North Staffordshire; Stoke on Trent City Centre being the other. As far as possible, the Council seeks to ensure that a complementary role and distinctive offer is developed for Newcastle within the conurbation, rather than a directly competitive one.
- 5.3. It has also been high on our concerns that this SIF is not simply ‘another’ study or plan, but one that is focused on delivery and fosters a more constructive delivery climate that leads to early results.
- 5.4. The following activities were undertaken in the preparation of the SIF:
  - **Strategic assessment of issues & opportunities** (initial review of previous studies and strategies, and conversations with a range of key town centre players)
  - **Best practice & comparator review** (research into comparable towns or towns that could inspire Newcastle town centre, identifying key factors that have led to regeneration success)
  - **Stakeholder, political & leadership engagement** (at all stages of the SIF process)

- **Branding workshop** (facilitated with local leaders and influential figures focused on understanding the intrinsic qualities of Newcastle-under-Lyme, which led to some 'brand values' for the Town Centre)
- **Key themes and priorities agreed** (embedded in the brand values and incorporated into the pillars of the SIF)
- **Key projects being defined** (action plan appended)
- **Outcomes being connected** (between stakeholders and agendas)
- **Programme leadership being formulated/ forward planning** (proposals outlined in this document)
- **Retail Distinctiveness Strategy commissioned** (specialist consultants undertook specific detailed research into the distinctiveness of Newcastle's retail, food and drink offer; the resultant action plan having a direct influence on the SIF and action plan)
- **A summit of nearly 60 decision-makers, funding and delivery agents** across a range of stakeholder organisations was held to prioritise and define projects
- **Task groups established** to develop the detail of projects
- **Urban design and property consultants** appointed to review development options throughout the town centre
- **Transport study being prepared** (SCC has undertaken to prepare a transport study of the longer term options for Barracks Road/ring road)
- A number of related but discrete projects are also being progressed by stakeholder organisations that will have a positive impact on the town centre.

## 6. Stakeholder engagement

6.1. Nearly 60 participants were engaged in a half-day summit at the New Vic Theatre on June 22<sup>nd</sup> 2009. Chaired by Andy Spracklen, the summit achieved its key objectives to:

- discuss and refine the projects
- assess their realism and strategic fit
- improve their definition
- agree on the priorities
- agree on who should lead each project
- plan the timescales for implementation, and
- sign up to the task groups to develop and implement.

6.2. Utilising action planning and strategic mapping techniques, participants covered a wide range of potential programmes and projects in breakout groups. Participants included senior and Member representatives of the following organisations:

- Advantage West Midlands
- Aspire Housing Association
- B Arts
- BIC
- InStaffs
- Keele Science Park
- Keele University
- LSC
- New Vic Theatre
- Newcastle Borough Council
- Newcastle Chamber of Trade & Enterprise
- Newcastle College
- Newcastle Local Strategic Partnership
- NHS PCT
- North Staffordshire Regeneration Partnership
- Staffordshire County Council
- Staffordshire Police
- YMCA

6.3. The summit was supplemented with extensive engagement of key partners and stakeholders throughout the development of the SIF, formally and informally, face-to-face and through partnership and steering group meetings.

6.4. Such engagement has been key to aligning our aspirations throughout the process. The branding workshop particularly drove our values for the town centre; the delivery summit very much drove our decisions regarding projects and priorities.

6.5. The summit led from a long list of programmes and projects to a shortlist. Further work was subsequently undertaken to rank the shortlist according to deliverability and stakeholders' appetite to champion. In this sense, we are encouraged that this document has been endorsed by leading delivery agents and partners.

## 7. Overarching aims and principles

7.1. Through the SIF and its implementation, we aim therefore:

- To bring stakeholders together into a strong **partnership** of common purpose, collaborating through marketing and promotions, festivals and events, and quality of offer and presentation. Collaboration requires trust – trust between each other and trust in the agencies that lead and deliver. This will require relationship building through a town centre

partnership, under the leadership of a town centre manager role as single focus and champion.

- To develop the **distinctiveness** of the place and facilitate, including through development where required, the establishment of a **balance** of appropriate Town Centre uses that supports this, particularly focused upon the cultural and retail offer but also seeking to enable offices, leisure and housing of appropriate scale.

*Strategic principles:*

- Newcastle town centre will seek to maintain **and develop** a complementary and distinctive offer to that of Stoke-on-Trent City Centre, consistent with the North Staffordshire brand and in a reciprocal strategic manner (complementarity is elaborated in Section 12).
- Newcastle will specifically develop its role as a **'character centre'**, focusing particularly on revitalising the soul of the town centre, notably its street markets and marketplace.
- Newcastle will plan to meet the challenging targets within the Core Strategy of the Joint Local Development Framework (LDF), as part of our comprehensive effort to upgrade the quality of life and socio-economic critical mass of the Borough to support an enhanced Town Centre.
- Newcastle will 're-imagine' and reassert itself as an **urban** market town – a key part of the quality of life offer that in turn supports our longer term aim of becoming more recognised as a 'University Town'.
- As a University Town, Newcastle will make more of its local research and development strengths in science and technology. The focus of the relationship of the Town Centre with Keele University will be on wider economic regeneration, complementary physical development and proactive place marketing.
- Achieving this will not mean artificially relocating parts of the university to the town centre. Rather as partners we will work closely to promote new and complementary university activities in the town centre that results in a more open and meaningful engagement of academic institutions in the regeneration of Newcastle.
- As a key driver of achieving our strategic principles, the Council will promote, modernise and upgrade the quality of the street markets, keeping them relevant to our local community as well as developing a higher quality, sustainable markets culture that is distinctive and over time attracts a wider range of visitors.

- **In summary, Newcastle is an urban market town with a progressive campus university. The inter-relationship between these two identities lies in our collective need for maturing and expanding the Borough's overall quality of life offer, investing in both housing development and proactive place marketing that expands the critical mass to support an enhanced town centre.**

## 8. Strategic investments required

- 8.1. Strategically, our and others' investment in the town centre must be complemented with similar investment in strengthening the economy and quality of life of the town and Borough as a whole.
- 8.2. In particular, we pledge to make concerted efforts – working as appropriately with other key partners such as the Housing and Communities Agency (HCA) – to substantially increase residential development within and on the fringes of the town centre aimed at those looking for a more modern and urban lifestyle.
- 8.3. Combined with efforts to attract back businesses into the town centre, these strategic developments will be aimed at supporting the critical mass required to increase and claw back local spend.
- 8.4. Such claw-back will go hand-in-hand with a proactive and planned strategy – informed by appraisals of development options – for attracting substantial, distinctive retail into the town centre that will both expound the retail multiples offer *and* enhance the independent retail range. This will be of a scale sufficiently compelling to claw back expenditure leakage, but of a concept and feel that is intrinsically Newcastle and complementary to Hanley city centre.

## 9. Investment principles

### *Packaging:*

- At the time of writing, our collective capacity to invest monetarily in Newcastle town centre is very restricted. The investments we can make therefore should be targeted to programmes and projects that are both fundable and most effective in addressing key issues.
- To maximise their impact, our investments must work as an explicit part of a package, including with those of other stakeholders and town centre investors. Investment must strategically fit within the SIF, and be implemented as part of a coordinated effort across the town, Borough, conurbation and region.
- The outcomes of our efforts will be more integrated and successful where investment addresses co-related issues that we and other stakeholders share. For example, investment in our street markets will be more effective when linked to public realm/ maintenance improvements, and training and

coaching for traders to upgrade their business and marketing skills. In turn, investment in such training will be more cost effective if developed as a conurbation-wide programme that achieves wider regeneration goals.

- Investment packages should also consider the following key strategies:
  - West Midlands Regional Economic Strategy (RES)
  - West Midlands Regional Spatial Strategy (RSS)
  - The NSRP Business Plan
  - North Staffordshire Integrated Economic Development Strategy
  - Stoke-on-Trent & Newcastle-under-Lyme Joint Local Development Framework (LDF) Core Strategy
  - Newcastle Transport and Access Development Strategy
  - Newcastle Town Centre Public Realm Strategy
  - Newcastle Town Centre Supplementary Planning Document (SPD)
  - Other relevant national, regional, sub-regional and local plans and strategies that are adopted during the life of this SIF.

#### *Prioritisation:*

- Short-term paving actions will address key weaknesses in the capacity of the Town Centre to regenerate and grow. As a matter of urgency, we will create a single focus of the coordination and delivery of services, place marketing and development of the Town Centre through the establishment of a Town Centre Partnership and the appointment of a town centre regeneration 'champion'.
- Our focus of investment now will be on 'planting the seeds' for more capital-intensive projects to be delivered in the longer term as funds become available. For example temporary uses and marketing measures such as art displays in vacant shops and the development of a town centre shopping guide and website are an immediate investment priority. Capital projects such as the Council's aspiration for an arts and heritage centre should be brought under the spatial framework and packaging of the SIF.

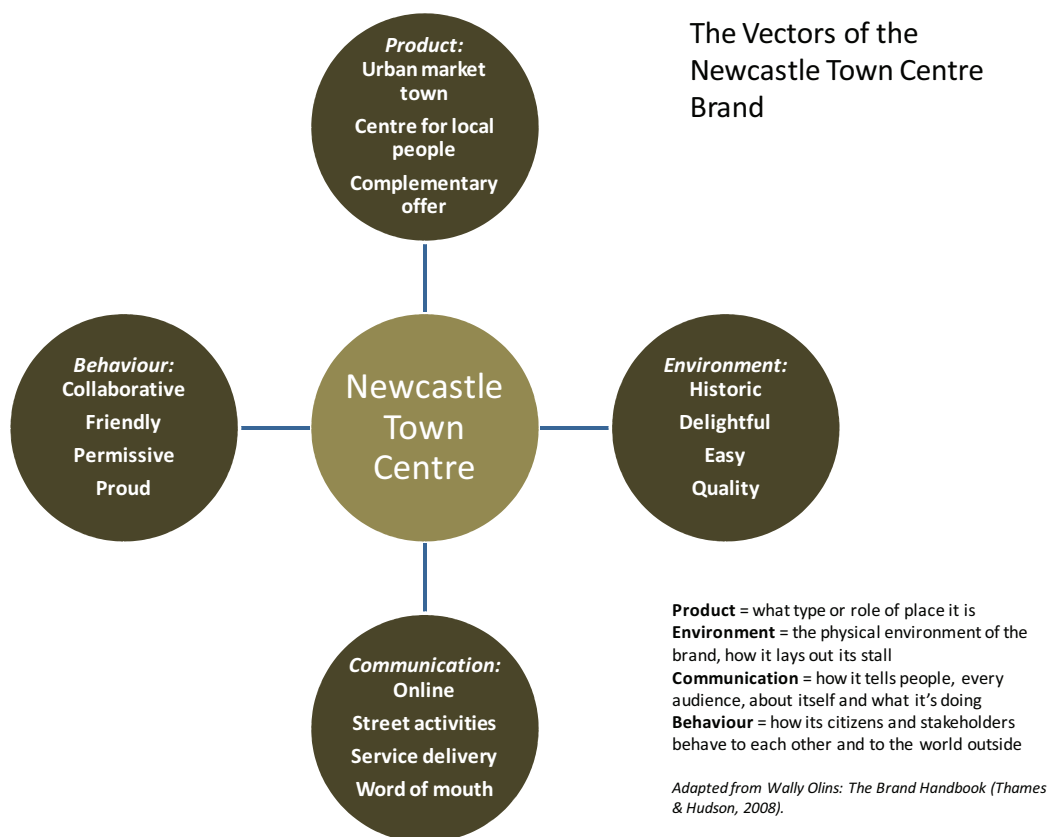
#### *Collaboration:*

- Investment between two or more partners should be mutually beneficial, clearly principled and embedded in the SIF's priorities. For example, grants for improving shopfronts should be aimed at enhancing retail distinctiveness and be part of an agreement with retailers that ensures benefits are delivered in the longer term.
- A collaborative approach will require us and other stakeholders to understand the importance and advantages of shared efforts. This will assist in building the capacity of town centre players to work towards a Business Improvement District scheme (BID).
- The greater the engagement, the lesser the propensity for freeloading. Our investment in stakeholder engagement and community support will

provide a stronger foundation upon which to broker more radical change in the town centre in the longer term.

## 10. Developing the Brand

- 10.1. Coordinating and focusing investment in the Town Centre will be very much like managing a brand. A brand commonly operates through four key 'vectors'; the emphasis of one over another will depend on the nature and audience of the brand. For a Town Centre such as Newcastle, we will need to manage all four vectors simultaneously in order to maintain and increase vitality and viability. The diagram below illustrates the vectors of our town centre 'brand' and has used as a basis for shaping the key components of the SIF.



## 11. The ambition level

- 11.1. Our understanding of the components of the brand and how this can be applied in practice is not very meaningful without a goal or ambition to aspire to and values by which we operate. Given long term cultural and organisational change will be required we have an ambitious agenda for Newcastle-under-Lyme, relative to its current position in the retail and leisure hierarchy. We will achieve this in manageable 'bite sizes'.
- 11.2. In line with our strategic principles, our ambition level for Newcastle is defined by its key identity as a market town, and its values that relate to its character and potential. Our town centre must work hard to reposition itself



as a 'boutique' alternative and complementary offer to the city centre, of at least the same quality ambition.

- 11.3. Playing on its heritage and character as a market town and as host town to Keele University, University Hospital North Staffordshire and Newcastle College, central to our ambition is achieving local sustainability and world-class innovation.
- 11.4. This will be the key overriding credential that will reposition Newcastle in a leading position in the crowded sub-regional landscape. This has a direct relationship with economic development imperatives to better embed Keele University into the life of the town and the general need to equip local people in the skills they will need for the post-recession new economy.
- 11.5. Such an ambition is in tune with the urgency of tackling climate change, the opportunities presented by changing global geo-politics and the heritage of ingenuity and economic adaptation in the town.
- 11.6. Our ambitions are encapsulated below:

| <b>Our ambition is</b>   | <b>This means</b>  |
|--|--|
| <b><i>To be an international exemplar of a distinctive 21<sup>st</sup> century market town, that is...</i></b> | Our ambition level is for Newcastle-under-Lyme to be 'put on the map'. We want visitors and practitioners from around the region, UK and even internationally to hear about its pioneering and successful approach to reinventing the marketplace in the 21 <sup>st</sup> century. Exemplar projects, embedded in the character and needs of the town centre, will be promoted to help achieve this. These could include: <ul style="list-style-type: none"> <li>• Next-generation computing in the economic development of medium-sized towns</li> <li>• Innovative eco-solutions for market towns</li> </ul> |
| <b><i>...Delightful</i></b><br><i>(local/ sub-regional scale)</i>  | Newcastle Town Centre is a charming, friendly and easy place to visit and get around. These characteristics and its historic market town feel should be accentuated as a first-order priority through development and public realm investment. Its urban design should generate emotions of delight and discovery. The quality and use of the public realm and the range and attractiveness of its retail, food and drink offer should compel visitors to want to use Newcastle Town Centre.   |
| <b><i>...Cultured</i></b><br><i>(regional/ national scale)</i>   | We want a greater balance of arts and cultural activities taking place in the town centre, alongside significantly more people living and  |



| Our ambition is  | This means   |
|--|--|
|  | <p>working in it. Newcastle will become famous for one major annual or biennial festival in much the same way as Hay-on-Wye has become. Sub-regionally, the town centre will be the alternative centre of North Staffordshire, known for its vibrant arts scene, creative industries, and strong food and drink sector with the support of the whole community.</p>  |
| <p><b>...Green &amp; entrepreneurial</b><br/>(national/ international scale)</p> | <p>The Town Centre benefits from attractive gardens and 'green lungs' such as Brampton Park that touch its outer edges. This visual greenness should be extended into and throughout the town centre. Newcastle's award-winning Britain in Bloom will be kept up-to-date and focused on the Town Centre. The street markets will take part in this and, together with other retailers and food outlets, will significantly increase the availability of local and sustainable produce. It is though the Town Centre's approach to the new low-carbon economy that will propel it on to the international stage. Keele University is leading research in many eco-solutions. At least one of these will be of world class and applied on a larger scale to Newcastle Town Centre. Partners will make concerted and focused economic development efforts in supporting and developing the 'greening' of all local business, delivering and communicating a strong innovation and entrepreneurial culture equipped for the new economy. Our longer term goal is for Newcastle Town Centre to become carbon neutral, i.e. net zero carbon emissions.</p> |

## 12. Managing the 'brand'

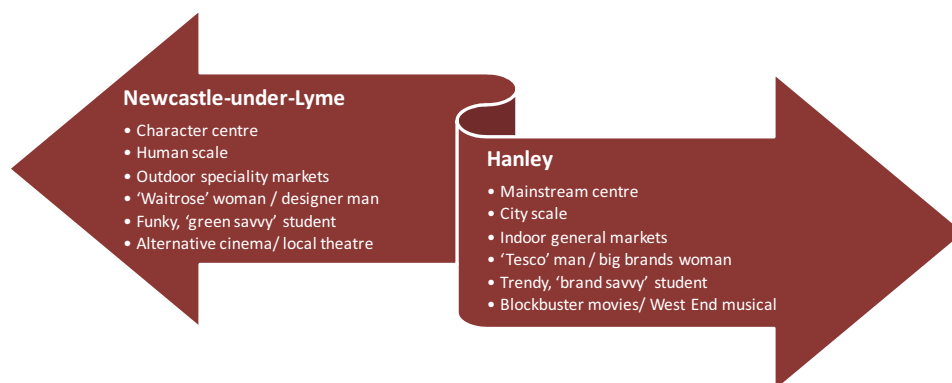
- 12.1. Bringing our strategic principles, brand vectors and ambitions together, we will manage Newcastle town centre in the following fashion.

### *The Product:*

- 12.2. Results from market research recently commissioned, suggests that Newcastle town centre has a loyal local customer base. Newcastle does very well as a local centre serving people's everyday shopping and services (banking etc.) needs. Its complementarity with Stoke-on-Trent City Centre (Hanley) is also evidentially good, at least compared to how

local consumers perceive Hanley at the moment, but less so compared to more affluent centres such as Nantwich and Stone.

- 12.3. **All investment must therefore ensure that it explicitly benefits local customers whilst raising their aspiration, expectations and pride for the town centre over time thereby enabling it to at least maintain its complementarity with a transformed city centre.**
- 12.4. Until such time as transformation of the conurbation has reached a sufficient critical mass to support two equally strong centres, **we will position and promote Newcastle as a more alternative, speciality and independent-focused town centre with a good balance of core multiple retailers and leisure providers that give a sense of stability and familiarity.** Such multiples are more likely to be those for whom the brand of Hanley is more mainstream to attract them there, or brands such as Debenhams and John Lewis/Waitrose who have developed complementary format stores.
- 12.5. This means that whilst developing a more up-market and speciality theme to the town centre will be required, this must not equal exclusivity nor should it be to the detriment of a balanced economy that also caters for the middle consumer market. **A balanced approach to investment is crucial.**
- 12.6. Quality – in terms of friendly customer service, for example – should be a hallmark whatever the audience. This quality and the convenience and physical attractiveness of the town centre continues to attract local residents. As the city centre is transformed over time it will be important that this appeal is maintained and enhanced.
- 12.7. Given the level of investment and transformational change envisaged in Hanley, **it is strategically essential that Newcastle makes substantial strides in reasserting and developing its distinctive and alternative quality offer to Hanley over the next 2-3 years, in advance of city centre redevelopment.** With our collective drive and the Council's single focus through a town centre management approach Newcastle should aim to get ahead of the 'game' by planning and delivering on measures that positions itself as North Staffordshire's 'character' centre to complement that of Hanley as a 'mainstream' centre.
- 12.8. North Staffordshire needs two strong and healthy strategic centres that cater for both localised broad need and wider lifestyle-specific needs appropriate to their character and function within the retail hierarchy. In this sense there is a clear strategic case for a joint funding approach that nurtures and co-motivates their complementary offers.
- 12.9. A notional model for complementarity might look something like this:



12.10. **Meanwhile, the notion of a university town is more about significantly increasing the engagement of further and higher education in the social and economic development of the town, less so about physical development in the heart of it.** Nevertheless in order to make this notion credible, some physical or visual expression will be required. This could be in the form of postgraduate residential accommodation, enterprise and innovation centre, food hub or eco-education centre.

12.11. **Keele University will therefore take active steps to maintain a strong internal culture of external engagement and developmental projects that are not solely for commercial gain, but have a direct and quantifiable economic relationship with the town centre.** In turn, other partners will support the university in developing an innovative and world-class culture of research and enterprise in the Borough, together with the quality of life 'infrastructure' that will help to support that. Where appropriate, partners would consider forming a formal partnership or joint venture vehicle to help deliver this.

12.12. As a crucial part of the quality of life infrastructure, **Newcastle will revitalise its street markets as a key short term priority.** This is a core distinctive asset of the town centre which we believe must be stabilised and reinvented for future generations. Related efforts in the arts, crafts and design and food and drink sectors should be stimulated as part of a package approach to investment, and as part of generating distinctiveness and complementarity with the City Centre.

*Environment:*

12.13. One of the key strengths of the town centre is its architectural elegance, fine-grain townscape that is charming and surprising, and wide traditional market street at its heart. Recent market research supports this, together with a perception of convenience and friendliness; "pleasant". **These combined elements will be nurtured and enhanced through thoughtful contemporary improvements and exciting new development that accentuates its heritage, setting and human scale in a way that positively "delights" visitors.**

- 12.14. In line with this and the vision of the Town Centre SPD, opportunities will be seized to 'undo' inappropriate past developments to repair the sense of charm and legibility that characterises the historic core. Predominantly bulky, large footprint developments must **not** be an obvious feature of Newcastle town centre. Rather, **'lighter footprint' development with locally distinctive, simple materials and building forms proportionate to the human scale of the town centre will be welcomed through a more robust, proactive and coordinated approach to planning applications.**
- 12.15. Partners will work together to ensure that the pedestrian environment and access/gateways to/from the town centre are convivial, direct and inviting.
- 12.16. A town centre design manual will be developed to guide the interpretation of "quality" to all aspects of design from branding to public realm.

*Behaviour:*

- 12.17. Whilst market research supports perceptions of a friendly town centre, the culture of many businesses is one of at best apathy and worst deep-seated cynicism. Regrettably, this is also reflected in some parts of our own organisations.
- 12.18. Our behaviour and 'culture', as delivery agencies, will have a direct correspondence with that of stakeholders and visitors.
- 12.19. So, as strategic partners, we will work hard to make radical and urgent steps to improve collaboration between all town centre players, and to streamline, clarify and coordinate roles and responsibilities.
- 12.20. A culture of 'permission' will be developed within a defined structure so that all players feel able to make a positive contribution to the town centre through clearer and faster decision-making channels that enable ideas to be implemented.
- 12.21. We will do this through a town centre partnership approach that will be the beginning of a road to a BID.

*Communication:*

- 12.22. In an age of bombardment of advertising and brand placement, town centres need to have effective communication strategies. This is currently a key weakness of the town centre, for which urgent solutions are required.
- 12.23. **It is the public's experience of Newcastle town centre that must be the key priority.** This will communicate the 'brand', builds reputation and turns word of mouth into actual footfall. If our communications do not live up to their experience, the opposite happens. This is why getting the experience right must be our top priority. Where specific aspects are right,

but not being communicated well enough – such as local produce – we need to take early action.

**12.24. In creating the right experience, service delivery – both in terms of public sector responsibilities such as street cleansing and private sector such as retail customer service – should be given top priority.**

All players and operatives in service delivery relating to the town centre will be encouraged, trained and supported in being 'brand ambassadors' for Newcastle town centre. These players are on the front line and are critical in reinforcing the character and values of our place. Whilst behaviour as explained above is important, the messages and manner in which they communicate the message we recognise must be consistent with that and the experience we want people to have of our town centre.

12.25. Street activities will be important in supporting the experience of Newcastle town centre, both in terms of the street markets but also in terms of events, festivals and street entertainment. Such activities will form part of a strategy to re-balance the culture of the town centre and engage young people in a constructive and positive way.

12.26. In doing so, the Council will lead and facilitate the promotion of the town centre online. E-marketing is the most cost effective form of promotion and through social networking is particularly relevant to engaging those with disposable income and time, i.e. younger people and 'grey surfers'.

### **13. Branding and project themes**

13.1. Our key values for the town centre were developed directly from a branding workshop in early 2009. These helped to create the narrative and structure for the projects, themed into three project bundles or programmes - "Remaking Retail", "Town & Culture" and "Green Ambition".

13.2. Cross-cutting all values and themes are those of **sustainability, technology and communications** that should be applied to the overall strategy and each project; founded upon partnership and the principle of achieving a balance of experience.

13.3. The overall framework is then summarised in the following diagram, which is used to frame the projects in Part 2:

# Creating an international exemplar of a distinctive 21<sup>st</sup> century market town



## Pillar 1: Remaking Retail

- A town centre to **delight** in
- *Getting the fundamentals and 'core business' right*
- Focuses on **town centre**



## Pillar 2: Town & Culture

- A town centre to **dwel**l in:
- *Creating reasons and spaces to be in*
- Extends focus to **town & borough**



## Pillar 3: Green Ambition

- A town centre to **grow** in:
- *Establishing a resilient & sustainable centre equipped for the new economy*
- Extends focus to **sub-region**

PARTNERSHIP & BALANCE

## **PART 2: Rationale**

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### **14. What is the case?**

14.1 The strategic case for investing in the regeneration of Newcastle-under-Lyme town centre is not purely an economic one; it is a multi-dimensional one encompassing:

- Quality of life
- Lifestyle and retail choice
- Place distinctiveness
- Economic resilience
- Sustainable development and climate adaptation
- Policy objectives
- Community development
- Consumer demand
- Place positioning and marketing
- Local heritage
- Market advantage
- Economies of scale
- Public aspirations
- Governance and civic leadership
- Business support and local economic development.



- 14.2 Prior to the recent recessionary circumstances (from 2008), a key strategy document prepared by the esteemed Work Foundation supported the case for investing in Newcastle-under-Lyme town centre. It noted that:

*The town is an important retail centre within the sub-region, having 7.2 per cent of main food shopping, 14.6% of clothes and footwear shopping and retaining a significant proportion of shoppers from the Newcastle-under-Lyme area. It is identified in the North Staffordshire Retail and Leisure Study as needing a small format food store in the short-term and clearly identified as having capacity in the short, medium and long-term to expand its non-food capacity in a way that is distinctive from the city centre (interviewees have suggested independent boutique shops or even specialising in designer outlets for shoes so that it develops a distinctive profile).*

- 14.3 It went on to recommend that a complementary offer of Newcastle to its retail potential is its potential for growing professional services. It sums up the strategic case for Newcastle as follows:

*Newcastle-under-Lyme is the other key strategic centre for North Staffordshire. It attracts around 7000 workers each day and, as the Experian update of the Integrated Economic Development Strategy shows, Newcastle-under-Lyme's economy has been performing relatively well in recent years with over half its local employment (53 per cent) in the private sector and growing its employment by 27 per cent in the last ten years. These service sector strengths also mean that Newcastle-under-Lyme is predicted by Experian, even without any interventions, to grow faster than Stoke-on-Trent to 2021.*

*Newcastle-under-Lyme has a strategic position within North Staffordshire being the nearest town centre to Keele University and the Science Park, sitting between Keele University and Staffordshire University, and having some areas of higher quality housing for higher income workers.*

*Newcastle Town does not need the substantial investment that the city centre requires, nor should development of Newcastle Town distract or detract from the vital redevelopment of the city centre. Nonetheless, it is important that North Staffordshire takes early action to capitalise upon Newcastle-under-Lyme's position as one of the most attractive places within the sub-region for knowledge intensive businesses to locate.*

*Specific actions should include:*

- *Recognise Newcastle Town as the other key strategic town in North Staffordshire: Experian's predictions for Newcastle-under-Lyme highlight its potential to grow its private sector businesses and particularly its professional and business services, as well as to provide an independent retail offer. RENEW North Staffordshire has also identified Newcastle Town Centre as having the potential to*



*“accommodate a vibrant housing market which caters for a mixed income community”. As a consequence the city centre and Newcastle-under-Lyme should both be recognised as key strategic centres in North Staffordshire (although not requiring the same levels of investment).*

- *Finalise plans for Newcastle Town’s future development and make some progress on delivery:*
  - *Plans should ensure that the town maintains its historic distinctiveness as well as catering for mixed development (office and retail) that provides an opportunity to capitalise upon Newcastle-under-Lyme’s potential.*
  - *In the short term, given North Staffordshire’s shortage of knowledge intensive businesses and the fact that Newcastle-under-Lyme is in the short-term one of the most attractive places in the conurbation for these businesses to locate, we would suggest that development of professional and business service accommodation should be a key priority.*
  - *[Finalised plans] should be supported by a mix of public and private sector funding - although it should be recognised that the scale of public investment will not be as great as in the city centre. Nonetheless, as one of the most attractive town centres in the North Staffordshire area for knowledge-intensive businesses, it is important to ensure that Newcastle Town receives sufficient investment to fulfil its potential.*

14.3 The strategic case can be further articulated around the following principles and issues:

- **Economies of scale**
  - With tightening budgets across the board, collaboration between sub-regional local authorities is vital to get more done with less money to go round
  - It is in the interests of all partners therefore to identify specific areas of collaboration and co-funding through agencies such as NSRP that gives all partners win-win outcomes
- **Polycentricity as a virtue**
  - North Staffordshire’s physical characteristic as a multi-polar conurbation is often, as a result of its parochial baggage, seen as a liability rather than an opportunity
  - As society is ever-increasingly lifestyle-diverse, often towns and cities develop external facing images associated with particular lifestyles to the extent that they can become exclusive
  - Through careful and coordinated community branding, North Staffordshire has a unique opportunity to nurture the distinctiveness of all its towns and neighbourhoods in a largely

complementary fashion that enables the conurbation to be inclusive

- In this context Newcastle, as the second strategic centre in planning policy and retail ranking, is of equal importance as the City Centre – there is a rightful place for the ‘Burslems’ of the conurbation in a way that creates distinctive places
- **Newcastle as the character centre**
  - Newcastle should be pitched as the alternative centre to the City Centre in the conurbation, focusing on its characterful ambience and specifically its street markets, food & drink and cultural offer
  - In this sense, the City needs Newcastle in terms of attracting the middle and creative classes to North Staffordshire
  - It’s also about retention – without investment in the town centre, expenditure from high earners will ever-increasingly leak outside of the region
  - A strong Newcastle town centre adds to the package that investors buy into, e.g. those locating at Keele and attracting skilled workers
- **A pragmatic response**
  - Newcastle has ‘easy’ pickings in terms of development opportunities in the right condition, which can be brought forward sooner than in much of the City
  - Newcastle Town Centre is one of North Staffordshire’s two ‘Strategic Centre’ even if Stoke-on-Trent City Centre is the largest retail and entertainment centre, it simply wouldn’t be appropriate to place all of our eggs into one basket. Centres develop at different speeds and have different qualities – this is an asset for the area which we would be unwise to ignore.

#### 14.4 Key underlying issues

- Leakage of retail expenditure – Newcastle suffers from a significant amount of retail spend leakage to nearby urban centres. Of the 134,000 estimated primary catchment area population, the town centre captures the retail spend of only 59,000 representing a considerable deficit (Cushman & Wakefield Report). As such, 20.99% of Newcastle’s retail market share is leaked to neighbouring Stoke-on-Trent (Cushman & Wakefield Report). According to research conducted by Cushman & Wakefield, the current volume of comparison retail spend in Newcastle is significantly below the PROMIS 300 centres average. The town centre has witnessed significantly below average growth in the period from 2004-2009.

- Unbalanced retail offer –
  - Lack of multiples - Newcastle town centre undoubtedly suffers from a lack of multiple retailers. Miller Research UK noted that only 40% of the top twenty retailers are represented in the town centre. As such Newcastle does not benefit from the existence of a key retail anchor. Of further concern, is that of the high street retailers interviewed on behalf of Miller Research UK, many did not see Newcastle as a target at present.
  - Value vs. Quality – Miller Research UK identified that Newcastle town centre is dominated by discount and middle range operators. Notable gaps in the retail offer include:
    - Food & Drink – adequate variety of operators , but limited ‘quality’ offer
    - Good quality national or local independent bookshop
    - Men & ladies’ fashion – absence of retailers catering for young, mid and higher range fashion.
    - Lack of good quality independent and niche retailers to appeal to local shoppers and visitors
    - Small/medium format department store
    - Small format food store
- Under-performing street markets – According to Miller Research UK, more than 60% of town centre users saw Newcastle as a market town, emphasising its historic roots as a local centre separate from the neighbouring conurbation. Despite this, Newcastle’s street market currently under-performs. The number of regular traders is approximately 50% of capacity (Miller Research UK). A distinctiveness survey carried out by Miller Research UK noted that the street markets score poorly on vibrancy and local produce/goods. Users identified that the range of goods, the quality of goods and the appearance of the street markets could be improved.
- Threat of out of town competitors – Newcastle Town Centre has lost significant footfall and expenditure over the past 15 years to both Trent Vale (Tesco, Parklands Office Park, Springfields Retail Park) and the retail stores at Festival Park in Etruria. This will be exacerbated if Tesco get planning permission to double the size of their store. Two actions are necessary to address this 1: that the City Council end their (de facto) policy of allowing out of town retail, office and leisure development and 2: that investment in Newcastle Town Centre helps make the town such a draw that shoppers, visitors and businesses will *choose* to come into town.

14.5 As a result of the leakage and the absence of a quality retail offer, retail rents in Newcastle are considered to be notably lower than in

comparable centres (Cushman & Wakefield Report). Low retail rents only exacerbate the problem by attracting further discount to middle range operators which add to the already unbalanced retail offer and distance Newcastle further from that ideal distinctive character.

- 14.6 Owing to this lack of distinctiveness, visitors to Newcastle town centre perceive it to be down-market and to lack vibrancy (Miller Research UK). These perceptions go a long way to explaining why the average length of stay for visitors in Newcastle is 1-3 hours (Miller Research UK). In relation to this short dwell time, the NLP Market Positioning Study 2003 noted that the average expenditure on both food/grocery shopping and non-food shopping was relatively low for a town centre such as Newcastle (£19.70 on food/grocery; £24.10 on non-food).

*Thus any attempt to shape Newcastle town centre into a more distinctive place, requires partners and stakeholders to develop solutions that boldly address visitor perceptions, dwell times and average spends.*

#### **14.7 Leadership and Marketing**

At a strategic level, Newcastle town centre suffers from a lack of coordinated leadership and promotion. This paucity was identified as early as the NLP Market Positioning Study in 2003. Research carried out as part of this study noted that 44% of the business respondents felt that the marketing and promotion of Newcastle town centre was poor. The SIF aims to address both this lack of leadership and lack of marketing / PR.

#### **14.8 Unbalanced cultural offer**

Newcastle town centre currently endures an unbalanced cultural offer with highly contrasting and conflicting daytime and evening economies. This situation is reflected in the short 1-3 hour average dwell time spent by visitors. The SIF aims to address this.

#### **14.9 The Investment Framework approach**

To develop interventions in order to address the given problems faced by Newcastle town centre, it is necessary to investigate the potential causes behind them. It is recognised however that there are two types of causes:

- The 'givens' – those that the Council and key stakeholders have no or minimal control over
- The 'opportunistic' – those that the Council and key stakeholders have the power to manipulate/influence

14.10 'Givens' – these include the town's proximity to Hanley, the economic climate and market conditions, and the underlying demographics of the area:

- **Geography** – Newcastle's geographical proximity to the main urban centre of Hanley can be identified as a key cause of retail expenditure leakage.
- **Economic climate** – the weakened economic climate undoubtedly plays a major role in the lack of retail investment in Newcastle town centre. Even in 2003, prior to the recession, 47% of businesses surveyed in Newcastle felt that the general economy was the main constraint affecting their outlet's performance (NLP, 2003). Considering the subsequent decline in the market it is likely that economic concerns have exacerbated amongst Newcastle businesses. Research conducted by Miller Research UK in 2009 noted that many national retailers have adopted a strategy of focusing on the trading performance of their existing stores and if acquisitive are targeting larger towns and cities with affluent expenditure profiles. It is therefore essential that Newcastle town centre develops a distinctive character to complement the inevitable performance of neighbouring urban centres.
- **Demographics** – the dominance of discount to middle range retail operators can perhaps be attributed to the socio-economic profile of visitors to the town centre. Research has identified that Newcastle town centre attracts a below average number of affluent customers and a high proportion of low income shoppers (NLP, 2003; Focus Town Report, 2009).

14.11 'Opportunistic' causes (can change) - Nathaniel Lichfield (2003) have explicitly related Newcastle's struggle to attract higher quality national multiples to image problems and the town's proximity to larger centres such as Hanley. These two causes fall under the given and opportunistic labels respectively. Whilst it may not be possible to directly manipulate the 'given' causes, this does not mean that the related problem cannot be solved. For example, it may not be possible to alter the *local* demographic, however delivery partners may well be able to attract outside demographics to the town centre and may be able to manipulate the behaviour of the *existing* demographic. Moreover Newcastle must develop a *complementary* retail offer in relation to nearby urban centres such as Hanley, irrespective of the fixed spatial proximity.

14.12 Property market research conducted on behalf of Miller Research UK interviewed key retailers to understand whether they would consider Newcastle as a location for a new store. Key messages included:

- Units are undersized for the Newcastle market and configuration not ideal for their purposes
- 2 retailers cited the close proximity of an existing store in Hanley as the prime reason for not considering the town

- Several retailers benefit from sufficient catchment coverage from their stores in larger towns and cities in Cheshire, Lancashire and Midlands.
- 3 retailers cited the expenditure profile, relatively small population and catchment area (or possibly in some instances a negative perception of these factors)
- Other significant factors included lack of a significant population of an affluent demographic, minimum resident shopping population of 100,000 and insufficient footfall

14.13 Aside from bringing forward higher quality and more appropriately configured retail units, it is clear from the above findings that the Council and partners need to address the retail offer and distinctiveness of Newcastle in order to manipulate constraints enforced by those 'given' causes.

#### **14.14 Marketing**

There is no doubt that several of the challenges faced by Newcastle are interlinked and thus any potential solution must be cross-cutting. Property consultants Alder King suggest that the main reason for the lack of retail investment in Newcastle is that there is a general lack of awareness of the town within North Staffordshire and elsewhere, as well as it being blurred amongst neighbouring and competing centres such as Hanley. This suggestion clearly paves the way for, and exemplifies the benefits of, a coordinated marketing campaign for the town centre.

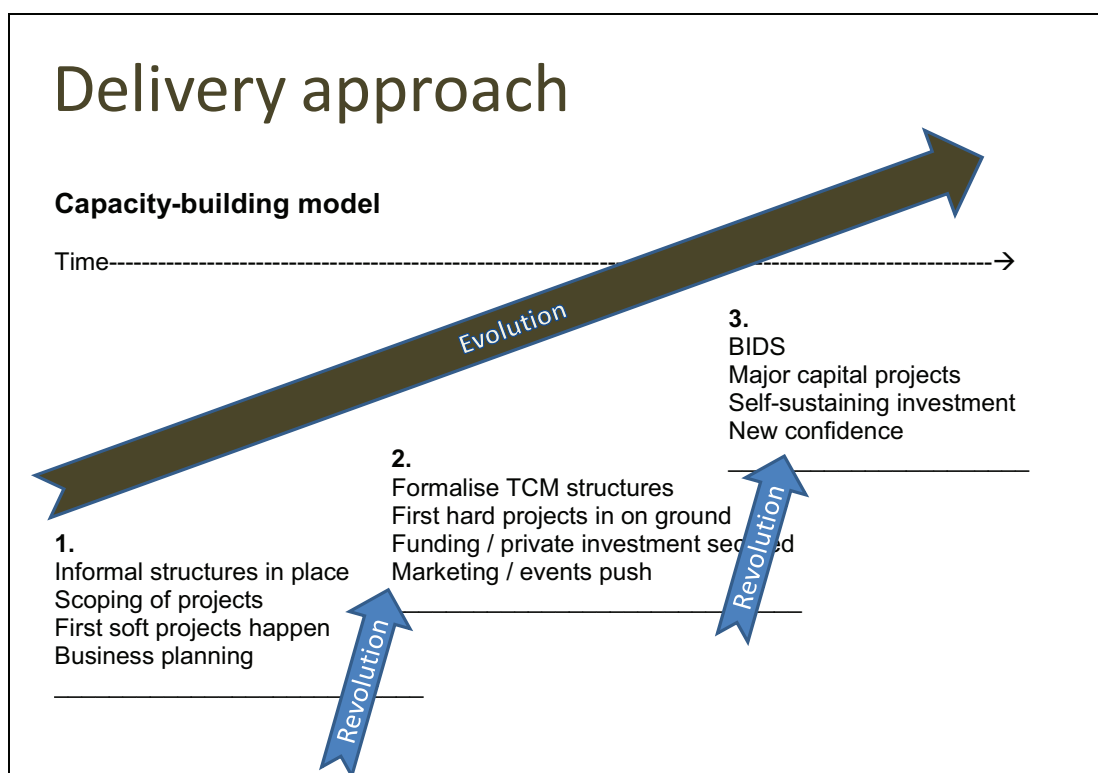
## PART 3: Framing

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### 15. Overall approach

- 15.1. Part 2 sets out the programmes and projects and how these will be delivered.
- 15.2. Our overall strategy for delivering regeneration of the Newcastle town centre will be a **dual approach of 'evolution and revolution'**.
- 15.3. **Evolution is required in the sense that we recognise the need for a long-term change management programme to raise ambition and equip stakeholders with the capacity to achieve such ambition.** This will require finer grain sub-strategies that build business and investor confidence, increase consumer aspirations and stakeholder competencies.
- 15.4. **Revolutionary 'leaps', however, will be required to step-change the evolutionary process to each new level of ambition and maturity of partnership along the journey of reaching our ambition.** For example, an initial revolution is required in the way in which we manage the town centre and coordinate public services in an integrated fashion. In particular, a single focus, i.e. a town centre management function, is urgently required for the town centre with access to a wider set of skills. This is something that we will be giving top priority to in 2010.
- 15.5. Allied to this will be an organisational revolution in terms of partnership and collaboration that breaks down traditional silos and professional 'territories'. Over the life of this framework other step-changes will include large-scale redevelopment schemes that will further raise the game.
- 15.6. The ultimate aim, over an initial business plan period of 3 years (2010-2013), is to establish a Business Improvement District (BID) Scheme.
- 15.7. This is reflected in the diagram below:





15.8. This reinforces the point that the SIF is not intended to be a short term wonder, but a sustained and focussed hard-graft plan for turning the town centre around and driving towards the ambitious vision over the longer term, i.e. 10 years.

15.9. Our proposed programmes and projects are therefore split between short term paving actions and long term projects, grouped under the three pillars of the framework introduced in Part 1:

- **Remaking Retail** – this is about us, as partners, getting the fundamentals of the ‘core business’ of the town centre right; significantly improving the retail offer, environment and experience, building on existing strengths and character
- **Town & Culture** – this pillar of the strategy is about us creating more reasons and spaces to dwell in the town centre throughout the day and week; addressing weaknesses such as the imbalanced cultural and leisure offer, lack of residential development and poor range of quality office accommodation
- **Green Ambition** – finally, taking a longer term and more strategic view, a range of programmes that put sustainability and technology at the heart of the regeneration of our town; repositioning and equipping our local economy as part of a North Staffordshire effort to develop the new green economy.

## 16. Short term paving actions



- 16.1. Long term gains will require short term pains. Such actions will pave the way for a stronger town centre. At the moment there is very little 'software' in place to produce the 'hardware' that will last.
- 16.2. As a priority, our concerted action is required to develop a Town Centre Partnership, based on efforts already taken to establish a retailers' forum and to focus the role of the Economic Development and Enterprise (EDE) group of the Local Strategic Partnership (LSP).
- 16.3. Alongside this, projects to develop confidence in local stakeholders and change perceptions of the town centre will be invested in. Subject to funding, these will comprise a coaching and mentoring programme for local independent retailers and marketing initiatives including online promotion to improve awareness of the town centre's offer. In parallel with promotion of this SIF itself and the delivery of visible changes, these streams of activity will be mutually reinforcing, developing a reputation of the town centre as a progressive, distinctive town centre that stands apart from the more rural image of neighbouring Staffordshire and Cheshire market towns.
- 16.4. Our paving actions will require intensive programme management, working to a clear delivery timetable that sets deadlines and targets that can be monitored and to which the Council can be publicly accountable.

## **17. Long term projects**

- 17.1. Projects for which a longer term view will be required generally relate to major physical improvements and the redevelopment of specific sites.
- 17.2. Although at the time of writing this is being informed by independently-produced commercial options appraisals, major development projects will comprise:
  - A major retail-led mixed use scheme on the Ryecroft area of the town centre – on the condition that strategies are implemented concurrently to improve and extend footfall circulation and to address the economic structural changes to the southern High Street
  - A coordinated and civic uses-led approach to the comprehensive redevelopment of the area adjacent to the Health & Wellbeing Centre at Nelson Place
  - A phased programme of public realm transformation in synergy with the regeneration of the street markets.
- 17.3. Long terms projects are likely to require specialist skills and tight project management to ensure that they are planned to a high and thorough standard.

## 18. Priorities

- 18.1. Following the development of a 'long list' of programmes and projects, a short list was agreed at the stakeholders' summit in June 2009.
- 18.2. The long list was developed in consultation with the SIF steering group and incorporated actions from the Retail Distinctiveness Strategy produced by Miller Research (UK).
- 18.3. The priority projects agreed from the long list (or suggested by summit participants) are broken down in the **table below**. These have been further prioritised according to the level of project definition and sense of urgency afforded to them at the summit and during subsequent discussion.

| <b>PRIORITY PROJECTS – Tier 1:<br/>Short term paving actions &amp; 'early wins'</b> |  |   |  |  |  |
|---|--|---|--|--|--|
| <b>Pillar</b>   | <b>Programme/<br/>project</b>                    | <b>Description</b>  | <b>Suggested<br/>leadership</b>                                      | <b>Possible*<br/>funding<br/>sources</b> | <b>Provisional<br/>timescales</b>  |
| Cross-cutting   | Integrated Regeneration Champion                 | Multi-skilled service-head level manager of the town centre programme   | NBC (initially); Town centre partnership once established            | Town centre partnership partners         | Establish TOR & prepare business plan 2009/10; appoint 2010/11   |
| Cross-cutting   | Marketing/PR Coordination & Development          | Deliver a clear and consistent message about what Newcastle has to offer  | NBC lead, with support from NSRP, Enjoy Staffs, InStaffs & Keele Uni | NBC                                      |  |
| Cross-cutting   | Long term local public/private property strategy | Options appraisals and development briefs/design coding lead to marketing of specific sites, site assembly and delivery                                   | NBC lead; NSRP co-funding and advice                                 | NBC; NSRP; SCC; private sector           | Options appraisals & briefs by early 2010; development promotion 2010; site assembly & developer procurement 2010-2012 |
| Remaking Retail   | Retail Networking and Communication              | Capacity-building, networking, awareness-raising and collective working through trade associations and business forums; leading to formalised town centre | Facilitated by NBC; championed by Chamber & Business Panel           | NBC; local businesses                    | Initiate in 2010; limited company 2011   |

| <b>PRIORITY PROJECTS – Tier 1:<br/>Short term paving actions &amp; ‘early wins’</b> |  |  |  |   |  |
|---|--|--|--|---|--|
| <b>Pillar</b>   | <b>Programme/<br/>project</b>                              | <b>Description</b>   | <b>Suggested<br/>leadership</b>  | <b>Possible*<br/>funding<br/>sources</b>                                      | <b>Provisional<br/>timescales</b>  |
|   |  | partnership and eventually a BID   |  |   |  |
| Remaking Retail   | Retail Support Programme                                   | Business coaching to improve confidence, raise aspiration and equip retailers/restaurateurs with updated and new business skills to take their businesses to the next level, within the new ambition for the town centre | NBC, LSP or NSRP lead; run by private partner                                  | NSRP partners, e.g. Business Link, EU; Chamber                                | Initiate in 2009/10; programme runs 2010/11                                  |
| Remaking Retail / Town & Culture  | Transforming the street markets (i) upgrading the Markets  | Major programme of modernisation to their appearance, mix of goods and produce for sale, better promotion and links to wider retail offer; showcasing the best of Newcastle  | NBC lead; championed by town centre partnership and market trader associations | NBC; SCC; national & regional food initiatives; traders/private sector        | Engage traders and agree proposals 2009; new programme of markets 2010/11    |
| Remaking Retail / Town & Culture  | Transforming the street markets (ii) promoting the Markets | More imaginative and targeted marketing and promotion, focusing on presentation and promotional activities, as well as wider publicity through the media   | NBC lead; supported by Chamber & Taste of Staffs                               | NBC; SCC; national & regional food initiatives; traders & trader associations | Engage traders and agree proposals 2009; new programme of markets 2010/11    |
| Remaking Retail / Town & Culture  | Conservation Area Shop front Grants Scheme                 | In conjunction with English Heritage (EH), a programme of grants for improving shop fronts and building frontages in the distinctive heart of the Conservation   | NBC lead, advised by English Heritage  | NBC; English Heritage match funding   | Application 2009/ 2010; scheme commences April 2010 (subject to EH approval) |

| <b>PRIORITY PROJECTS – Tier 1:<br/>Short term paving actions &amp; 'early wins'</b> |  |  |                                 |  |   |
|---|--|--|---------------------------------|--|---|
| <b>Pillar</b>   | <b>Programme/<br/>project</b>          | <b>Description</b>   | <b>Suggested<br/>leadership</b> | <b>Possible*<br/>funding<br/>sources</b> | <b>Provisional<br/>timescales</b>   |
|   |  | Area   |                                 |  |   |
| Town & Culture  | Establish a Local Cultural Partnership | Bring together the diverse range of arts and sports providers in Newcastle to plan, organise and publicise cultural provision in the town centre; better coordinate Council departments with a remit in culture, as part of this process | NBC lead                        | N/A                                      | Establish in 2010 following intensity of work around health & wellbeing centre; Corporate Working Group already established |

| <b>PRIORITY PROJECTS – Tier 2:<br/>Long term projects to start planning now</b> |                                    |   |   |   |  |
|---|------------------------------------|---|---|---|--|
| <b>Pillars</b>  | <b>Programme / project</b>         | <b>Description</b>  | <b>Suggested leadership</b>                         | <b>Possible* funding sources</b>                  | <b>Provisional timescales</b>  |
| Remaking Retail   | Public realm enhancement programme | Phased programme of works comprising: <ul style="list-style-type: none"> <li>• Interim De-cluttering &amp; Tidy-up of Public Realm</li> <li>• Interim Closure of Hassell Street</li> <li>• Lower High Street Environmental Improvements</li> <li>• The Guildhall Area Environmental Improvements</li> <li>• Upper High Street/ Bridge Street/ Merrial Street Environme</li> </ul> | NBC/SCC lead; championed by town centre partnership | NBC; SCC; AWM (beyond 2012); S106/ private sector | Review of existing plans & new proposals 2009/10; De-cluttering/ interim improvements 2010/11; keynote projects from 2011/12 |

| <b>PRIORITY PROJECTS – Tier 2:<br/>Long term projects to start planning now</b> |   |   |  |   |   |
|---|---|---|--|---|---|
| <b>Pillars</b>  | <b>Programme / project</b>                                      | <b>Description</b>  | <b>Suggested leadership</b>  | <b>Possible* funding sources</b>  | <b>Provisional timescales</b>   |
|   |   | ntal Improvements   |  |   |   |
| Town & Culture  | Shops for Art/ Creative Spaces / Rehearsal & Performance Spaces | Conversion (permanent and temporary) of vacant shops and buildings to support the above; Encourage young musicians and other performers to develop their talent by identifying and allocating space to practice and perform | NBC, with support from arts groups, Keele Uni, Newcastle College & schools | NBC; Arts Council Empty Shops Initiative; NSRP partners; landowners; arts & music funding organisations ; education providers | Active discussions already underway, but no timetable currently available                                   |
| Green Ambition  | 'Room to Grow' balanced office offer                            | Proactive promotion of development of range of new and refurbished office space for spin-in and grow-on businesses (professional, creative, public administration & environmental ) in and around the town centre           | NBC, with support from NSRP & InStaffs                                     | Private sector; AWM   | To be determined through Options Appraisal & ongoing discussions with Keele Uni; Lancaster Building on site |

| <b>PRIORITY PROJECTS – Tier 3:<br/>Projects requiring further definition or champion</b> |   |   |  |  |  |
|--|---|---|--|--|--|
| <b>Pillars</b>   | <b>Programme / project</b>                                | <b>Description</b>  | <b>Suggested leadership</b>                | <b>Possible* funding sources</b>   | <b>Provisional timescales</b>  |
| Remaking Retail / Town & culture   | Consolidating the Food and Drink Offer in the Town Centre | Bring together the existing food and drink suppliers in Newcastle and close any identified gaps in provision – linked to increase in urban gardening and promotion of | NBC lead with support from Taste of Staffs | NBC; SCC; national & regional food initiatives; local businesses/ private sector | Promotion & skills training 2010/11; possible food festival in medium term; distinctive food quarter by 2015 |

| <b>PRIORITY PROJECTS – Tier 3:<br/>Projects requiring further definition or champion</b> |  |   |   |  |  |
|--|--|---|---|--|--|
| <b>Pillars</b>   | <b>Programme/<br/>project</b>          | <b>Description</b>  | <b>Suggested<br/>leadership</b>   | <b>Possible*<br/>funding<br/>sources</b>   | <b>Provisional<br/>timescales</b>  |
|  |  | local food through Britain in Bloom and other established local initiatives   |   |  |  |
| Town & Culture   | Develop the Jazz and Blues Festival    | Broadening its scope and seeking further skilled professional input to support and develop the excellent work of the current Jazz Fest team; positioning it as a major attraction for the town  | Cultural Partnership, championed by local venues  | NBC; Arts Council; foundations; local venues & arts organisations; private partners/sponsors   | To be determined; aim for 'new, improved' festival in 2011, subject to commitment & funding                            |
| Town & Culture   | Stage an International Circus Festival | Development of a distinctive new festival focused on the town centre, with its roots in the circus connections of Newcastle that affirms its new role as a festival town in the sub-region; comprising strong community outreach, education and cross-generational development  | Cultural Partnership, championed by New Vic Theatre and/or other key arts organisations | NBC; Arts Council; foundations; local venues & arts organisations; private partners/sponsors   | To be determined; aiming to coincide with 2012 Cultural Olympiad, subject to commitment & funding                      |
| Green Ambition   | Newcastle Online/Green Cloud**         | A programme of 'green' ICT-led initiatives to increase online exposure of Newcastle shops, restaurants and businesses, and to improve connections and learning with the university/college, through projects such as: <ul style="list-style-type: none"> <li>shopping/visit or portal with online shopping with local shops</li> <li>support for business websites</li> </ul> | LSP, Keele Uni or NSRP  | Private sector providers; Keele Uni and high education research grants; Lottery; NSRP partners such as Job Centre Plus; Chamber of Trade; Business Panel members | To be determined; projects need greater definition, as tasked to the LSP Economic Development & Enterprise Theme Group |

| PRIORITY PROJECTS – Tier 3:<br>Projects requiring further definition or champion |                       |  |                         |                                 |                           |
|--|-----------------------|--|-------------------------|---------------------------------|---------------------------|
| Pillars  | Programme/<br>project | Description  | Suggested<br>leadership | Possible*<br>funding<br>sources | Provisional<br>timescales |
|  |                       | <ul style="list-style-type: none"> <li>community digital inclusion projects</li> <li>town centre-wide wi-fi &amp; cloud computing zone</li> <li>public access with supporting training programmes at key hubs such as library and eco-innovation centre</li> </ul> |                         |                                 |                           |

\* **Note funding sources are not currently committed;** nor programme/project leads yet confirmed. Subject to Council approvals, and those of relevant public sector partners.

\*\*At the summit it was felt that this programme could be broader – a ‘Green Umbrella’ initiative – that puts Newcastle town centre on the map as an exemplar in reducing carbon footprint, encompassing transport, local sourcing, green energy demonstration project, loyalty card scheme, green walks and a possible eco-innovation drop-in centre. This programme therefore requires further definition, focus and stakeholder agreement. There is also clearly synergy with wider North Staffordshire initiatives that should be explored too.

## 19. Cross-cutting themes

- 19.1. All our proposed programmes and projects will be founded on the principles of balance and partnership, outlined in Part 1, but we also aim to demonstrate best practice in marketing and communications, technology and sustainability.
- 19.2. **Marketing and communications** is a key cross-cutting issue. Without raising consumer, visitor and investor awareness of our town centre management and regeneration programme it will be ineffectual. We recognise that we must all work together to invest ample resources into targeted and monitored marketing– both in respect of specific projects but crucially in the promotion of the town centre offer as a whole.
- 19.3. Equally, **sustainability** will be a concurrent theme – both environmentally and economically. Without a sustainable, i.e. realistic and fundable, business plan for each projects action will fizzle out. Without a strongly green agenda to each project, actions will be inconsistent with the Green Ambition pillar of the framework and wider climate change issues. We want Newcastle to be a regional leader of

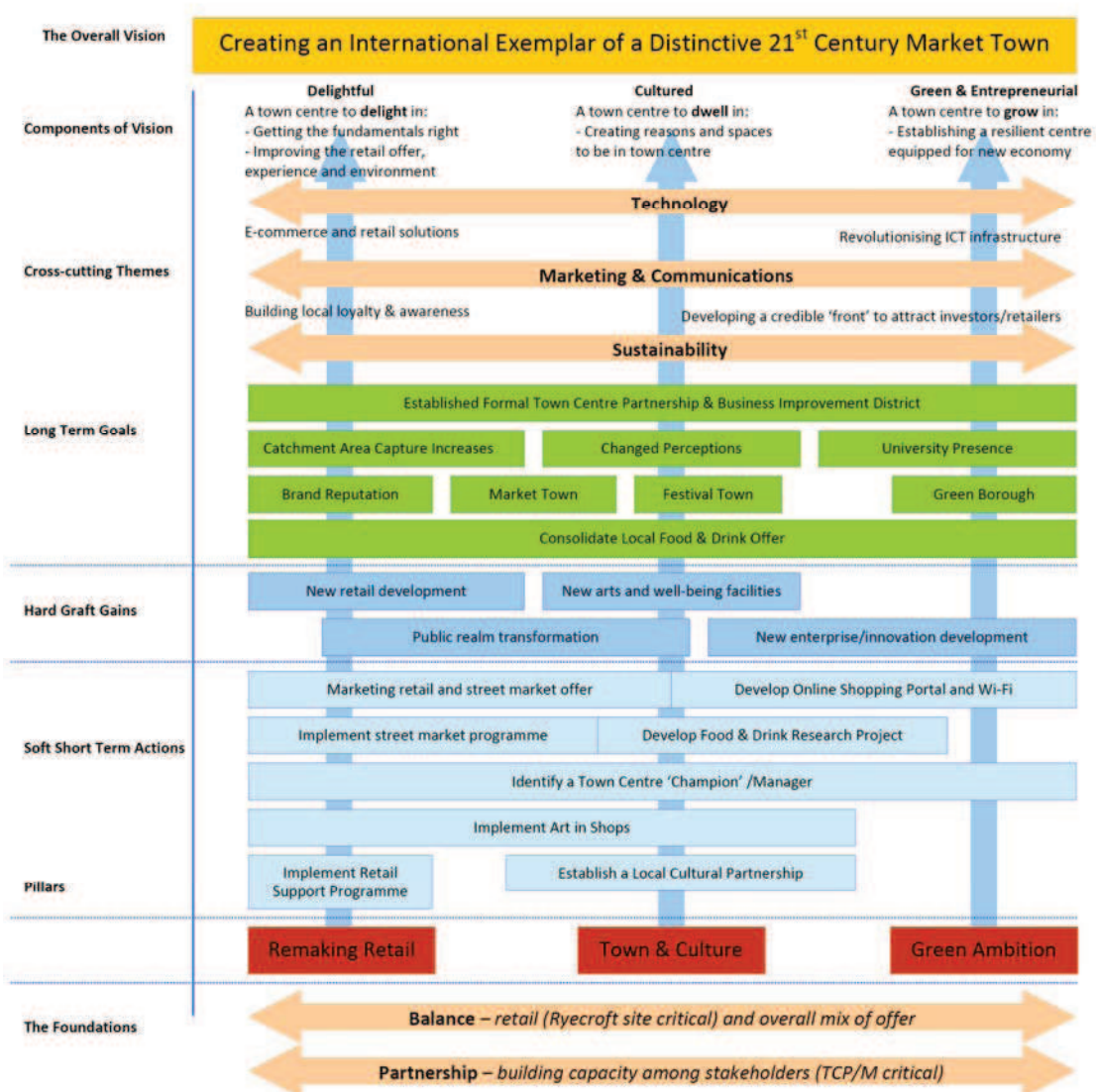


the application of green business to every aspect of our town centre, both from a branding point of view and because it makes economic sense.

19.4. Finally, we pledge to optimise new **technology** in delivering creative and innovative solutions to the needs of Newcastle town centre. Utilising the breadth of skills already prevalent in the Borough such as at Keele Science Park, Newcastle town centre is a perfect location as a ‘test bed’ of new ideas. For example, Newcastle Jazz Festival has proven the advantages of social media. We wish to take such technology to the next level, seeking ways of moving with the times and demonstrating the value of new technology to raise awareness, grow business and create an entrepreneurial culture.

## 20. The Framework Model

20.1. The SIF, then, as outlined in the foregoing can be summed up by the diagram below. Based on the foundations, the vision will ultimately be fulfilled through the three pillars (read from the bottom) and strengthened by the cross-cutting issues described above.





## 21. The action plan

- 21.1. Project development is at the time of writing an ongoing process. **An action plan** is appended at **Appendix 1** and will be updated on a regular basis.

## 22. The spatial consequences

- 22.1. As part of the SIF process, we have commissioned a specialist team of consultants to advise on the viability of key development opportunities across the town centre and how we can control these in a more proactive and coordinated manner. Utilising the Council and other partners' land and other property assets we will optimise the longer term opportunities to regenerate key sites in and around the town centre in a way that achieves our ambition for Newcastle town centre.
- 22.2. At the time of writing, the team of consultants are drawing up their conclusions. Their recommendations will have implications for the spatial construct of the town centre, the planning policies to support it, and the infrastructure, funding approaches and resourcing that will be require to implement it.
- 22.3. We will update this document accordingly, as we progress through the journey of delivering the SIF's aspirations.

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## Preserving Newcastle's Buildings

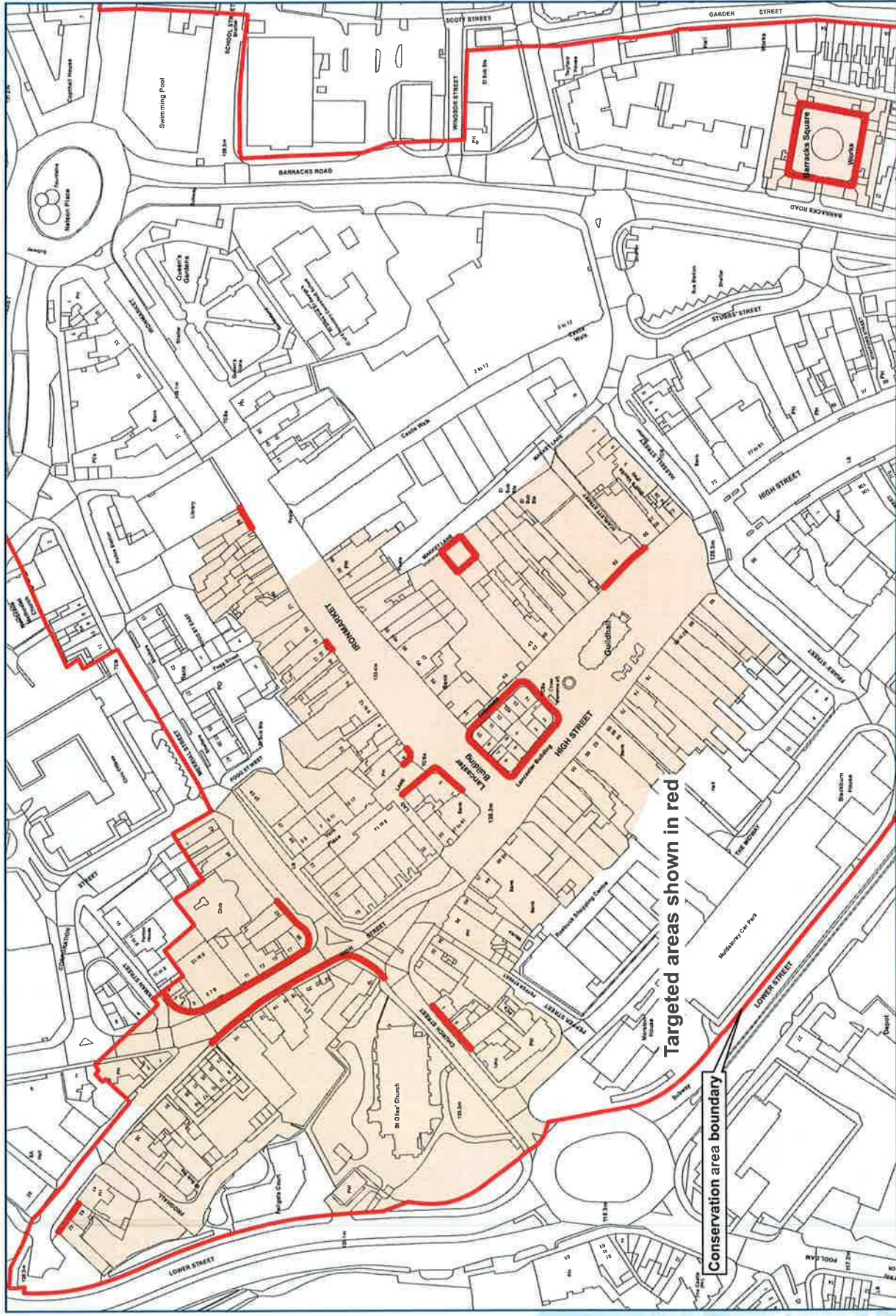
The council has joined forces with English Heritage and is offering grants to property owners within the town centre conservation area.

The scheme targets resources to historic properties to help preserve and enhance the town centre.

Grants of up to 50% and 60% may be available under the scheme for certain work.

Similar schemes in other towns have acted as a catalyst for wider change and regeneration.

## Newcastle Town Centre Conservation Area Partnership Scheme



The map shows the partnership scheme area and targeted properties



## Eligible Work

Page 58

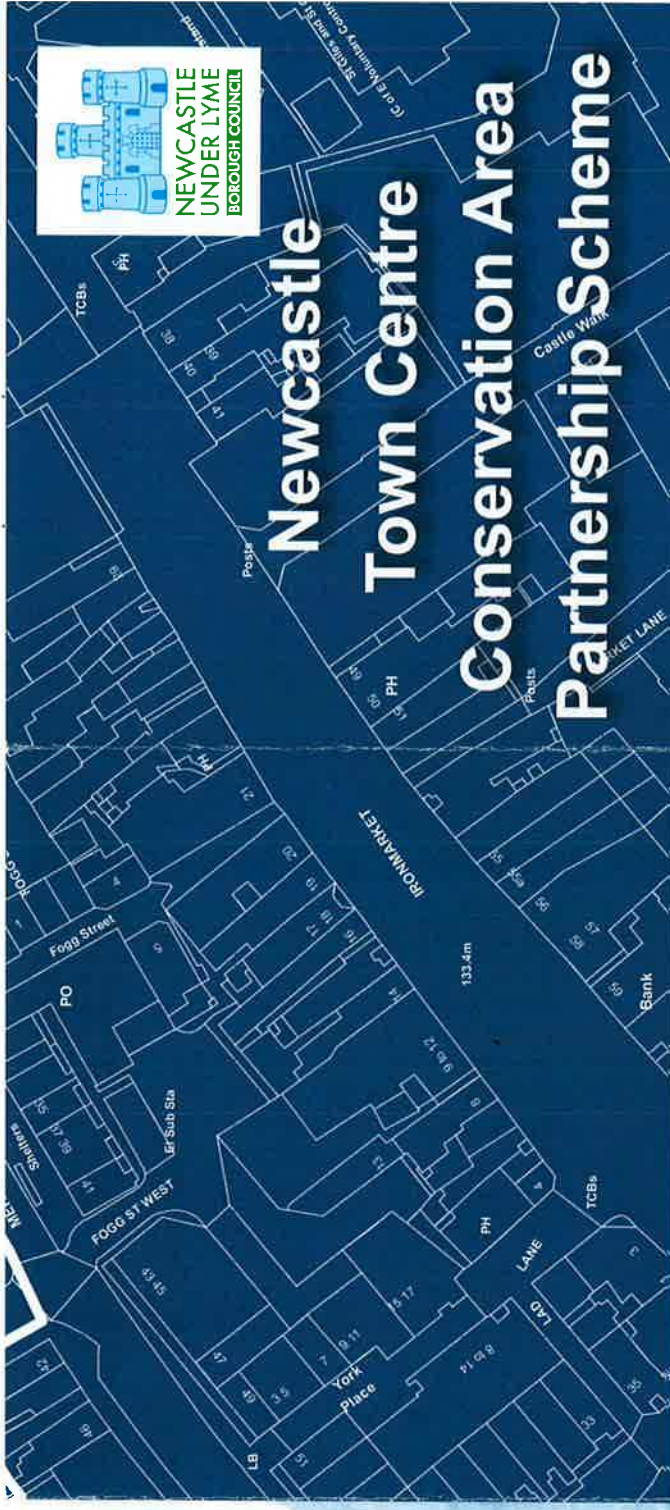
- Repairs to historic buildings.
- Putting back lost or damaged architectural features.
- Historic shopfront repairs or improvements.
- Modern shop fronts where appropriate\*
- Small-scale works next to buildings such as alleyways.

\* planning permission will be required for alterations

The scheme cannot fund:

- Works already started
- Demolitions
- Conversions
- Minor repairs and maintenance

Conservation-accredited professionals should be used for projects.



## Grants available for historic properties

Contact the department to find out if your project might be eligible for a grant.

Regeneration and Development  
Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffs  
ST5 2AG

Telephone 01782 742408  
or e-mail

[planningconservation@newcastle-staffs.gov.uk](mailto:planningconservation@newcastle-staffs.gov.uk)

For more information visit  
[www.newcastle-staffs.gov.uk/conservation](http://www.newcastle-staffs.gov.uk/conservation)



In partnership with



# Calling all entrepreneurs in the Newcastle Borough



Are you a dynamic business with less than 250 employees? Do you want to take your business into top gear but lack funding?

## Here's your opportunity!

Business Boost Competition aims to inspire small and medium size businesses in the Newcastle Borough to grow and prosper. Through participation, businesses are encouraged to develop entrepreneurship and strategic thinking to help drive their business forward. The unique **CASH AWARDS of up to £1500** are presented to businesses that are able to demonstrate drive and ambition based on sound business planning. There will also be other prizes on offer including a **fully-funded apprentice for one year worth almost £6,000 pa!**

For more information about the competition and how to enter, visit our website:

[www.businessboostawards.org.uk](http://www.businessboostawards.org.uk)



### Our Major Sponsors



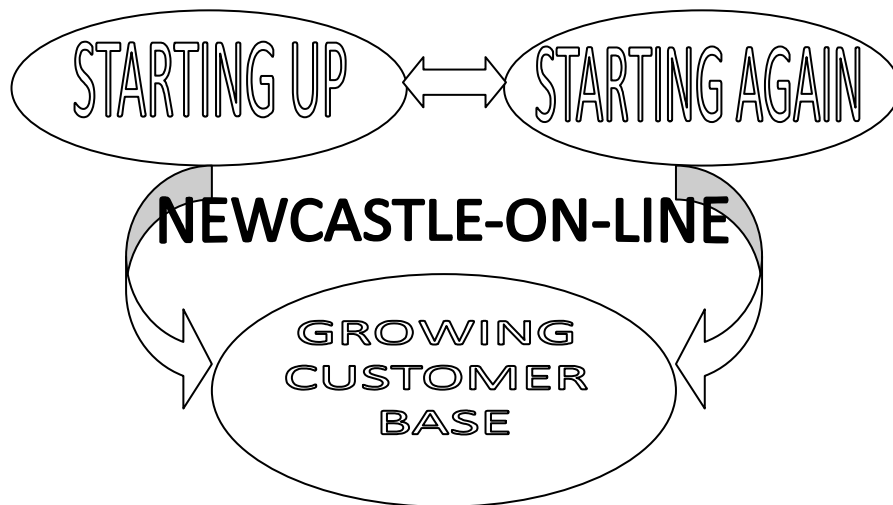
Win up to  
**£1500**  
to invest  
in your  
business



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Our priorities:

STARTING UP  
STARTING AGAIN  
NEWCASTLE-ON-LINE – GATEWAY TO THE HIGH STREET



1. **Starting up** (encouraging new businesses)
  - a. Adapting Keele University's successful commercial start-up model for retail purposes, utilising empty properties in the secondary retail areas. In principle support from landlords in place.
  - b. Entrepreneur Mo Chaudry will test a landlord-specific model, involving rental support, mentoring and Dragon's Den style competition.
  - c. Support for new market traders linked to the NMTF First Pitch scheme to encourage a new generation of market trader
  - d. Aspire Group is working with partners to develop at least one social enterprise within the town centre.
  - e. Promoting the NMTF work experience scheme to encourage market traders to take on an 'apprentice'.
2. **Starting again** (supporting existing businesses)
  - a. A town centre app to promote special offers and discounts (see below).
  - b. A programme of retail coaching focussing on key areas such as IT skills, marketing and customer service. Business support agency BES is currently developing a pilot programme.
  - c. Using local entrepreneurs to develop specialist markets.
  - d. Encouraging market traders to keep up with modern shopping habits, including on-line special offers and card payment facilities.
  - e. Developing a cultural/events programme to encourage footfall from the missing demographics, and to promote a community atmosphere, particularly working with schools and charities. Also demonstrating how businesses can use events to increase sales with an 'event-in-a-box' kit.
3. **Newcastle-on-line – gateway to the high street**
  - a. Led by the Council, this project will link town centre businesses to the large bank of potential customers detailed earlier. The main element will be a system for online promotion of special offers in which even market traders can participate.
  - b. To support this, training to develop IT skills will be provided along with a central point where retailers/traders can access IT equipment.

(300 words)

## SECTION EIGHT

### Expenditure

8.1 Please set out how much you are bidding for (maximum £100,000), and how you propose to use it. Please explain how the pilot will be innovative and deliver additional impact. Please also provide detail of other Government funding your partnership currently receives (maximum 300 words)

We are asking for £95k which will lever in at least £150k in revenue and in-kind support from partners – see table for breakdown.

| Project                                    | Portas funding (£k) | Match: Revenue or in-kind (£k) |
|--|---------------------|--------------------------------|
| 1a) Starting up – Keele university model   | 15                  | 30                             |
| 1b) Starting up -landlord model            | 15                  | 15                             |
| 1c) Starting up - Markets                  | 10                  | 5                              |
| 1d) Starting up – social enterprise        | 0                   | 10                             |
| 1e) Starting up – market apprentice        | 0                   | 3                              |
| 2b) Starting again – retail coaching       | 10                  | 5                              |
| 2c) Starting again – specialist markets    | 10                  | 5                              |
| 2d) Starting again – market traders        | 10                  | 5                              |
| 2e) Starting again – events programme      | 15                  | 15                             |
| 2a/3a) Newcastle-on-Line – app development | 5                   | 5                              |
| 3b) Newcastle-on-Line – IT equipment       | 0                   | 2                              |
| 'Critical friend' evaluation               | 5                   | 0                              |
| Town centre partnership support            | 0                   | 20                             |
| Town centre manager                        | 0                   | 30                             |
| TOTAL                                      | 95                  | 150                            |

In addition to the £1.2m the Borough and County council are putting into re-vamping the public realm and providing new market stalls, the new administration has also committed to fund a town centre manager for one year to support the town team and provide interim support until the town centre manager is appointed.

Future funding for these initiatives will come from a £100k S106 agreement with Marks & Spencer, payable when they start work on their new out-of-town store. Other support, including mentoring town centre businesses, has also been negotiated plus a commitment to invest in a Simply Food outlet if the business case can be proved.

(229 words)





**Department for  
Communities and  
Local Government**

Mr Paul Farrelly MP  
House of Commons  
London  
SW1A 0AA

**The Rt Hon Grant Shapps MP**  
*Minister for Housing and Local Government*

**Department for Communities and Local  
Government**  
Eland House  
Bressenden Place  
London SW1E 5DU

Tel: 0303 444 3460  
Fax: 020 7828 4903  
E-Mail: [grant.shapps@communities.gsi.gov.uk](mailto:grant.shapps@communities.gsi.gov.uk)

[www.communities.gov.uk](http://www.communities.gov.uk)

30 August 2012

Dear Paul

**OUR TOWN FIRST: TOWN TEAMS PARTNERS**

I have made a commitment that no town will be left behind as part of our ongoing efforts to breathe new life into the nation's high streets. Over 400 towns applied to be Portas Pilots and now that 27 have been selected, I'm determined that the remaining bidding teams are not forgotten.

With this in mind, I would now like to invite you to put your town first, by personally taking the lead for your community and showing your support for your local Town Team(s) by applying for them to become Town Team Partners. Town Team Partners will need to have the commitment of their MP in order to access the package of support detailed below, which will enable them to take action to revitalise their local high streets. (A list of all those Town Teams that applied to be Portas pilots will follow shortly).

In becoming a Town Team Partner, local town teams are making a commitment to deliver part of their plan as identified in their application. Our ambition is for each Town Team to form part of a national 'our town first' movement and share the vital lessons they learned along the way.

In return, they will be supported by the Association of Town Centre Management, which has over 20 years of experience in helping town centres become prosperous locations for business and investment and focal points for vibrant, inclusive communities. As well as working with Town Team Partners to identify their needs and requirements, they will also run information events, provide an advice line and offer a network of advisors to help improve local towns.

To support local activity, the Government will ensure each Town Team receives £10,000 (via their local authority) to help put elements of their plan into action.

A launch event is being organised for all Town Teams in central London, to be held on 5 September, which will outline in more detail the available support as well as providing an insight into the difference a 'Town Team' can make to their area. Information about this event is available on the ATCM website: [www.atcm.org](http://www.atcm.org)

The registration process to become a Town Team Partner is very simple. You should complete the registration form which will be sent shortly in conjunction with your Town Team and local authority, which should be returned by 16 September.

You may also be interested in the launch today of the prospectus for the £1m Future High Street X-Fund. The fund will reward those who have demonstrated the greatest improvement in their high street through innovative and effective schemes since May 2011. More details can be found at

[www.communities.gov.uk/regeneration/economicgrowth/highstreetsportas](http://www.communities.gov.uk/regeneration/economicgrowth/highstreetsportas)

A copy of this letter goes to all Town Teams and their respective local authorities within your constituency.

A handwritten signature in black ink, appearing to read 'Grant Shapps', written in a cursive style.

**GRANT SHAPPS MP**

## UPDATE TO ECONOMIC DEVELOPMENT AND ENTERPRISE OVERVIEW AND SCRUTINY COMMITTEE 17th September 2012

### UPDATE ON PROGRESS IN DEVELOPING THE NEWCASTLE TOWN CENTRE PARTNERSHIP AND PLANS FOR A KIDSGROVE TOWN CENTRE PARTNERSHIP

#### **Background**

The formalisation of a Newcastle Town Centre Partnership (TCP) is a clear objective of the Council's Corporate Plan and Transformation Programme. In March 2012, Cabinet agreed to the council becoming a director of the emerging Newcastle town centre partnership company and authorised officers to take the necessary steps to facilitate it.

On 21<sup>st</sup> June 2012 the Economic Development and Enterprise Overview and Scrutiny Committee considered a discussion paper drafted by the President of the Chamber, which outlined the possible ways forward to achieve the ambitions of the emerging Town Centre Partnership. Scrutiny also reviewed the revised Portas Pilot bid which was submitted for the second bidding round.

#### **Cabinet Decision**

Following Scrutiny Cabinet considered the issues around the TCP development and it was resolved at the July Cabinet that:

1. That Members agree to support the emergent Town Centre Partnership with the allocation of £30,000 in the current financial year for the recruitment of a Town Centres Manager and £5,000 to support the establishment of a website, both from the re-allocation of existing budgets.
2. That Members agree to the short term secondment of the current Business Development Officer on a 0.5 FTE basis to support the business community with town centres development activities / initiatives.
3. That officers be authorised to proceed with the formal establishment of the town centre partnership based around a Community Interest Company model (or similar entity), including the appointment of Directors, in consultation with the Portfolio Holder for Regeneration, Planning and Town Centres.
4. That Members agree to the continued provision of in-kind support to the town centre partnership to assist with the following activities:
  - a. Recruitment of a town centres manager;
  - b. Formalisation of the town centre partnership;
  - c. Preparation of an action plan for at least the next 12 months and;
  - d. Exploration of options for establishing a sustainable funding model for the TCP.
5. That members note the plans included in the revised submitted Portas pilot application.

#### **Newcastle TCP**

Officers have met with local business representatives and agreement has been reached that the Newcastle TCP will be established as a Community Interest Company and at the time of writing this update the legal registration is being completed.

The Newcastle TCP objectives are:

- a. To develop and sustain a vibrant town centre for Newcastle-under-Lyme;
- b. To encourage private, public, community and voluntary sectors and any other stakeholders to work together to provide a prosperous and vibrant town centre;
- c. To create an inclusive environment for the enjoyment of all users of the town centre;
- d. To seek to raise Newcastle-under-Lyme's civic pride and sense of community;
- e. To promote a safe, clean and managed Town Centre during the day and night catering for businesses, visitors of all ages and local residents;

- f. To actively promote Newcastle-under-Lyme town centre as a first-choice destination for investment;
- g. To do all such other things as may seem incidental or conducive to the pursuit of the Objects and the exercise of powers (whether expressed or implied) of the Company.

The first TCP Board is meeting on 11<sup>th</sup> September, the aim of this meeting is to further develop theme groups and champions for a range of issues. At draft themes include:

- Innovation and best practice;
- Business support;
- Environment and infrastructure;
- Enterprise and business growth;
- Night time economy;
- Marketing and events;
- Safety and security;
- Finance and funding;
- Markets.

The TCP meeting will also seek to take forward the recruitment of the Town Centres Manager, discussing the terms and conditions alongside the draft job description.

### ***Kidsgrove TCP***

The report to July Cabinet highlighted the need to consider supporting a Kidsgrove TCP and a report on this is due to be considered by Cabinet on 19<sup>th</sup> September. It is intended that, where appropriate and possible, some of the initiatives would be replicated in Kidsgrove town centre. It may be appropriate in Kidsgrove to work alongside the Town Council and the LAP in order to secure complimentary support and identify champions from the local business community (this should include a financial contribution towards the post in due course).

### ***Portas Pilot plans***

Although the Newcastle TCP was not successful with the revised Portas Pilot bid, the opportunity brought together more partners in the town centre and importantly focussed the partnership approach on initiatives / schemes they wish to deliver. The Portas Pilot focussed on two key strands; 'Start Up and Start Again' under the overarching Partnership approach (summary attached). These were chosen to portray the ambitions to help more business "Start Up" and, equally importantly, aid current businesses to be more profitable under the heading of "Start Again". Officers continue to work with partners towards delivering some of the plans in the Portas bid and hope that the TCP will be able to deliver most of the schemes.

### ***Portas projects currently in development:***

There are plans to develop a Newcastle town centres website and to utilise this platform as the basis for a range of marketing and promotional work. It is also clear that to attract younger, and more affluent, shoppers to the town centres there needs to be an investment in more modern ways of marketing focussing on web-based technology (accessible from 'smart phones'). A number of options are possible and currently a 'virtual high street' based around Facebook is being explored with retailers.

In terms of support for the development of new businesses there are ambitions to develop a range of partnerships with local landlords, business support and Keele University. These will seek to develop models which link available retail units with mentoring and practical business support. Discussions are underway with NBC Property section, Aspire Group and Keele University about the development of a model.

A local entrepreneur is working with members of the Property and Market teams to hold monthly vintage and high-end craft markets in vacant properties. Plans are also in hand to celebrate the 10<sup>th</sup> anniversary of the Farmers' Market by extending it to include a craft market.

## **NEWCASTLE TOWN CENTRE PUBLIC REALM PROJECT**

**Submitted by:** Joanne Basnett

**Portfolio:** Regeneration, Planning and Town Centres

**Ward(s) affected:** Town

### **Purpose of the Report**

To request that a sub group of the Economic Development and Enterprise Scrutiny Committee is convened to review progress with the public realm project and discuss decisions that will shortly have to be made on delivery of the project.

### **Recommendation**

**That the Economic Development and Enterprise Scrutiny Committee nominate members of a sub group to review progress with the public realm project.**

**That the sub group meets with officers in October and its findings are subsequently reported to Cabinet in a report on the town centre public realm project.**

### **Reasons**

To support delivery of this town centre refurbishment project and reinforce the performance of the market.

## **1. Background**

- 1.1 Delivery of the town centre project public realm project has been considered at previous meetings of Cabinet and Scrutiny where its delivery was approved. The project proposals were also subject to public consultation in November and December 2010. Members will recall that project is to close Hassell Street to through traffic during the day and also to refurbish the street market.
- 1.2 The first phase of the project to introduce a taxi rank at the entrance to Ironmarket is now complete and good progress is being made on phase 2 which is works to Barracks Road and the bus station. The next phase of work will focus within the town centre ring road to deliver the closure of Hassell Street and the refurbishment of the market.

## **2. Issues**

- 2.1 As the next phase of delivery reaches its detailed planning stage a number of project delivery decisions will have to be made. It is therefore necessary to review progress with the project before the final phase begins.
- 2.2 Following a recent meeting with the Portfolio Holder, the Economic Development & Enterprise Scrutiny Committee has been invited to review the project and offer its findings on a number of project delivery decisions.

## **3. Proposal**

- 3.1 That the Economic Development and Enterprise Committee nominate members to form a sub group the Committee to review the public realm project.

3.2 That the views of this sub group are reported to Cabinet in a subsequent report on the town centre public realm project.

4. **Reasons for Preferred Solution**

4.1 To ensure a balanced consideration of the issues.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 The operation of the street market and delivery of the public realm project are within the Borough of Opportunity Corporate Priority.

6. **Earlier Cabinet/Committee Resolutions**

6.1 January 2010 to pursue replacement of the market stalls and work with Staffordshire County Council on delivery of the scheme.

6.2 July 2011 to implement the scheme in line with the plans set out in that report.

## CONSULTATION ON THE EMPTY HOMES STRATEGY

**Submitted by:** Mike O'Connor

**Portfolio:** Regeneration, Planning and Town Centres

**Ward(s) affected:** All

### **Purpose of the Report**

To enable Members to consider the draft Empty Homes Strategy which is currently being consulted upon. The report outlines the main aims and objectives of the strategy and highlights ways in which the Council may seek to utilise to tackle empty homes in the Borough.

### **Recommendation**

**That Members give their views on the draft Empty Homes Strategy.**

### **Reasons**

The Council's current Empty Homes Strategy ceases this year, it is therefore appropriate that the Council reviews our approach and considers ways in which it may be appropriate to tackle the problem of empty homes. It is appropriate that the Scrutiny Committee considers the issue of empty homes and options available to the Council as part of the consultation on the draft strategy.

## **1. Background**

- 1.1 The Council's current Empty Homes Strategy expires this year and it is appropriate that the Council considers adopting a new strategy. Officers have drafted a new strategy to cover 2012-17 and this is currently out for consultation. This report outlines the key issues highlighted in the draft strategy and seeks Scrutiny Members views.
- 1.2 All empty homes represent waste, financial expense and missed opportunity. They can blight communities, attract fly tipping, vandals and squatters and tie up the resources of the Council and the emergency services. Bringing empty homes back into use is also a sustainable way to meet future housing demand and helps to alleviate pressure to develop green field sites. Bringing long-term empty homes back into use has a positive effect on the whole community.
- 1.3 The number of empty homes in England has declined steadily from a high of 869,000 in 1993 to 660,000 in 2006 however the number had increased again in 2011 to 720,000. Currently 279,000 of empty homes in England are long-term empties of six months plus. There remains a significant and long standing problem of empty homes, particularly those in the private sector which accounts for over 80 per cent of all empty homes.
- 1.4 Within Newcastle Borough in 2011/12 there were 1,829 empty homes; 1,725 in private ownership, 102 owned by Housing Associations. 655 private homes were empty for more than 6 months of which 312 of those have been empty for more than two years.

## **2. Issues**

- 2.1 Considering the draft Empty Homes Strategy at the Scrutiny Committee enables Members to consider a range of issues.

- 2.2 The Council has taken a proactive approach to tackling Empty Homes since the adaptation of the current strategy. The new draft strategy recommends continuing this approach. In addition it highlights that efforts will principally be focused on the problematic properties which are usually those houses which are inactive in the housing market, often in poor condition and empty for six months or more. This definition usually allows enough time for market forces to return an empty property into use without intervention from an external agency. Taking this into account the draft strategy states:

The aim of the strategy is to bring empty properties back into use. To achieve this we have identified two key approaches:

- To provide encouragement and support to owners of empty homes to bring them back into use.
- To use appropriate enforcement action to bring empty homes back into use.

*Do members agree with the strategy aim and two key approaches?*

- 2.3 Officers are aware that all Council services need to be efficient and effective, ensuring that the services offered in relation to empty homes have therefore been considered and the strategy has been drafted in order that the processes are both efficient and effective. It is important to recognise that whilst empty homes are a wasted resource in the community and often are regarded by neighbours as a problem when the properties aren't maintained there is often a home owner experiencing personal issues leading to the empty home. It is therefore recommended that the service therefore takes a firm but considerate approach to tackling empty homes. *Do members agree that this is appropriate and that decisions on individual properties should be taken on a case by case basis?*

- 2.4 Whilst, whenever possible, voluntary measures will be used to encourage owners to bring properties back into use. It must be recognised that in some cases owners will refuse to co-operate and enforcement action will be necessary. The statutory action which can be taken will depend upon the condition and location of a property and the circumstances of the owner. Properties in a poor condition which are a hazard to the health and safety of the public will be a prime target for enforcement action. The Strategy highlights a whole range of enforcement action that can be taken. *Do members think that taking enforcement action is appropriate where necessary?*

- 2.5 The costs of tackling empty homes vary greatly upon the type of problems that each home has, generally the longer the property is left empty the less maintenance is undertaken and therefore the costs of repair are greater for long term empties. Where significant financial resources are required or compulsory purchase/enforced sale are recommended by officers then the case will be reported to the Public Protection Committee or Portfolio Holder for authorisation. Should significant costs be expected in taking action against a specific individual property the case will be assessed on its merits prior to taking a decision as to how to proceed. As it can be costly to take action, whether by default or legal proceedings the Council will seek to keep costs to a minimum level and reclaim costs incurred from home owners. The Council has in the past made a small allocation and offered grants of up to 50% to owners of long term vacant homes linked to occupation for at least five years or letting to persons seeking social housing again for a minimum five year period. Such grants have proved successful. However due to restrictions in the housing capital programme no allocation has been made this year. Should circumstances change within the 5 year life of the strategy then the possibility of grant assistance for empty homes should be considered.

- 2.6 *Do Members agree that this individual property assessment should be undertaken and decisions to take action should vary accordingly?* The strategy recommends that the Council will wherever possible seek to work in partnership with appropriate agencies to



maximise expertise. Where opportunities arise the Council will seek to establish appropriate partnerships and make funding bids to secure external funding. *Do Members think this is approach should be included in the Strategy?*

- 2.6 Members may consider it appropriate that the draft Strategy identifies a performance target to measure the implementation of the strategy. Taking into consideration the current staffing resources and the potential usefulness of the proposed actions the draft strategy outline a performance indicator of 'We aim to bring 75 empty properties of which 10 will have been empty for two years or more back into for each year of the Strategy'. *Do members agree that having performance measures which not only consider the overall success but the difference in long term and short term empty homes are appropriate?*
- 2.7 *Do members think there are any other issues that need to be considered as part of the strategy?*

### 3. **Options Considered**

- 3.1 Members can give their views during the meeting and can forward further comments and suggestions direct to the Housing and Regeneration Service as part of the open consultation. The deadline for comments is 14 November 2012.

### 4. **Proposal and Reasons for Preferred Solution**

- 4.1 Comments from the Committee and individual representations are welcomed within the consultation period.
- 4.2 It is recommended that the outcomes of the discussion on the issues above and further individual representations are considered by officers as part of the consultation on the draft strategy. This will enable appropriate revisions to be made to the Strategy prior to Cabinet considering adopting the final strategy later this year.

### 5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 Tackling empty homes clearly contributes to sustainable communities and all of the corporate priorities.
- Creating a Cleaner, Greener and Safer Borough-by reducing dereliction, vandalism, litter and anti social behaviour such as damage, theft and arson.
  - Creating a Borough of opportunity- by improving market values and the attractiveness of areas adjoining vacant homes reducing a spiral of decline and helping increase the number of residents who feel the Council is making the area a better place to live.
  - Creating a Healthy and Active Community –by ensuring access to a range of quality homes.
  - Transforming our Council to achieve excellence - by working in partnership with relevant organisations, together with taking effective and efficient enforcement action will deliver dwellings which can be occupied.

### 6. **Legal and Statutory Implications**

- 6.1 The strategy outlines a number of acts under which the Council can take enforcement action to tackle the problems associated with empty homes.

7. **Equality Impact Assessment**

7.1 An Equality Impact Assessment has been drafted to reflect the draft Strategy.

8. **Financial and Resource Implications**

8.1 The proposed approaches will require officer time which is currently budgeted for within the housing service. The amount of capital resources allocated annually by the Council will be dependent upon the Housing Capital Programme.

9. **Major Risks**

9.1 There will be significant reputational damage to the Council if the decision is made to not adopt an Empty Homes Strategy and implement appropriate action.

10. **Key Decision Information**

10.1 This affects more than 2 wards and is on the Forward Plan.

11. **Earlier Cabinet/Committee Resolutions**

11.1 The current Empty Homes Strategy was adopted by Cabinet in March 2008.

12. **List of Appendices**

Appendix A - The draft Empty Homes Strategy 2012-17.

13. **Background Papers**

None.

# Newcastle-Under-Lyme Borough Council Empty Dwelling Management Order (EDMO) Procedure

## Preparation for Interim EDMO

1. Identify an empty property, check with Council Tax it has been empty for over 12 months. Check it does not fall into the exemption category 'Prescribed exceptions' (appendix 1).
2. Document the history of the property's vacancy so far, any outstanding debt with the Council, Council tax, planning issues, enforcement action and environmental health. If no contact details for the owner use a tracing agency or put an advert in the paper. (appendix 2)
3. Document the history and record all future actions for the property on APP.
4. Carry out a site visit for initial inspection, check location, condition and type of property.
5. Carry out an up to date land registry search
6. Letter 1 **LTR1** (appendix 3), letter 2 **LTR2** (appendix 4) and letter 3 **ENF1** (appendix 5) should be sent to the owner prior to consideration for an EDMO.

**From this point onwards all paperwork to go by HAND and by post – If out of area contact relevant Council for assistance. At this point a tender will be prepared for engaging a Managing Agent as their input will be required for further actions.**

7. Send letter 4 **EDM1** (appendix 6) to owner at all known addresses, include copies of **LTR1, LTR2 and ENF1** – diarise for 3 weeks.
8. If no response, send second letter **EDM2** (appendix 7) & questionnaire **EDMQ** (appendix 8) to owner at all known addresses for owner – response within 14 days – diarise.
9. If no response, send third letter **EDM3** (appendix 9) & questionnaire **EDMQ** reminder to the owner at all known addresses – response within 10 days – diarise
10. Contact neighbours and Council wards, police, fire service to collect any relevant information to support your case
11. Letter **EDM4** (appendix 10) sent to owner & cc to other parties of interest: mortgage lenders, banks, persons with interest/charges relating to the property, for gaining access to property for inspection of works to be undertaken. Housing Officer, managing agent representatives need to attend, so book with them first, property owner and Housing Technical Officer / Building Control to attend. (appendix 7) – response within 7 days, otherwise proceed with appointment.
12. If the owner did not attend, or failed entrance send letter **EDM5** (appendix 11) to owner & cc to other parties of interest: mortgage lenders, banks, persons with interest/charges

relating to the property, for gaining access to property for inspection of works to be undertaken. Housing Officer, Managing Agent representatives need to attend, so book with them first, property owner and Housing Technical Officer / Building Control to attend. Response within 7 days, otherwise proceed with appointment

13. If the owner again fails to provide access into the property the Housing Officer is to apply for a Warrant to gain entry through the Magistrates Court. Once granted attend site meeting with Housing Technical Officer / Building Control and Managing Agent representatives.
14. Once in receipt of report for property, from Managing Agents and Housing Technical Officer send letter **EDM6** (appendix 12) - 14 days to respond – diarise
15. Preliminary cost assessment undertaken by the Managing Agents, copy to Housing Officer, Housing Technical Officer / Building Control to assess the viability of an EDMO.

---

## Application to serve an EDMO

1. Carry out a “Balancing Exercise” of the pros and cons of using an EDMO. In reaching the decision of applying to the Residential Property Tribunal (RPT) the Council must take into account the rights of the relevant proprietors of the dwelling and the interest of the wider community. You will need to be able to show why you have reached your decision, having carefully considered all the relevant evidence and importantly have the documentation to prove it.
2. Seek approval from Revenues and Housing Portfolio Holder to proceed with an Interim EDMO.
3. The following information will need to be collated to submit to the RPT:
  - a. “Statement of Reason”. Set out statement in a format that details each relevant section of the legislation and explains what steps the Council has taken to ensure it has met the requirements. include the council’s outline plan for the property so the Residential Property Tribunal knows exactly what the council intends to do if authorised to make an Interim EDMO. (see appendix 13) for Officers statement application)
  - b. the outline plan for the property
  - c. a detailed survey report of the properties condition
  - d. outlined costs (including schedule of works)
  - e. a statement of housing needs in the area
  - f. who is likely to be housed in the property
  - g. a map of the property location
  - h. an Ordnance Survey map of the local neighbourhood
  - i. a layout drawing of the arrangement of rooms in the dwelling

- j. extensive photographs of the property – internally and externally
- k. statement of the Council Tax bands which the property falls
- l. Statement of expert witnesses and/or confirmation of witnesses/neighbours preparedness to give evidence
- m. the draft interim EDMO (see appendix 14)

**Section 134 91)-(3) of the 2004 Act** explains simply the terms under which the Residential Property Tribunal (RPT) will assess the application and may decide to grant authorisation for an Interim EDMO. In summary, there are four main counts; the RPT must be satisfied that:

- the property has been empty for more than twelve months, with little prospect of occupation without an EDMO and more chance if an EDMO is authorised;
  - the authority has notified the owner of its intention, tried to find out what plans, if any, s/he has to return the property to use, and complied with any other requirements;
  - the authority has considered the rights of the owner and the interests of the wider community; and
  - it has itself considered the interests of the wider community and the effects an EDMO would have on the rights of the owner and might have on those of third parties.
4. All documents to be submitted in a single bundle documentation in good time, referenced and cross referenced for ease of identification. Send full copies to the owner at all known addresses.

## **Residential Property Tribunal (RPT)**

1. Arrange local authority legal representative if required
2. Prepare for officers oral statement. Ensure ability to answer questions from RPT panel members (remember always show trying to assist the landlord)
3. A decision will be between 1 week to 2 months

## **Serving an Interim EDMO**

1. Make the Interim EDMO itself – within 7 days of the Interim EDMO being made serve notice of having served it on all relevant persons with the explanatory notes (see appendix 14 & 15)
2. Add the property to the authorities Register of Management Orders
3. Apply for a restriction to be entered in the register of title held at the Land Registry.

## **Interim EDMO actions**

1. Insure the property
2. Continue discussions with the owner to seek voluntary agreement send letter to owner (see appendix 16).

3. Enter the property to conduct a detailed survey and secure, change locks if necessary – invite the owner and advise them in writing if the locks are changed.
4. Managing Agents to line up contractors.

## Preparation for Final EDMO

1. Seek approval from Revenues and Housing Portfolio Holder for consideration to proceed with a Final EDMO.
2. The Interim EDMO is the last opportunity for the owner to come to agreement. The Interim EDMO usually lasts 12 months – to allow enough time to reach agreement if one is in prospect - but you are within your rights to proceed to the Final EDMO at any stage during that time if, in your judgement, no such resolution is likely to be reached. **Section 136 (1) (b) of the 2004 Act** states only that the council must first have “*taken all such steps as it was appropriate for them to take*” under the Interim EDMO. In some cases, for example where there is no known owner, you can move from Interim to Final EDMO more or less immediately.
3. Assess the likelihood of reoccupation without a Final EDMO
4. Produce a detailed Management Scheme (see appendix 17) for the property in preparation for a Final EDMO. The Management Scheme is part of the Final EDMO. The Council will by this stage already to have much of the content, including details of works required to the property and cost estimates (for administration, works and management). It should also cover payment arrangements (including compensation, if any). Schedule 7, paragraph 13 (3) of the 2004 Act sets out what it “*must (in particular) include*”, and Schedule 7, paragraph 13 (4) lists additional, optional content; these lists are also set out at Chapter 8.4 of the DCLG Guidance Note on EDMOs.
5. Liaise with the Managing Agent & housing benefits to determine the rent to be set – Don’t assume you may have to charge open market rent, some councils have successfully set an affordable rent. – The owner/landlord would have to appeal against the affordable rent level.

## Serving Final EDMO

1. Serve notice of intention to make a Final EDMO (14 days consultation) (see appendix 18)
2. Make the Final EDMO, incorporating any changes resulting from consultation response.
3. Serve notice of the Final EDMO on the owner within 7 days (owner has 28 days to appeal to the local authority & PRT) (see appendix 19).
4. If there is no appeal the final EDMO is confirmed at the end of the 28 days.
5. If there is an appeal the final EDMO is not confirmed pending the RPT’s decision.
6. It’s important to remember that there are three distinct stages to making a Final EDMO: consultation on the council’s intention to make the Final Order; giving notice to the owner of the intention to make the order; and confirmation of the Final EDMO.

## Once the Final EDMO is in place

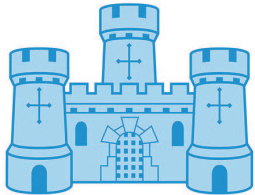
1. Gain entry, secure the property and change the locks, if not already done.
2. Update the entry on the authority's Register of Management Orders.
3. Clear the property and any gardens of rubbish, abandoned cars etc. (see appendix 20)
4. Store or dispose of any furniture not required by the owner. – try to ensure the local authority doesn't store furniture as this is very expensive.
5. Commission and oversee necessary works.
6. Contact Managing Agent and ensure they keep detailed accounts of all income and expenditure.
7. Ensure provision of floor coverings, furniture and white goods.
8. Ensure the property is let and remains occupied or with minimal void periods.
9. Monitor and review the management of the property on a regular basis and inform the owner of your findings.
10. Ensure any surplus rental income is paid to the owner.
11. Write to the owner when the property is repaired and let, confirming management arrangements and whom the property is let to and offering an opportunity to view and inspect the property.

For any further information or clarification refer to:

[http://www.emptyhomes.com/usefulinformation/papers\\_publications/edmo\\_guide/edmo\\_stepby\\_step.html](http://www.emptyhomes.com/usefulinformation/papers_publications/edmo_guide/edmo_stepby_step.html)

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## **Empty Dwelling Management Order – (EDMO) Policy**

This document sets out the Council's policy for dealing with empty properties using Empty Dwelling Management Orders.

If you have any questions about this document or need a copy in another format, please contact 01782 742542.

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## PURPOSE/ SCOPE

- 1.1 The purpose of this document is to explain the Council's policy on Empty Dwelling Management Orders (EDMO's).

## 2. POLICY BACKGROUND

- 2.1 The Empty Dwelling Management Order (EDMO) is a process which allows the Council to take over the management of empty residential properties with a view to agreeing with owners a plan to bring them back into occupation. It is used as a means to reoccupy a long-term vacant house where the Council has been unable to persuade the owner to bring the property back into use and considers this course of action necessary as a last resort.

- 2.2 EDMO's are suitable for consideration in circumstances where the present owner is either unwilling or unable to deal with the house and its associated problems.

- 2.3 Bringing empty homes back into use contributes towards the following Corporate Strategy aims:

- *Promoting a Cleaner, Greener and Safer Borough*-by reducing dereliction, vandalism, litter and anti social behaviour such as damage, theft and arson.

- *Promoting a Borough of opportunity*- by improving market values and the attractiveness of areas adjoining vacant homes reducing a spiral of decline and helping increase the number of residents who feel the Council is making the area a better place to live.

- *Promoting a Healthy and Active Community* –by ensuring access to a range of quality homes.

- *Transforming our Council to achieve excellence* - by working in partnership with relevant organisations to deliver dwellings which can be occupied.

- 2.4 The main principle for the operation of EDMO's in the Newcastle-Under-Lyme Borough is to bring empty homes back into use. It should be used as part of the range of options available to achieve this and this procedure should only be considered once all other methods of intervention have been exhausted.

- 2.5 By taking over the management of the property the Council can bring the property up to a safe condition through renovation works and allow reoccupation of the property by letting the property for the duration of the EDMO.

- 2.6 The Council will appoint a managing agent through tendering for the individual management of each property subject to an EDMO.

- 2.7 In order for a property to be considered suitable for EDMO under this procedure, it must satisfy the following criteria. It must be:

- a dwelling;

- vacant for at least 12 months This applies, even if the property is being occupied unlawfully, i.e. squatted in;
- a property which does not fall within any exempt categories

*Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006 (SI 2006 no. 367, article 3);*

**Prescribed exceptions**

For the purposes of section 134(1)(b) of the Housing Act 2004 a dwelling falls within a prescribed exception if —

(a) it has been occupied solely or principally by the relevant proprietor and is wholly unoccupied because—

(i) he is temporarily resident elsewhere;

(ii) he is absent from the dwelling for the purpose of receiving personal care by reason of old age, disablement, illness, past or present alcohol or drug dependence or past or present mental disorder;

(iii) he is absent from the dwelling for the purpose of providing, or better providing, personal care for a person who requires such care by reason of old age, disablement, illness, past or present alcohol or drug dependence or past or present mental disorder; or

(iv) he is a serving member of the armed forces and he is absent from the dwelling as a result of such service;

(b) it is used as a holiday home (whether or not it is let as such on a commercial basis) or is otherwise occupied by the relevant proprietor or his guests on a temporary basis from time to time;

(c) it is genuinely on the market for sale or letting;

(d) it is comprised in an agricultural holding within the meaning of the Agricultural Holdings Act 1986 or a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995;

(e) it is usually occupied by an employee of the relevant proprietor in connection with the performance of his duties under the terms of his contract of employment;

(f) it is available for occupation by a minister of religion as a residence from which to perform the duties of his office;

(g) it is subject to a court order freezing the property of the relevant proprietor;

(h) it is prevented from being occupied as a result of a criminal investigation or criminal proceedings;

(i) it is mortgaged, where the mortgagee, in right of the mortgage, has entered into and is in possession of the dwelling; or

(j) the person who was the relevant proprietor of it has died and six

months has not elapsed since the grant of representation was obtained in respect of such person.

- determined that there is a reasonable prospect that the dwelling will be occupied once the order is granted; and
- of sufficient priority within the context of the Empty Homes Strategy.

These criteria always apply, either for legal, and / or, Council policy reasons.

### **3. IDENTIFYING AND PRIORITISING POTENTIAL PROPERTIES FOR EDMO**

3.1 Vacant private properties can be identified in a number of ways. For example:

- Council Tax information.
- Empty Homes Hotspots.
- Environmental Health Officers, other Council Officers, local councillors.
- Neighbours, general public, residents groups.
- Other bodies (e.g. gas, electric, water companies).
- Publicity/ awareness campaigns, etc.

3.2 The information database on empty private properties is recorded by a Housing Services Officer.

3.3 The Housing Officer will carry out a balancing exercise where a property has been identified for an EDMO to assess the pros and cons of using an EDMO. Section 133 (4) of the Housing Act 2004 states that in reaching the decision to apply to the Residential Property Tribunal (RPT) for authorisation the Council must “take into account the rights of the relevant proprietor of the dwelling and the interests of the wider community”. The Council will need to be able to show how and why they have reached their decision, having carefully considered all the evidence, and importantly have the documentation to prove it.

3.4 Properties will only be selected for EDMO when the Housing Officer has exhausted all avenues to bring the property back into use by advisory methods.

### **4. PRE-ACTION TO EDMO**

4.1 Consideration of other, more appropriate, types of action must always take place before pursuing EDMO.

4.2 The use of EDMO, as with Enforced Sales and Compulsory Purchase Procedures should be seen as a means of last resort. In all cases, it is expected that all informal and formal actions will have been taken and exhausted by the Council in order to resolve the existence of the empty property and its associated problems.

4.3 The first steps will be to trace and contact an Owner, if this is not already known. To this end, the following suggestions may usefully assist:

- Serving Local Government (Misc. Provs) Act Sec 16 Notices
- Land Registry (On Line Service).
- Empty Property Database.

- Neighbours.
  - Council Tax (last payer).
  - Other Council departments and agencies, for example a tracing agents.
- 4.4 Once an Owner is identified, they should be contacted in order to offer advice, clarify the problems the property poses, and discuss and offer potential solutions. This may include:
- Voluntary Sale or Leasing, either privately, through the Accredited Landlord Scheme's Matching Service or to an interested RSL.
  - Consequences of allowing the property to fall into further disrepair, including its market value depreciation.
  - Effects on the neighbourhood.
  - Advice about letting and becoming a landlord.
  - Contacting relatives or others who may be able to assist.
- 4.5 Each individual case will be assessed individually to ensure the most appropriate action is taken. The Housing Officer's assessment of the Owner's attitude and capability will also strongly influence the approach.
- 4.6 Liaison with other departments and agencies, particularly those with an enforcement or financial role, should also be considered, together with all other legitimate means to encourage the Owner to deal with the property. For example:
- Other Departments' enforcement actions (Environmental Health, Planning, Building Control).
  - Exemptions or relaxations for Council Tax payment should be re-considered
  - Debt Recovery processes should be actively chased.
  - Involvement of mortgage lenders if property mortgaged (e.g. breach of occupation conditions, validity of buildings insurance policy).
- 4.7 The designated management agent should be approached to determine the viability of letting the dwelling.
- 4.8 Section 239(1)(a) of the 2004 Act gives the Council power of entry to any property that may, in its view, be a candidate for an EDMO. Section 239 (4) explicitly mentions entry while an Interim or Final EDMO is in force. Power of entry will be required to judge the viability of an EDMO to assess the property's condition in some detail before a decision is made to pursue the EDMO route.

## **5. LEGISLATIVE BASIS FOR INTERIM EDMO**

- 5.1 This section provides a brief summary of the legal process, which allows the Council to use EDMO. It is provided for information purposes. In the main, these legal processes are carried out by the Housing Officer in liaison within Legal Services subject to available capacity and resources.
- 5.2 Section 133 (3) (b) of the 2004 Act stipulates that, before deciding whether or not to apply to the RPT for authorisation to serve an Interim EDMO, the Council must make reasonable efforts "*to ascertain what steps (if any)* [the

owner] is taking, or is intending to take, to secure that the dwelling is occupied”.

- 5.3 Exceptions. The precise wording of Article 4 (1) (a) of the Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006 (SI 2006 No. 367) (with reference to Section 134 (2) (e) of the 2004 Act) must be quoted in communications with the owner. Article 4 (1) (a) states that the local housing authority “*must make reasonable efforts to establish from the relevant proprietor whether he considers that any of the exceptions contained in article 3 apply to the dwelling*”.
- 5.4 An application will be required to be made to the Residential Property Tribunal for authorisation to gain an Interim EDMO.
- 5.5 Section 134 (1)-(3) of the 2004 Act explains simply the terms under which the Residential Property Tribunal (RPT) will assess an EDMO application and may decide to grant authorisation for an Interim EDMO. In summary, there are four main counts; the RPT must be satisfied that:
- the property has been empty for more than twelve months, with little prospect of occupation without an EDMO and more chance if an EDMO is authorised;
  - the authority has notified the owner of its intention, tried to find out what plans, if any, the owner has to return the property to use, and complied with any other requirements;
  - the authority has considered the rights of the owner and the interests of the wider community; and
  - it has itself considered the interests of the wider community and the effects an EDMO would have on the rights of the owner and might have on those of third parties.
- 5.6 Section 133 (6) of the 2004 Act allows the authority to include “an application for an order under paragraph 22 of Schedule 7 determining a lease or licence of the dwelling” with its Interim EDMO application to the RPT if it so wishes.

## **6. LEGISLATIVE BASIS FOR FINAL EDMO**

- 6.1 A detailed Management Scheme will need to be produced for the property in preparation for a Final EDMO. The Management Scheme is part of the Final EDMO. This will include details of works required to the property and cost estimates (for administration, works and management). It should also cover payment arrangements (including compensation, if any). Schedule 7, paragraph 13 (3) of the 2004 Act sets out what it “*must (in particular) include*”, and Schedule 7, paragraph 13 (4) lists additional, optional content; these lists are also set out at Chapter 8.4 of the DCLG Guidance Note on EDMOs.
- 6.2 The Council will engage a managing agent through tendering and liaise with them & housing benefits to determine the rent to be set. Schedule 7, paragraph 13 (3) (g) of the 2004 Act and the DCLG Guidance Note state that, should the Council set a sub-market rent, it must reduce the sum it takes from the rental income by the same amount as the sub-market rent falls short of the market rent. Where the rent is set at an affordable rent it should be in line with Local Housing Allowance Rates and the objectives of the Empty Homes Strategy. The Council must either:

- Ensure the income generated over the 7 year period allows for any shortfall between the market rent and the affordable rent.
- Submit a draft management agreement at an affordable rent which is open to appeal by the owner prior to being granted.

6.3 A notice of intention to make a final EDMO will be served. Any representations to be made in response to this notice would need to be made in writing to the Council within 14 days after the service of the notice.

6.4 Once the consultation period has ended the final EDMO can be made, incorporating any changes resulting from consultation response.

6.5 A notice of the final EDMO will be served on the owner within 7 days (owner has 28 days to appeal to the Council & RPT). If there is no appeal the final EDMO is confirmed at the end of the 28 days. If there is an appeal the final EDMO is not confirmed pending the RPT's decision.

## 7. PROCEDURE FOLLOWING GRANTING OF FINAL EDMO

7.1 It is the responsibility of the Council to:

- Secure the property and change the locks, if not already done.
- Store or dispose of any furniture not required by the owner.
- Commission and oversee necessary works.
- Ensure the Managing Agent keeps detailed accounts of all income and expenditure.
- Ensure the property is let and remains occupied or with minimal void periods.
- Ensure any surplus rental income is paid to the owner.
- Write to the owner when the property is repaired and let, confirming management arrangements and whom the property is let to and offering an opportunity to view and inspect the property.

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7.2 The property owner may request that the EDMO is revoked early. For example the owner may decide they wish to sell the property or live in it themselves. The council may revoke the order if they are satisfied that the owner will ensure the property is occupied or put up for sale. If the council is not satisfied, the owner may apply to the residential property tribunal to appeal. The council may refuse to revoke the order if doing so would leave it in debt, however it may be persuaded to do so if the owner agrees to pay the outstanding amount owed. If the property is occupied by tenants placed by the council, the council cannot revoke the order without the owners agreement. This ensures the owner is not left to manage tenancies set up by the council. If the council wishes to revoke the order in these circumstances it must first move the occupants out or agree with the owner an agreement to allow them to stay.

7.3 At the end of the seven year final EDMO the property will be handed back to the owner providing the council is satisfied that they will continue to keep the property in use. If the council is not satisfied that the owner will continue to do so, they can apply to the residential property tribunal for another final EDMO.



Further information can be found by reference to:  
[http://www.emptyhomes.com/usefulinformation/papers\\_publications/edmo\\_guide/edmo\\_stepbystep.html](http://www.emptyhomes.com/usefulinformation/papers_publications/edmo_guide/edmo_stepbystep.html)

## **8. EQUALITIES AND DIVERSITY**

- 8.1 Each empty property owner will be treated in a fair and equitable manner, regardless of their age, disability, sexual orientation, gender, ethnic origin and religion or belief.

## **9. HUMAN RIGHTS ACT 1998**

- 9.1 Consideration of the provisions of the Human Rights Act 1998, must be taken by the Council. In particular, Part 1, Article 8 “the right to respect for... private and family life..., home and... correspondence”, and Protocol 1, Article 1 “peaceful enjoyment of... possessions”, need to be balanced against the general benefits and rights of neighbours and the surrounding community.
- 9.2 A statement that the intended action of the Council in exercising its power of sale is considered to be proportionate, in accordance with the Act, should be included in letters to the Owner. This will be covered by correspondence issued by Legal Services, in liaison with the Housing Officer.

## **10. MONITORING EDMO**

- 10.1 It is important to monitor the effectiveness of EDMO's.
- 10.2 To this end, from time to time, an analysis of the effects of EDMO's will be carried out, including a survey of the properties and people affected by EDMO's. This will provide vital information and feedback, enabling a review of the service and procedures.

## **11. PROCEDURE SUMMARY**

- 11.1 The flow charts in Appendix 1 gives a summary of the responsibilities of the various departments involved in EDMO, and shows indicative timescales for key parts of the process.
- 11.2 These procedures will be followed in conjunction with Newcastle-Under Lyme Borough Council's procedures document.

## **12. RECORDS**

- 12.1 Records must be maintained on Flare.

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# EMPTY HOMES STRATEGY

2012 - 2017

Newcastle-under-Lyme Borough Council

Housing and Regeneration Services

Consultation Draft



**NEWCASTLE · UNDER · LYME**  
**BOROUGH COUNCIL**

*Making the borough a great place to live, work and invest*

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## 1. SUMMARY

The Empty Homes Strategy links with the Housing Strategy and Private Sector Housing Renewal Policy and aims to bring long-term empty dwellings in the Borough of Newcastle-under-Lyme back into use. Good partnership working with other service areas of the Council and with external partners as well as the co-operation of property owners is vital to ensure the success of the strategy.

Bringing homes back into use links into Government objectives; including creating sustainable communities, tackling low demand and market failure, tackling anti social behaviour, the provision of affordable homes and ensuring that homes meet a decent standard.

Within Newcastle Borough in 2011/12 there were 1,829 empty homes; 1,725 in private ownership, 102 owned by Housing Associations. 655 private homes were empty for more than 6 months of which 312 of those have been empty for more than two years.

The aim of the strategy is to bring empty properties back into use. To achieve this we have identified two key approaches:

- To provide encouragement and support to owners of empty homes to bring them back into use.
- To use appropriate enforcement action to bring empty homes back into use.



## 2. INTRODUCTION

All empty homes represent waste, financial expense and missed opportunity. They can blight communities, attract fly tipping, vandals and squatters and tie up the resources of the Council and the emergency services. Bringing empty homes back into use is also a sustainable way to meet future housing demand and helps to alleviate pressure to develop green field sites. Bringing long-term empty homes back into use has a positive effect on the whole community.

The number of empty homes in England has declined steadily from a high of 869,000 in 1993 to 660,000 in 2006 however the number had increased again in 2011 to 720,000. Currently 279,000 of empty homes in England are long-term empties of six months plus. There remains a significant and long standing problem of empty homes, particularly those in the private sector which accounts for over 80 per cent of all empty homes.

### How to distinguish an empty property

There is no widely accepted definition of an empty property and a range of terms, such as vacant and redundant are also often used. Generally speaking, a vacant dwelling is defined as a unit of residential accommodation that is empty at a particular point in time. This includes dwellings that are empty between change of occupants or undergoing modernisation, repair or conversion, or awaiting demolition, or newly completed but not occupied. Due to this wide definition, true 'empty properties' are not always as straightforward to identify as it may seem. For example:



- A home which appears empty may be a person's second home and occupied infrequently.
- An empty property may have been earmarked as part of a regeneration programme and demolition may have already been planned.
- Properties could be empty pending planning consent, refurbishment or whilst awaiting the new resident to move in.
- There may be sign of occupation but this may be from squatters.
- A property may be occupied but the garden may be overgrown and the home neglected.

Guidance contained in the ODPM Implementation Handbook (2003, p17) states that empty properties are those that;

- have been unoccupied for six months or more;
- have been unoccupied for less than six months and are a special case ie. Legal action is being taken by the Local Authority as a result of serious disrepair or other problems being caused by the property;
- are occupied, but the space is capable of more beneficial use;
- do not have a reasonable prospect of being brought back into use by the owner

working alone.

Information can be obtained from Council Tax records for the purpose of identifying vacant dwellings and for taking steps to bring vacant dwellings back into use.

### Reasons why dwellings become empty

Individual factors:

- Unresolved ownership usually following the death of the owner.
- Bankruptcy of owner.
- Relationship breakdown.
- Owner may be institutionalised – hospital, prison etc.
- Lack of expertise in property and tenancy management.
- The owner may not be aware of the property's existence.

Property factors:

- The property may have been acquired solely for speculative investment purposes.
- The owner may not fully appreciate the financial benefits of bringing the empty property back into use.
- Poor property condition where the costs of bringing the property back into use may be prohibitive, relative to the income that could be generated.
- Repossession.

Housing Market Factors:

- Low demand.
- Housing market collapse – repossession, negative equity.
- Over supply of certain property types.
- Area regeneration may result in properties being empty pending renovation or demolition.
- Slow property sales.

### The negative effects of empty property

These include:

- wasted financial resources for the Council and also for the owners;
- increased dereliction, vandalism, litter and other anti social behaviour;
- reduced market values in neighbouring properties; contributing to a spiral of decline
- reduced demand for goods and services in the area;
- waste of useful and much needed units of accommodation.



### The benefits of this Strategy



The re-use of empty homes brings financial and social rewards to the Council, private owners and the community in the following ways;

Council:

- provides greater housing choice, whether this be through housing sales or rental;
- improves/restores older buildings and homes to modern standards;
- provides a range of good quality homes for people in need of affordable rented property;
- generates additional revenue through Council Tax;
- prevents properties from falling into disrepair and becoming a focus of vandalism and anti-social behaviour;
- reduces the need to build new dwellings on Greenfield sites.

Community:

- prevents empty properties becoming the focus of anti social behaviour;
- improves market values in neighbouring properties and the local area by reducing a spiral of decline.

For the purpose of the strategy, efforts will principally be focused on the problematic properties which are usually those houses which are inactive in the housing market, often in poor condition and empty for six months or more. This definition usually allows enough time for market forces to return an empty property into use without intervention from an external agency.

### 3. STRATEGIC FRAMEWORK

The Empty Property Strategy and its key components have been developed to reflect national regional and local housing strategies and policies.

#### National Context

Bringing homes back into use links into wider Government objectives including; creating sustainable communities, tackling low demand and market failure, tackling anti-social behaviour, the provision of affordable homes and ensuring that homes meet a decent standard. The following Government documents reflect this.

In May 2010 the Coalition Agreement set out a commitment to look at a range of measures to bring empty properties back into use. It was recognised that potential empty homes could meet pressing housing need, if these homes were brought back into use.

*Laying the Foundations a Housing Strategy for England 2011*



The coalition government's new housing strategy *Laying the Foundations* a Housing Strategy for England identifies the importance of returning empty homes stating:

*"We are committed to bringing empty homes back to use, as a sustainable way of increasing the overall supply of housing and reducing the negative impact that neglected empty homes can have on communities."*

This strategy outlines a number of objectives including:

- award of the New Homes Bonus to encourage local authorities to increase housing stock;
  - providing information and advice to deal with empty homes; investing £100million to enable housing associations to support local authorities to bring over 3,000 empty homes back into use as low cost housing;
  - consultation on Council premium for long term empty homes;
  - proposing changes to EDMO's to tackle the worst long-term empty homes."
- Housing Act (2004)

The Housing Act 2004 provides local authorities with new powers to tackle long term empty homes. It introduced Empty Dwelling Management Orders to enable local authorities to take over the rights and responsibilities of the owner and to refurbish and rent out the property without becoming the legal owner.

The Act also introduced the Housing Health & Safety Rating System to assess hazards in dwellings and a new power of selective licensing to target areas suffering from low demand and/or high levels of anti-social behaviour.

- Local Government Act (2003)

This legislation allows information to be obtained from Council tax records to be used for;

- a) identifying vacant dwellings;
- b) taking steps to bring vacant dwellings back into use.

The Act also allows local authorities to reduce or remove entirely discounts for homes that have been empty for over 6 months.

- Technical reform for council tax: Summary of responses report

The Government have recently consulted on Council Tax technical reforms. The proposals advocated give billing authorities greater discretion over the reliefs from Council Tax available in respect of some empty properties. The proposed changes affecting empty homes are:

- replacing exemption Classes A and exemption classes C with discounts, the amount of which would be for billing authorities to determine

- abolishing Class L exemption and making mortgagees in possession of empty dwellings liable to Council Tax in respect of them
- allowing billing authorities to levy an 'empty homes premium'.
- National Planning Policy Framework (2012)

*“Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.”*

- Unlocking the Potential(2003)

This is guidance issued by the Office of Deputy Prime Minister aimed at owners and local authorities to bring empty homes back into use.

## Regional and Sub Regional Context

The Borough Council together with Stoke on Trent and Staffordshire Moorlands Councils' form the recognised 'sub region' of North Staffordshire. Bringing empty properties back into use is essential in the restructuring of the housing market and will be encouraged by market renewal.

Stoke-On-Trent city council has adopted enforcement policies to deal with problematic empty properties where the owner does not engage with their officers to bring the properties back into use. They have successfully used Compulsory Purchase Orders and are in the process of adopting an Enforced Sales policy.

## Local Context

- Corporate Plan

The future priorities for the Borough are contained in the Corporate Plan 2012-13 to 2012-15 which sets out the vision and outcomes for the next five years. The empty property strategy has a particularly important contribution to meeting some of the priorities outlined in the Corporate Plan. In particular;-

- *Creating a Cleaner, Greener and Safer Borough*-by reducing dereliction, vandalism, litter and anti social behaviour such as damage, theft and arson.
- *Creating a Borough of opportunity*- by improving market values and the attractiveness of areas adjoining vacant homes reducing a spiral of decline and helping increase the number of residents who feel the Council is making the area a better place to live.

- *Creating a Healthy and Active Community* –by ensuring access to a range of quality homes.
- *Transforming our Council to achieve excellence* - by working in partnership with relevant organisations to deliver dwellings which can be occupied.
- Housing Strategy

This policy contributes to the following objectives in the councils housing strategy:

- *To contribute to the prosperity and sustainability of Newcastle* – bringing empty homes back into use will improve neighbourhoods.
- *To meet housing needs and develop housing choice for Newcastle Residents* – bringing empty properties back into use will improve choice of housing within the Borough.
- *To support vulnerable people and prevent homelessness in the Borough of Newcastle-Under-Lyme* – bringing empty homes back into use will increase the supply of housing within the Borough.

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#### 4. EMPTY PROPERTIES IN THE BOROUGH OF NEWCASTLE –UNDER –LYME



The Borough of Newcastle-under-Lyme covers an area of 210 square kilometres with an estimated population of approximately 124,000. It is the second largest of Staffordshire's eight district council authorities, excluding Stoke-on-Trent, which is a unitary authority.

The Borough contains both high quality countryside and pockets of urban settlements, some of which show signs of deprivation. The Indices of Deprivation (source DETR 2011) place three of the Borough's wards in the 10% most deprived in England. These are Knutton and Silverdale, Chesterton and Cross Heath. A further nine are in the 20% band.

The housing stock consists of approximately 52,000 dwellings, of which 74% are owner-occupied, 22% in the ownership of Registered Social Landlords (including the Council's former housing stock which was the subject of Large Scale Voluntary Transfer in 2000) and 4% in the private rented sector. Approximately 35,000 of the dwellings were built after 1944, 10,000 dwellings were built between 1919 and 1944 and almost 7000 dwellings prior to 1919.

In 2011 according to Housing Investment Programme, data submitted by the Local Authorities in Staffordshire there were a total of 16,658 empty homes in the county which represented 3.49% of the total stock. Of these homes 37% (6,188) were privately owned and had been empty for more than six months.

**Table 1 – Empty Properties in Staffordshire by Local Authority 2011**

| County               | Local Authority/Borough        | Total empty homes | % of homes empty | Local Council | Housing Association | Other Public body | Private inc Landlords | Private homes empty more than 6 months |
|----------------------|--------------------------------|-------------------|------------------|---------------|---------------------|-------------------|-----------------------|--|
| <b>Staffordshire</b> | <b>Cannock Chase</b>           | 1,067             | 2.56%            | 44            | 17                  | 0                 | 1,006                 | 383                                    |
|                      | <b>East Staffordshire</b>      | 1,734             | 3.57%            | 0             | 54                  | 0                 | 1,680                 | 700                                    |
|                      | <b>Lichfield</b>               | 1,258             | 2.93%            | 0             | 48                  | 28                | 1,182                 | 514                                    |
|                      | <b>Newcastle-under-Lyme</b>    | 1,829             | 3.37%            | 2             | 102                 | 0                 | 1,725                 | 655                                    |
|                      | <b>South Staffordshire</b>     | * 1,218           | 2.67%            | 0             | 54                  | 3                 | 1,161                 | 450                                    |
|                      | <b>Stafford</b>                | * 1,806           | 3.21%            | 0             | 34                  | 9                 | 1,763                 | 800                                    |
|                      | <b>Staffordshire Moorlands</b> | 1,816             | 4.22%            | 0             | 39                  | 3                 | 1,774                 | 825                                    |
|                      | <b>Stoke-on-Trent</b>          | * 5,196           | 4.59%            | 502           | 156                 | 0                 | 4,538                 | 1,570                                  |
|                      | <b>Tamworth</b>                | 734               | 2.30%            | 36            | 3                   | 0                 | 695                   | 291                                    |
| <b>Total</b>         |                                | * <b>16,658</b>   | <b>3.49%</b>     | <b>584</b>    | <b>507</b>          | <b>43</b>         | <b>15,524</b>         | <b>6,188</b>                           |

Source Empty Homes Agency \* *Figures in italics are based on incomplete figures provided by local authorities and are lower than actual totals*

Within Newcastle Borough in 2011/12 there were 1,829 empty homes; 1,725 in private ownership, 102 owned by Housing Associations. 655 private homes were empty for more than 6 months of which 312 of those have been empty for more than two years.

As table one shows, the total percentage of homes empty in the Borough was 3.37% which was lower than the neighbouring North Staffordshire authorities of Stoke and Staffordshire Moorlands.

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## 5. AIM AND KEY APPROACHES

The aim of the strategy is to bring empty properties back into use. To achieve this we have identified two key approaches:

- To provide encouragement and support to owners of empty homes to bring them back into use.
- To use appropriate enforcement action to bring empty homes back into use.

## 6. DELIVERING THE STRATEGY

To achieve the aim of bringing empty homes back into use we will consider the following key elements:

- The length of time the property has been empty, with officers focussing on those empty for more than 6 months,
- If the property is having a negative impact in the area
- If the owner is taking steps to deal with the problems and return the property back to occupation.

As outlined in the Introduction there are many reasons why properties become empty. It is important, therefore, for the Council to be able to offer solutions to suit the individual circumstances. This flexible approach is shown in the procedure flow chart for dealing with empty properties – see Appendix 2. Initially advice will be provided prior to taking enforcement action (unless there is a serious safety issue).

### **First Approach: To provide encouragement and support to owners of empty homes to bring them back into use**

- Knowledge of empty homes

The Council may become aware of the existence of empty properties through various routes including;

- Council tax records,
- Complaints usually from residents,
- Residents Associations active in an area,
- Council officers working in the Borough,
- Owners/landlords requesting help or advice.

It is essential to maintain a good knowledge of the location and type of empty homes in the Borough. Whilst we use the Council Tax records to update information held on problematic properties we recognise that these may not be fully accurate for our purpose. We will therefore use the APP database to register empty properties for which we are taking action against, this enables officers to keep up to date records of the property and possible reasons why the property is empty or if works are being undertaken.

- Awareness raising

It is appreciated that there is a need to raise awareness of issues and problems associated with long-term empty property issues and provide more publicity about the strategy and our approach to tackling empty homes.

Through raising awareness of the issues of empty properties and encouraging home owners to think about the future of their empty properties we will seek to ensure that home owners make decisions leading to the use of the property rather than leaving them empty.

- Advice and Assistance

Where owners of short term empty properties ask for help we will visit and provide advice and assistance.

We maintain a comprehensive section on our website for issues relating to housing. This site is updated with changes in legislation, topical issues and has direct links to specialist sites. Additional and relevant information concerning empty homes will be posted on this webpage and kept updated.

We currently write to owners of empty properties which have been included on our database as being the subject of complaint and then offer appropriate advice and assistance. As part of this correspondence we will send out a questionnaire to all owners of long term vacant homes to find out what these owner's intentions are so that our advice can be appropriate to the issues facing the owner.

In some cases owners are not able to deal with the property. We will provide advice to help owners to sell their properties. In particular where the owner wishes we will refer them to a Housing Association for it to purchase the house and then improve, let or sell it. As part of our promotion of the issues surrounding empty homes and to encourage either purchase or management lettings we will promote tackling empty homes with private landlords through the landlord forum and our database of accredited landlords. We will also investigate creating a webpage where owners can advertise their empty properties for sale to potential purchasers.

Where an owner requires assistance in finding building contractors that meet minimum standards we will provide information through the Home Improvement Agency.

### **Second Approach: To use appropriate enforcement action to bring empty homes back into use.**

Whilst, whenever possible, voluntary measures will be used to encourage owners to bring properties back into use, it must be recognised that in some cases owners will refuse to co-operate and enforcement action will be necessary.

The statutory action which can be taken will depend upon the condition and location of a property and the circumstances of the owner. Properties in a poor condition which are a hazard to the health and safety of the public will be a prime target for enforcement action.

The available options for enforcement are:



**Building Act 1984 Section 77-** enables the Council to deal with buildings that it considers to be dangerous. It can apply to a Magistrates' Court for an order requiring the owner to make the building safe or demolish it.

**Building Act 1984 Section 78-** allows the Council to deal with buildings that pose an immediate danger. This emergency measure allows the local authority to carry out remedial works itself without giving the owner the opportunity to deal with it himself. The Council is only entitled to carry out works that remove the danger.

**Building Act 1984 Section 79** – This empowers the Council to deal with ruinous and dilapidated buildings or structures and neglected sites and if necessary carry out work in default

**Environmental Protection Act 1990 Sections 78-81-**allows the Council to require the abatement of statutory nuisances. The term statutory nuisance applies to a range of problems that might arise from empty homes, including accumulations of rubbish or dampness affecting neighbouring properties. The Council can serve an abatement notice on the owner of the premises requiring works to abate the nuisance and if the notice is not complied with can carry out works in default.

**Housing Act 1985. Section 17-** allows the Council to acquire under-used or ineffectively used property/land etc for residential purposes if there is a general housing need in the area through compulsory purchase.

Compulsory Purchase is perhaps the strongest power available to tackle empty homes. It is not, however, a power that rests with the Council and it must apply to the Secretary of State for an order to be made. The whole process is drawn out complex and resource intensive as the Council will need to demonstrate that there is a compelling case in the public interest for the property to be compulsorily purchased, and that other methods of returning the property to use have been tried and have failed. In addition, the Council will need to show that it has clear intentions for the use of the property/land and be able to show that it has the necessary resources available to go through with the Compulsory Purchase Order. This means that compulsory purchase will be a method of last resort.

**Housing Act 1985 Part 9**-gives the Council powers to make Demolition Orders and Slum Clearance Areas to require the demolition of individual or groups of unsafe houses where that is the most satisfactory course of action

**Housing Act 2004 Part 1**-requires the Council to serve a notice to deal with category one hazards to which a member of the public may be exposed to.

**Housing Act 2004 Section 132 –138**-allows the Council to over the management of an empty property, undertake works, let out the property and collect rent. The Council must notify the owners of its proposal and try to work voluntarily to find an acceptable solution. Only if no agreement can be reached can the Council seek approval to make an Interim Empty Dwelling Management Order initially for 12 months. If agreement is still not possible a final order, which can last for 7 years, can be made. The process is time consuming and will require the Council to prepare a plan as to how it intends to manage any property throughout the duration of the Order.

The Council will develop a process for using such Orders and consult with Housing Association partners to determine the most practical way of carrying out and delivering the

management of a scheme. It is anticipated that providers will competitively tender to manage such properties on a one to one basis ensuring value for money in terms of management costs and that any particular issues with the property are considered on an individual basis.

**Law of Property Act 1925** –the Council can force the sale of an empty property where abatement notices have been served and the work has been carried out in default by the Council. An enforced sale can only be pursued if the cost of the default works is comparable with the market value of the property.

**Council Tax (Administration and Enforcement) Regulations 1992** – the Council can also force the sale of an empty property where council tax debt is owed. The council can apply for a charging order then force the sale of the property to recover the debt.

**Local Government (Miscellaneous Provisions) Act 1982 Section 29-** allows the Council to carry out works to an unoccupied building to prevent unauthorised entry or to prevent it from becoming a danger to public health. 48 hours notice is needed unless the works are required immediately

**Town and Country Planning Act 1990 Section 215** -allows the Council to deal with unsightly land or the external appearance of property.

**Town & Country Planning Act 1990 Section 226 (as amended by Section 99 Planning and Compulsory Act 2004)** allows the council to acquire land or buildings if acquisition will allow improvements or redevelopment to take place provided the improvement, development, or redevelopment will contribute to the promotion or improvement or economic, social or environmental well being. This power can be used to acquire empty properties that adversely affect the street scene because of the dilapidated condition.

- Longer Term Empty Homes

It is important that we recognise that the properties that have been empty for two years or more are targeted as these properties are most likely to be in disrepair and attracting anti-social behaviour.

We aim to visit all empty properties that have been empty for two years or more and write to the owners indicating any issues or complaints and offering advice and assistance in bringing their properties back into use. It is however acknowledged that if a home owner has refused to engage with the Council in the preceding 2 years then it is very unlikely that they will accept advice and return their empty property back into use. It is therefore anticipated that in all of these circumstances enforcement action under the relevant legislation outlined above will be taken.

## 7. RESOURCES

- Staff

The key resource available to deliver the strategy is staff within the Housing and Enforcement Teams.

The lead positions for delivering are indicated on the action plan, the position of Technical Assistant is currently temporary so therefore the number of homes returned to use may be reduced if this post is not continued after March 2013. The overall responsibility for overseeing the implementation of the strategy will be the Housing Manager.

- Budget

Staff time will be met from the Revenue budget. The amount of capital resources allocated annually by the Council will be dependent upon the Housing Capital Programme. This is funded through central Government and the Council's capital programme.

As highlighted in the Action Plan the Council will wherever possible seek to work in partnership with appropriate agencies to maximise expertise. Where opportunities arise the Council will seek to establish appropriate partnerships and make funding bids to secure external funding.

Where significant financial resources are required or compulsory purchase / enforced sale are recommended by officers then the case will be reported to the Public Protection Committee or Portfolio Holder for authorisation. As it can be costly to take action, whether by default or legal proceedings the Council will seek to keep costs to a minimum level and reclaim costs incurred from home owners.



## 8. MONITORING AND REVIEW

The Council monitors the number of private sector empty properties that are brought back into use or demolished during the year as a direct result of action by the local authority.

The out turn figures for:

- 2009/10 were 55 empty properties back into use,
- 2010/11 were 74 empty properties back into use,
- 2011/12 were 75 empty properties back into use.

The Council recognises that there is a need to consider empty properties in the form of those empty for more than 6 months and longer term empty properties which have been vacant for more than 2 years.

We aim to bring 75 empty properties of which 10 will have been empty for two years or more back into for each year of the Strategy.

Progress against targets are monitored within the Housing Service and reported quarterly through the Councils performance management framework.

This Strategy will be reviewed after 12 months to ensure that the approach and policies adopted are appropriate. A full review leading to the production of a new strategy will be undertaken in 2017.

## 9. CONSULTATION ON DRAFT STRATEGY

The Council will seek comments on the draft strategy as part of twelve weeks consultation in line with Council consultation best practice. The consultation will be promoted to ensure a range of internal and external views are gained, representations from the following range of external organisations will be sought:

- Empty property owners
- Landlords
- North Staffordshire Landlords Association
- Registered Housing Providers
- West Midlands Empty Property Group
- Citizens Advice Bureau

It is also intended that the draft Strategy will be considered by the Economic Development and Enterprise Overview and Scrutiny Committee as part of the consultation process.



## 10. ENQUIRIES

A copy of the Strategy and associated Policies can be obtained upon request from the address below or by visiting the Council's website at: [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

Newcastle-under-Lyme Borough Council,  
Civic Offices,  
Merrial Street,  
Newcastle-under-Lyme,  
Staffordshire,  
ST5 2AG.

Telephone 01782 717717  
Textline 07800 1400 48  
Email: [housing@newcastle-staffs.gov.uk](mailto:housing@newcastle-staffs.gov.uk)

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## Appendix 1

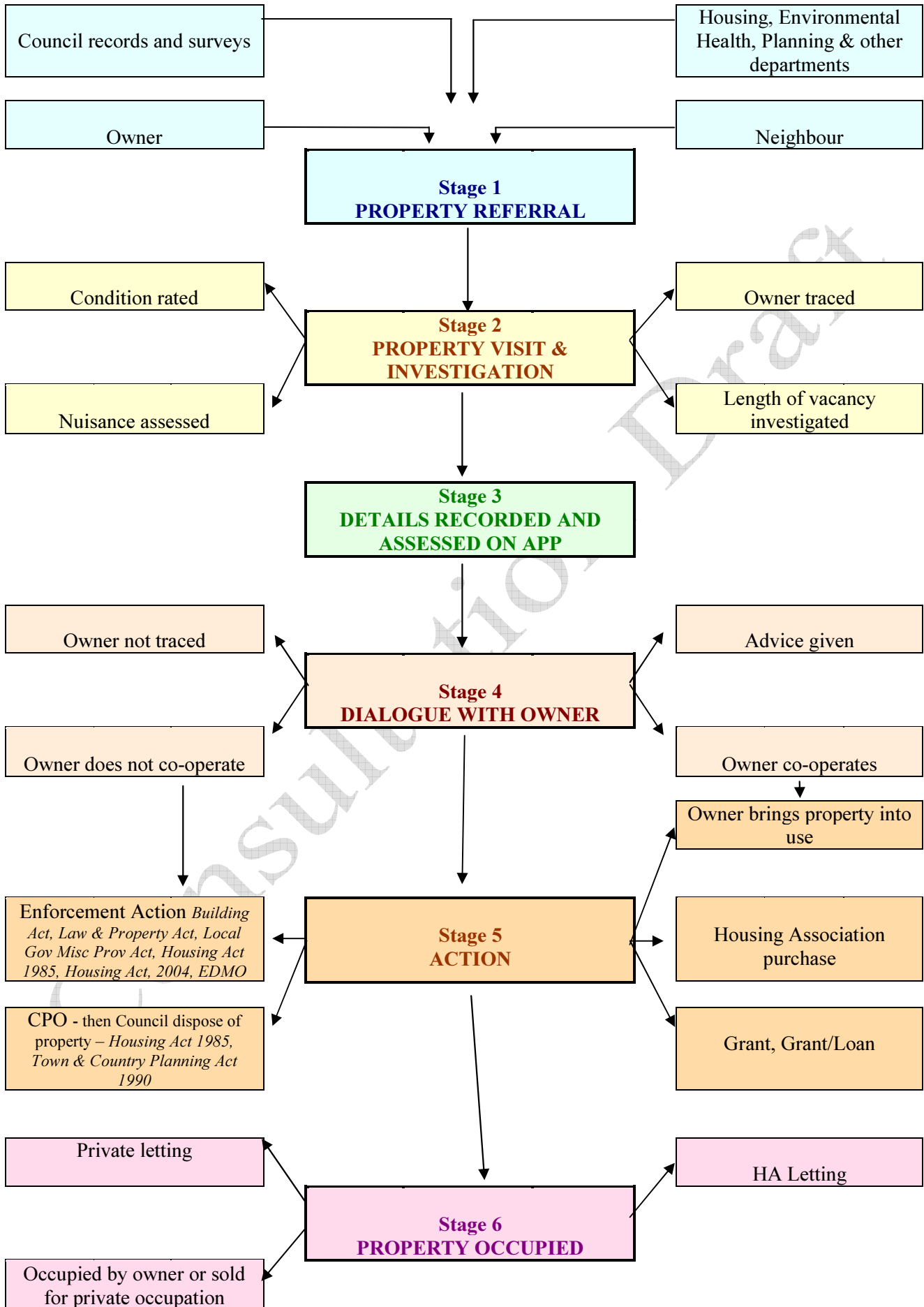
### EMPTY HOMES STRATEGY 2012 / 2017 ACTION PLAN

| Actions  | Target Date     | Progress / Completed Date                              | Lead Officer                                    | Outcomes   |
|--|-----------------|--|---|--|
| Review and update current publicity material.  | March 2013      |  | Housing Standards Officer                       | Increased awareness of empty property issues in the Borough. Owners making decisions and taking action to stop homes becoming vacant, thus preventing the problem. |
| Publicise through the Councils newspaper and website the importance of bringing empty properties back into use.  | Annual articles |  | Housing Standards Officer                       |  |
| Share empty property information at landlord's forums.   | Ongoing         | Ongoing  | Housing Standards Officer                       |  |
| Investigate options to support home owners to sell their empty properties, including potential web based marketing.                                      | Aug 13          |  | Technical Assistant                             | Home owners assisted to dispose of empty properties with the aim of enabling someone to utilise them.  |
| Review the Strategy, in particular the reasons for empty homes and to ascertain if area based intervention and enforcement is required                   | January 2014    | There is no evidence at present to take this approach. | Housing Standards Officer                       | Areas with concentrations of empty homes targeted where appropriate.   |
| To maximise cross department working to ensure that empty properties are appropriately tackled using the correct legislation and up to date information. | On-going        |  | Technical Assistant / Housing Manager           | A more coordinated approach to empty home work, utilising the best approaches for each property.   |
| Continue to research and share good practice with other local authorities.   | August 2014     |  | Housing Standards Officer / Technical Assistant |  |



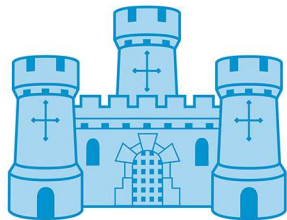
|   |          |         |   |  |
|---|----------|---------|---|--|
| Explore funding options for grants and/or loans and link in to National Funding Schemes                                     | On going |         | Housing Standards Officer   | To maximise opportunities for property owners and ensure services are delivered in a cost effective way. |
| Respond to complaints concerning empty homes  | Ongoing  | Ongoing | Housing Standards Officer / Technical Assistant                   | Ensure that neighbouring residents don't suffer from the problems associated with empty properties.      |
| Contact owners of owners of problematic empty homes or homes empty for more than 6 months to provide advice and assistance. | Ongoing  | Ongoing | Housing Standards Officer / Technical Assistant                   | Owners of empty homes are supported and encouraged to bring them back into use.                          |
| To take enforcement action against problematic empty homes or homes empty for more than 6 months.                           | Ongoing  | Ongoing | Housing Standards Officer / Technical Assistant / Housing Manager | That empty properties are returned to use and problems effectively dealt with.                           |

## Appendix 2 DEALING WITH EMPTY DWELLINGS



Consultation Draft

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NEWCASTLE·UNDER·LYME  
BOROUGH COUNCIL

## **Enforced Sale Policy 2012**

This document sets out the Council's policy for dealing with empty properties using Compulsory Purchase Orders.

If you have any questions about this document or need a copy in another format, please contact 01782 742542.

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## 1. PURPOSE/ SCOPE

1.1. The purpose of this document is to explain the Council's policy on Enforced Sales.

## 2. POLICY BACKGROUND

2.1. The Enforced Sales Procedure (ESP) is a process by which the Council brings about the sale of a privately owned house. It is used as a means to "sell on" a long-term vacant house to a new owner, in circumstances where the present owner is either unwilling or unable to deal with the house and its associated problems.

2.2. By bringing about a change in ownership, it is hoped that a new owner will be more willing and able to invest in the property, and ensure its likely re-occupation, upkeep, and proper use.

2.3. Bringing empty homes back into use contributes towards the following Corporate Strategy aims:

- *Creating a Cleaner, Greener and Safer Borough* - by reducing dereliction, vandalism, litter and anti social behaviour such as damage, theft and arson.
- *Creating a Borough of opportunity* - by improving market values and the attractiveness of areas adjoining vacant homes reducing a spiral of decline and helping increase the number of residents who feel the Council is making the area a better place to live.
- *Creating a Healthy and Active Community* – by ensuring access to a range of quality homes.

2.4. The process of ESP is actually a method for debt recovery, but the main principle for its operation in Newcastle-Under-Lyme under this procedure is to bring empty homes back into use. It should be used as part of the range of options available to achieve this and this procedure should only be considered once all other methods of intervention have been exhausted. It can only be used in certain circumstances where there is an outstanding debt owed to the Council

2.5. In order for a property to be considered suitable for ESP under this procedure, it must satisfy the following criteria. It must be:

- a dwelling
- vacant
- registered with the Land Registry (but see Section 7)
- a property where debt is owed to the Council, whether or not the debt is registered in Part 2 of the Local Land Charge Register
- of sufficient priority within the context of the Empty Homes Strategy

These criteria always apply, either for legal, and/ or, Council policy reasons.



2.6. Further information concerning the background, and strategic considerations to the use of ESP, are contained in the report to the Housing Advisory Panel for Empty Homes enforcement (?/08/2010).

### **3. IDENTIFYING AND PRIORITISING POTENTIAL PROPERTIES FOR ESP**

3.1. Vacant private properties can be identified in a number of ways. For example:

- Council Tax information
- Empty Homes Hotspots
- Environmental Health Officers, other Council Officers, local councillors
- Neighbours, general public, residents groups
- Other bodies (e.g. gas, electric, water companies)
- Publicity/ awareness campaigns, etc

3.2. The information database on empty private properties is recorded by the Empty Homes Officer

3.3. To check if a vacant property is potentially one which could be the subject of ESP, the following needs to be checked:

- Land Registry registration.
- This is most easily done on-line at Area Offices, via <http://www.landreg.gov.uk/>

3.4. Debt. The housing officer will liaise with Building Control, Planning and Environmental Services to identify details of Works in Default. (see table in appendix 1.)

3.5. The housing officer will identify whether there is an outstanding debt owed to the Council by liaising with Finance.

3.6. The housing officer will identify if there is Land Charge against the property by contacting the Land Charges department.

3.7. Properties will only be selected for ESP when the housing officer has exhausted all avenues to bring the property back into use by advisory methods. The housing officer will undertake a balancing exercise prior to commencing this process to assess viability.

### **4. PRE-ACTION TO ESP**

4.1. Consideration of other, more appropriate, types of action must always be prior consideration before pursuing ESP.

4.2. The use of ESP, as with Empty Dwelling Management Orders and Compulsory Purchase Orders should be seen as a means of last resort. In both cases, it is expected that all informal and formal actions will have been taken and exhausted by the Council in order to resolve the existence of the empty property and its associated problems.

- 4.3. The first steps will be to trace and contact an Owner, if this is not already known. To this end, the following suggestions may usefully assist:
- Serving Local Government (Misc. Provs) Act Sec 16 Notices
  - Land Registry (On Line Service)
  - Empty Property Database
  - Neighbours
  - Council Tax (last payer)
  - Other Council departments and agencies
- 4.4. Identify what charges are outstanding for the property and whether they can be registered as a Local Land Charge. Some of the Acts (appendix 1) state that they can be registered as a Local Land Charge however if this is not possible then the relevant Act provides for a charge to be put on the land. Therefore whether it is a local land charge or not does not affect its enforceability-it can still be enforced. It is necessary to ensure there is enough equity in the property to cover all/any charges, this is particularly important where your charge does not take priority.
- 4.5. Once an Owner is identified, they should be contacted in order to offer advice, clarify the problems the property poses, and discuss and offer potential solutions. This may include:
- Voluntary Sale, either privately, or to an interested RSL if available
  - Consequences of allowing the property to fall into further disrepair, including its market value depreciation
  - Effects on the neighbourhood
  - Advice about letting and becoming a landlord
  - Contacting relatives or others who may be able to assist
- 4.6. The market value of the property should be discussed and any charges registered against the property to give the owner an indication of the equity available in the property. The owner should be encouraged towards selling the property without our intervention at this stage.
- 4.7. Each individual case will be assessed individually to ensure the most appropriate action is taken. The housing officer's assessment of the owner's attitude and capability will also strongly influence tactics.
- 4.8. Liaison with other departments and agencies, particularly those with an enforcement or financial role, should also be considered, together with all other legitimate means to put pressure on the Owner to deal with the property. For example:
- Other Departments' enforcement actions (Environmental Services, Planning, Building Control)
  - Exemptions or relaxations for Council Tax payment should be re-considered
  - Debt Recovery processes should be actively chased
  - Involvement of mortgage lenders if property mortgaged (e.g. breach of occupation conditions, validity of buildings insurance policy)

## **5. SERVICE OF NOTICES**

- 5.1. The housing officer will need to be satisfied that any Statutory Enforcement notices, will have been served correctly in accordance with Newcastle-Under-Lyme's Corporate Enforcement Policy and in line with the relevant departmental procedures.

A list of statutory notice actions where debt from Works in Default can be charges on the land is given in Appendix 1.

- 5.2. On debts that are not charges on the land but personal debts like Council Tax, the LA can apply to the County Court to award an interim charging order. If the court gives a favourable judgement the local authority can apply for a final charging order and order the sale of the property.

## **6. LEGISLATIVE BASIS FOR ESP**

- 6.1. This section provides a brief summary of the legal process, which allows the Council to use ESP. It is provided for information purposes. In the main, these legal processes are carried out by staff within Legal Services.
- 6.2. The basis for using ESP is where the relevant Act of Parliament makes the debt a charge on the land. This gives a Local Authority the power to enforce that Charge. Consequently, the Council has all the powers and remedies available to a mortgagee under the Law of Property Act 1925.
- 6.3. Sec 7 of the Local Land Charges Act 1975, provides that a financial Local Land Charge takes effect, as if it had been created by a Deed of Charge within the meaning of the Law of Property Act 1925.
- 6.4. Sec 101(1) of the Law of Property Act 1925, confers on a mortgagee a power of sale. An Order of the Court is not necessary as the legislation itself provides that power.
- 6.5. Sec 87(1) of the Law of Property Act 1925, confers a right of possession. In addition, many of the statutes used by the Council, which result in carrying out Work in Default, give to the Council a power of sale and a right of priority over other Charges.
- 6.6. The first step in pursuing the legal process for ESP is to serve a notice under Sec 103(i) of the Law of Property Act 1925. The Council may not exercise the power of sale unless and until this Notice (requiring payment of the mortgage money), has been given, and a default of payment has been made for 3 months after the service of the Notice.
- 6.7. The Council should write to the Owner requesting the Land or Charge Certificate.
- 6.8. The Council must also write to the Owner, and any other Chargees, stating that it intends to carry out an enforced sale. If another Chargee should pay the outstanding money, this prevents the Council taking priority over their charge.
- 6.9. Likewise, if, at any stage prior to the actual sale of the property, the Owner should pay the outstanding debt, then ESP is no longer an option.
- 6.10. Once default of payment is apparent, the Council can apply to the Land Registry for registration of the Charge, claiming priority over all other Charges. The Land Registry will require the following to be submitted to them by Legal Services:
  - Form AP1

- Fee
- Land or Charge Certificate or evidence that efforts have been made to obtain the same
- Certificate as to the value of the Charge (unless stated in the resolution)
- Resolution of the Council

6.11. When the Charge Certificate is returned from the Land Registry, the property can be marketed for sale. It is good practice to send another letter to the Owner and any Chargees to warn them again that the charge is to be enforced.

## **7. PROCEDURE WHERE THE PROPERTY IS NOT REGISTERED**

7.1. In some instances, properties may be discovered which are not registered with the Land Registry. This will increasingly be the case for older properties, particularly where no recent sales have taken place, or property has changed ownership without proper conveyancing, etc.

7.2. The position as to whether ESP can be carried out is not straightforward in the case of unregistered land, as the Council cannot apply to be registered as mortgagee. So it is important to ensure that any purchaser will be able to be registered as proprietor following the sale. (See paragraph 7.4).

7.3. The extent of the property bound by the charge and that can be sold is ascertained by applying the facts to each case, and the particular statutory provisions that have given rise to the Local Land Charge. The position is clear in the case of Charges which arise under the following legislation. Thus, enforced sales should be able to proceed in these cases:

- Public Health Act 1936 Sec 291
- Prevention of Damage by Pests Act 1949
- Building Act 1984 Sec 107

7.4. Advice should always be sought from Legal Services before pursuing ESP in the case of a property where the land is unregistered.

## **8. HUMAN RIGHTS ACT 1998**

8.1. Consideration of the provisions of the Human Rights Act 1998, must be taken by the Council. In particular, Part 1, Article 8 “the right to respect for... private and family life..., home and... correspondence”, and Protocol 1, Article 1 “peaceful enjoyment of... possessions”, need to be balanced against the general benefits and rights of neighbours and the surrounding community.

8.2. A statement that the intended action of the Council in exercising its power of sale is considered to be proportionate, in accordance with the Act, should be included in letters to the Owner and Chargees. This will be covered by correspondence issued by Legal Services, in liaison with the housing officer.

## 9. RECOVERY OF COSTS

9.1. If a debt can be registered as a local land charge then that should happen shortly after the works in default have been completed and the debtor billed and has not paid. If the statute says a debt can be enforced as a charge then you can enforce whether registered as a local land charge or not. In most cases, it is not important on whom the notice was originally served, the Charge can still be registered. (For example, a Housing Act notice served on the "Person Having Control", who may not have been the Owner, would still be able to be registered against the property.

Copies of the original notice, if properly served, should in any event have been served on "interested parties", which would have included the Owner at that time).

9.2. However, additional care needs to be taken in the case of the Environmental Protection Act 1990. Under this legislation, it must be the case that the original person on whom the notice was served was the Owner at that time. (And was therefore also the person who caused the nuisance by their own act or default).

9.3. It does not matter, in either scenario, whether the property then subsequently changes ownership. Once the Charge has been established, the land continues to be subject to the Charge even if it has passed to subsequent (possibly entirely innocent) owners.

9.4. Debts are affected by the Limitation Act, in that any debts over 12 years old (generally from the date when the expense was incurred) are no longer recoverable. Thus, any attempts to recover debts through Local Land Charges or by using ESP, are not permissible after this time has passed.

9.5. All debts owed to the Council on the property are recovered on sale. In addition, reasonable costs incurred by the Council in pursuing the sale can also be deducted. Thus, reasonable legal, surveying, marketing and administrative costs are recoverable.

## 10. INSTIGATING SALE

10.1. Once a property is identified for the ESP, it should be referred by the housing officer to Legal Services.

10.2. The following information must be included with the referral:

- Property Address
- Name of Current Owner and Address (as per Land Registry)
- Details of each Notice served on which debt is still outstanding
- Legislation, Act and Section
- Date of Service
- Full Name and Address of Person(s) on whom Notice served
- Description of Works Required
- Details of Outstanding Debts created by Works in Default (see paragraph 3.3 b)
- Dates Works Carried Out (start & finish dates if known)
- Cost of Works

- Date registered in Part 2 of the Local Land Charge Register
- Copies of any relevant correspondence sent to, or received from, the Owner

NOTE: Much of the above information can be provided by supplying a photocopy of the original notice(s).

- 10.3. Once a property is identified for ESP, and action to pursue it has commenced by Legal Services, it should normally be pursued to a conclusion.
- 10.4. Properties may drop out of the ESP process at any point prior to an actual sale being achieved. This will usually be because:
- the debt has been paid, or
  - the property is sold voluntarily by the present Owner, or
  - the property is no longer vacant
- 10.5. In many cases, should any of these events occur, this can still be seen as a success, even though the property did not go to enforced sale. The situation of the long-term vacant house will have changed significantly, and there can be guarded optimism that its associated problems and mis-use will be alleviated in due course.
- 10.6. If this proves not to be the case, consideration of other action will need to be given. For example, where the debt is paid but there appears to be no other positive progress, Empty Dwelling Management Order (EDMO) or Compulsory Purchase Order (CPO) action may be considered as being the only appropriate alternative courses of action.
- 10.7. Another scenario may be where a house has been sold to another Owner (either voluntarily or by implementing ESP), but that Owner does not make proper attempts and progress towards dealing with the empty property. Again, EDMO or CPO proceedings could ultimately be appropriate, or using ESP to force another ownership change.
- 10.8. Close liaison and co-operation needs to be maintained with Legal Services throughout the pursuance of the legal matters explained above (see paragraphs 5 and 6). Once the Land Registry has issued the Charge Certificate to the Council, via Legal Services, then the property can be marketed for sale.
- 10.9. Legal Services should provide the necessary information to Resources to instigate the sale process, and also inform the housing officer that this has happened.

## **11. MARKETING AND SALE**

- 11.1. The process of marketing and sale is dealt with by the Corporate Property. These notes are provided mainly for information purposes for the housing officer, and describe the method by which properties may be sold,

on receipt of the Charge Certificate from the Land Registry by Legal Services.

- 11.2. Some of the processes which might normally be associated with the sale of properties by the Council are able to be streamlined when using ESP. Consultation with ward councillors, for example, is not required to the same degree, as we are not selling Council-owned property.
- 11.3. It is good practice to keep ward councillors and concerned neighbours informed of properties in the ESP programme, especially where they have expressed interest. In any event, the housing officer will do this routinely when putting a property up for sale.
- 11.4. As the Council at no time takes possession of the ESP property, it has no more rights of access than it does for other private houses. So, whilst the Council may exercise its legitimate Powers of Entry from time to time, using the proper procedures, it is not able to permit viewings of the property to potential purchasers.
- 11.5. As access can not be gained, there is no requirement to carry out a risk assessment.
- 11.6. The Council has a duty to secure the best possible price on sale. This means that marketing techniques have to be sufficiently wide to ensure that a proper competitive bidding process takes place. Failure to be able to demonstrate this could mean the Council being legitimately challenged by the Owner (whether currently known or not), at a later date.
- 11.7. Properties will be put up for sale by auction.
- 11.8. Despite its assumed position of mortgagee, the Council has no power to put up a "For Sale" sign. Neighbours will, however, be kept informed in these later stages by the housing officer in liaison with Corporate property of the pending sale of the house.
- 11.9. One of the intentions of ESP is to try and change ownership of the property in a positive way. But, as viewings are not permissible, it seems unlikely that many potential owner-occupiers are likely to outbid private landlords, due to the level of risk involved.
- 11.10. The housing officer will need to monitor the property throughout the ESP process. This is particularly important immediately prior to the sale date, when a final check on the state of the property needs to be carried out. It is particularly important to be vigilant in assessing if there is any evidence of habitation. If there is any doubt, check with neighbours, etc., to make sure that the house is still vacant. The power of sale is seriously hindered if the mortgagee can not sell with vacant possession.
- 11.11. It is advisable to make a photographic record of the property, for future reference, at this stage.

## **12. MONITORING ESP**

- 12.1. It is important to monitor the effectiveness of ESP, both of properties which are forcibly sold, and properties which drop out of ESP due to the Owner being persuaded to deal with them.
- 12.2. To this end, from time to time, an analysis of the effects of ESP will be carried out, including a survey of the properties and people affected by ESP. This will provide vital information and feedback, enabling a review of the service and procedures.

## **13. PROCEDURE SUMMARY**

- 13.1. The flow chart in Appendix 1 gives a summary of the responsibilities of the various departments involved in ESP, and shows indicative timescales for key parts of the process.
- 13.2. These procedures will be followed in conjunction with Newcastle-Under-Lyme Borough Council Enforced Sales procedure document.

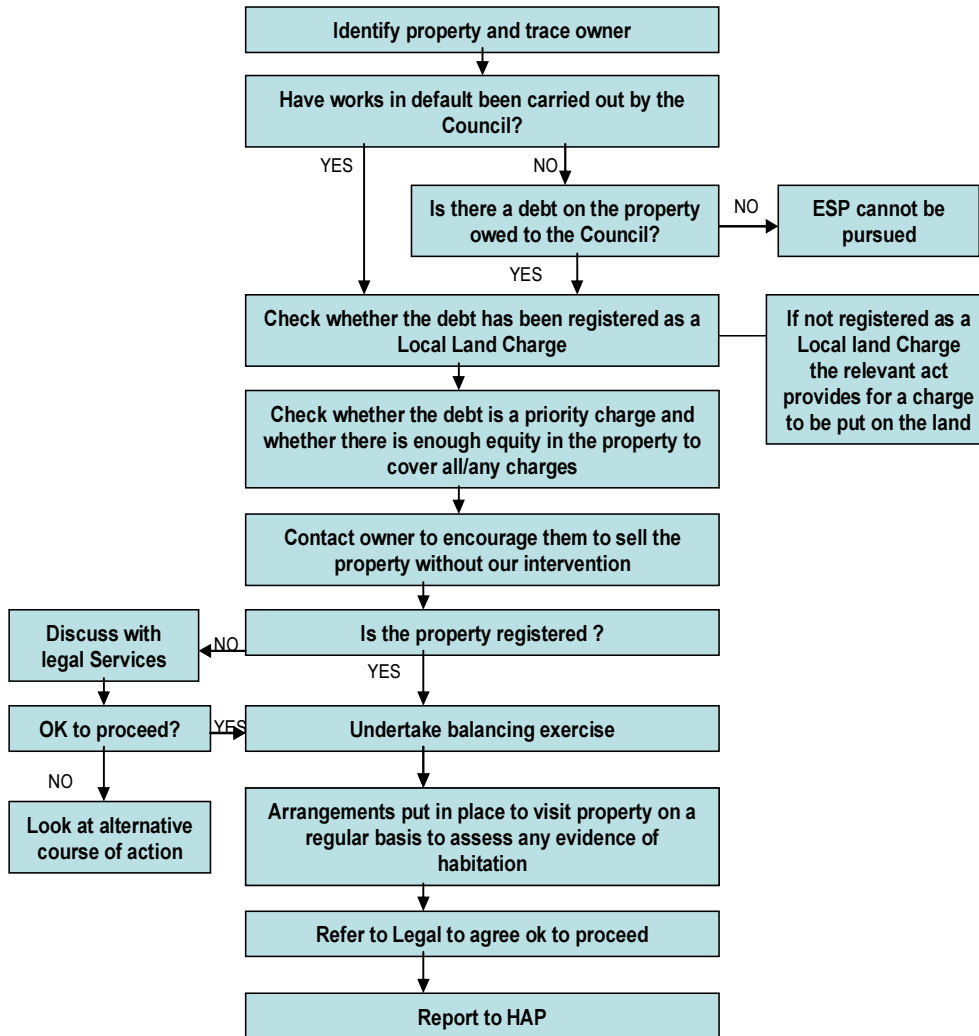
## **14. RECORDS**

- 14.1. Records must be maintained on Flare



# Enforced Sales Procedure (ESP)

Preliminary assessment





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## **PROPOSED REFURBISHMENT AND RE-USE OF THE FORMER ST GILES & ST GEORGES SCHOOL, NEWCASTLE TOWN CENTRE**

**Submitted by:** Neale Clifton, Executive Director, Regeneration and Development

**Principal author:** Simon Smith, Regeneration Manager

**Portfolio:** Regeneration, Planning & Town Centres

**Ward(s) affected:** Town

### **Purpose of the Report**

To consider the options available to the Council to bring forward the refurbishment and re-use of the former St Giles & St Georges School building in Newcastle Town Centre.

### **Recommendation**

**That Committee considers the five options put forward in this report in the light of the implications (both financial and on the benefit to the town) and conveys its views to Cabinet.**

### **Reasons**

The Council, as the owner of this attractive and historically important building must seek to balance a range of considerations before identifying a preferred course of action in order that the medium to long term interests of the town centre can be enhanced.

Scrutiny Committee considered this issue at its June meeting and there is an intention to report options to a future Cabinet for a decision. Prior to drafting this cabinet report it has become apparent that further financial information is required. Officers have therefore collated this additional information, particularly in relation to the financial aspects of refurbishment and have included it in this revised report in order that Scrutiny Committee can review the options in more detail. Scrutiny Committee may then wish to give a more detailed or amended recommendation to Cabinet for its consideration.

## **1. Background**

- 1.1 Members will be aware that this prominent town centre building, formerly the St Giles & St Georges School, situated at the rear of Queens Gardens, was acquired by the Borough Council from the Local Education Authority with a view to it being refurbished and converted into a Centre for Creative Industries with the help of funding from the then North Staffordshire Regeneration Partnership (NSRP). Following its acquisition, Cabinet decided to explore instead the possibility of relocating the Borough Museum & Art Gallery into the town centre so that the town could more fully benefit from the significant footfall (and inherent interest) brought by the Museum and Art Gallery. This, however, proved to be too expensive for the Council both in terms of initial capital costs and subsequent annual running costs and this was not pursued further. When NSRP capital funding (and that of the Borough Council) then became increasingly scarce, the Council decided to put the building back on the market to see what interest there may be in its use (with the caveat that we were seeking a third party interest who was prepared to facilitate wider community use of the building – with the expectation that this would help to generate new footfall into the town centre and introduce greater social/community activity in the town).

- 1.2 This led to the selection of the King Street based social landlord, Choices Housing, which planned to use the building as its new headquarters and training centre, as the preferred development partner. Discussions were also held with Newcastle Baptist Church (which had also expressed interest in the building) to pool resources and see if their space requirements could also be accommodated along with those of Choices (by extending the building to the rear). The attraction of this approach was the creation of a 280 seat auditorium in the town centre which could potentially be hired out and used for a range of other social, cultural or commercial uses, again generating further footfall and trade for the wider benefit of the town. This however could not be achieved as the Church was unable to contribute the necessary funding into such a partnership project.

(Note: in respect of the issue of the auditorium, Members will know that the Borough Council already has a 200+ seat meeting space available for use/hire in the town centre on the upper floor of Jubilee 2. This has access to catering within the building, together with toilets and break-out space as required. The space is used as dance studios).

- 1.3 During the gestation of the project the Choices Housing Association was joining the Wrekin Housing Trust. The Choices Housing Board in conjunction with the Board of Wrekin Housing Trust has now decided that the project is not commercially viable (the cost of the scheme is too great for the organisation to bear given the likely value of the premises upon completion of the improvement works) and has withdrawn its interest.
- 1.4 A number of options considering how the Council might now take the project forward were considered by the Economic Development and Enterprise Overview and Scrutiny Committee at its meeting on 28th June 2012. Scrutiny Committee expressed the view that the building should be refurbished and leased for a community use (preferably not a Council use as this does not fit with the Council's approach of sharing a main Civic Office). This is a combination of options (a) and (c) listed below. The Scrutiny Committee did not wish to see the clearance of the building as considered in option (b) listed below, as this was not considered appropriate.
- 1.5 Scrutiny Committee recognised that there is no capital funding allocated to refurbish the building, and asked that if Cabinet were minded to consider the Scrutiny recommendation including a simple refurbishment then Officers would need to advise on the financial implications. The views of Scrutiny Committee were fed back to the Portfolio Holder and he asked that officers should investigate the options and implications in more detail in order that Scrutiny Committee could undertake a more informed review.
- 1.6 Officers have therefore gone back to the architects / quantity surveyors who have carried out work previously for the building, to provide advice on the likely costs of a 'light touch' refurbishment of the building. This level of refurbishment would include carrying out necessary works to the roof, windows and external doors, the wall, floor and ceiling finishes, toilets and kitchenette, heating and lighting, together with a minimum of works outside the building. This level of refurbishment may not make the building attractive for commercial letting (or, at least, would have significant implications on the type of organisations which would be interested in leasing the building) but should be sufficient to render it useable for arts based groups and/or community organisations. The estimated cost of these works is £388,700. Note this figure is for works only and is exclusive of costs such as architects' fees, telephony, broadband and planning costs such as NTDS.

## 2. **Issues**

- 2.1 The Borough Council is now in the difficult position of owning a building it recognises as having townscape, landmark and even historical value but does not now have the resources

to refurbish, without the availability of external regeneration funding (from organisations like the NSRP or AWM) and with no obvious demand for the building in its current condition.

This has implications for:

- The aesthetic qualities of the town's built environment;
- The town's economy;
- The use of public resources and;
- Potentially, for community safety.

### 3. **Options Considered**

3.1 The Council now has several options to consider:

#### **Option (a):**

Market the building again in its current condition – i.e. without Council money being expended on it, but without any requirement for community use or public access. However, it should be noted that Newcastle Town Centre has plenty of available buildings that organisations and businesses could lease/buy, most of which do not have such a large upfront refurbishment cost attached to them. That said the building is inherently attractive and distinctive, occupying a prominent position, with direct access onto the ring road and with on-site car parking.

#### **Option (b):**

Offer the site to the market with the option of it being cleared for redevelopment (as long as the Council was satisfied with the design of the replacement building) - i.e. accept the demolition of the building. While the building is not listed it does lie within the Town Centre Conservation Area. This means that (as with the former Jubilee Baths building) its demolition will not be permitted until there are detailed plans agreed for a replacement building. There would almost certainly be objections to this option for both historical and townscape reasons. As a cleared development site, however, it would almost certainly be a more marketable proposition than seeking a user which needs to spend significant monies to bring the building back into use. Nevertheless it should be noted that there are other available cleared development sites within the town centre environs which have been available for some time. Scrutiny Committee has already expressed the view that it does not wish to see the clearance of the building.

#### **Option (c):**

Explore a simple refurbishment of the building, funded by the Council and use the building for housing around 50 Borough Council staff. We now know that such a 'simple refurbishment' would cost the Council around £388,700 (though this figure does not include costs such as furnishing, telephony and broadband). Using the building for the Council's own purposes would have to be seen as part of a wider review of the Council's property needs. It may be possible to off-set some of the cost of this option by selling or leasing existing Council-owned premises elsewhere in the town, though, given market conditions, expectations of the prospects for (and the value of) property sales or rental income should be tempered. Furthermore, it is unlikely that any such option would present the most efficient property solution to any identified service need (taking account of both upfront refurbishment costs and ongoing maintenance liabilities, including energy costs).

Option (d): Explore a simple refurbishment of the building, funded by the Council *and seek another user*. This would be a variation of option (a) above but with Borough Council money having been spent on it. As with option c, we now know that such a 'simple refurbishment'

would cost the Council around £388,700. The prospect of attracting a user having undertaken some investment in the building would be greater than in option (a). Officers have had some discussions with individuals and organisations representing community or arts based groups, which may be interested in making use of the building but typically these will not have significant capital funding to contribute to its refurbishment and, in most cases, would not be able to pay a full commercial rent. Nevertheless, this presents an opportunity to bring the building back into use.

(Note: options (c) and (d) can be seen as *interim options* pending a return to less difficult public finances when there may be the opportunity to take stock.)

**Option (e):**

Use the site for housing. This would be a variation of option (a) in which the property would be offered to prospective housing developers or social landlords (Registered providers) with a view to their refurbishing and converting the building to their own requirements or a variation of option (b) in which the site would be redeveloped.

In summary the options can be set out as follows:

| Option   | Likely benefits  | Drawbacks   | Comment   |
|--|--|---|---|
| A – re-market as is                                  | No financial outlay for NBC  | Reputational damage /further deterioration of building if no interest | Highly uncertain outcome                                |
| B – offer as cleared site                            | Could appeal to developers for a range of suitable uses            | Loss of landmark building, publicly (and politically) unpopular       |   |
| C – refurbish and use for NBC purpose                | Gets the building back into use; some footfall for the town centre | Cost to NBC; not a clear NBC service requirement                      | Probably not a realistic option                         |
| D – refurbish and use for community / arts based use | Gets the building back into use; some footfall for the town centre | Cost to NBC   | Probably the option which would be most widely welcomed |
| E - housing  | As A or B  | As A or B   |   |

**4. Proposal and Preferred Solution**

4.1 Members’ views are again sought on the options previously considered but with the new information of the cost of a ‘light touch’ refurbishment of the building.

**5. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 The original objective of the St Giles & St Georges project was:

- in part for regeneration purposes (to promote a livelier and more interesting town centre and to house new small businesses) and
- in part for environmental/conservation purposes (to bring an attractive and distinctive building back into use)

5.2 The other relevant corporate objective relates to the Council seeking to make best use of its resources. So any proposal must balance the likely financial consequences to the Borough Council.

## 6. **Legal and Statutory Implications**

6.1 There is no statutory requirement for the Council to retain the building (but see 3 (b) above).

## 7. **Equality Impact Assessment**

7.1 This has not been undertaken given that the final proposal / end use is still unknown at this stage.

## 8. **Financial and Resource Implications**

8.1 Members are reminded that there is no capital funding allocated to the scheme, being mindful of the financial implications of borrowing and no evidenced business plan for the scheme. There is no provision in the current Capital Programme for any such project and the current forecast of the Council's uncommitted capital resources as at 31 March 2013 is estimated to be around £1m. At present the Council has a restricted Capital Programme owing to shortage of resources to fund schemes beyond a limited number of essential replacement and refurbishment projects, such as replacement operational vehicles and plant or repairs to buildings needed to allow them to continue to be used. Because of this any new projects proposed will have to be considered in conjunction with all other proposals for capital spending to determine which ones can be included in an affordable Capital Programme. At present, given the probable level of resources realistically anticipated to be available over the next few years, it appears likely that the Capital Programme will have to continue to be restricted to include only a limited number of essential, high priority projects which can be afforded.

8.2 The cost of options c and d we now know to be around £388,700 (but note the proviso in paragraph 1.6). It is not known what level of rental return might be made from this investment. Officers believe that there may be some interest from community and arts based groups, however this would probably be on a reduced level of rent to enable such groups to operate at this economically challenging time.

## 9. **Major Risks**

9.1 The principal risks associated with this project are:

- (i) a lack of resource to undertake the required calibre of scheme,
- (ii) ongoing ownership costs (insurance, security, maintenance) while the building remains unoccupied;
- (iii) reputational damage through lack of action and;
- (iv) likely loss of the building because of deterioration (were refurbishment to be unviable).

## 10. **Key Decision Information**

10.1 This report has been placed on the Forward Plan. It does not at this stage commit the Council to expenditure.

## 11. **Earlier Cabinet Resolutions**

11.1 27 October 2004 - That Cabinet agrees to allocating the capital funding referred to in the report to support the Knutton Industrial Estate and Newcastle Design Studios projects, from either the Approved Capital Programme for economic regeneration projects and/or the Renew and Regeneration fund.



11.2 21 February 2007 - That Members note progress with the Newcastle Design Studios project and consider the need for a capital allocation to this project once more detailed cost and delivery information is available.

11.3 13 July 2007 PROPOSAL TO ACQUIRE THE FORMER ST GEORGE'S AND ST GILES' PRIMARY SCHOOL BUILDING, BARRACKS ROAD, NEWCASTLE

A report was submitted seeking guidance on the potential acquisition of the above premises from the Staffordshire County Council to maximise the economic and regeneration potential for Newcastle Town Centre.

Resolved:-

(a) That the officers be authorised to negotiate with Staffordshire County Council for the acquisition of the former school building.

(b) That the officers be authorised to establish the architectural and refurbishment costs of renovating the building for a new use.

(c) That the officers be authorised to investigate market options for the re-use of the former school building.

### Brief for Scrutiny - Newcastle Town Centre Public Car Parks

|  |
|--|
| <p><b>Topic to be scrutinised</b><br/>The management and operation of car parking in Newcastle Town Centre.</p>  |
| <p><b>Questions to be addressed</b></p> <ol style="list-style-type: none"> <li>1. The advantages and disadvantages of a 'pay on foot' car park payment system.</li> <li>2. Can such a 'pay on foot' payment system be introduced in the Midway Car Park? If so what are the capital costs and are there any revenue implications.</li> <li>3. Are there any other payment options? If so, what are the associated implementation and revenue costs? (e.g. cashless parking)</li> <li>4. Investigating alternative payment tariffs (with the aim of attracting and retaining shoppers / visitors for longer periods of time).</li> <li>5. What are the revenue and capital implications of managing town centre car parks?</li> <li>6. What proportion of NBC's income from fees/charges is derived from car parking fees and what would be the impact of significant reduction in gross income?</li> <li>7. How do NBC's Newcastle town centre car parking charges compare with nearby town centres?</li> <li>8. What are the known or likely impacts upon the town centre economy of the current parking fee levels?</li> </ol> |
| <p><b>Outcome</b></p> <ol style="list-style-type: none"> <li>1. Increased knowledge of the variables affecting parking, including budgetary impact (revenue and capital) and potential economic impact.</li> <li>2. The introduction of new payment systems.</li> <li>3. Potential proposals for an alternative charging structure that better supports the town centre economy.</li> </ol>  |
| <p><b>Background materials</b></p> <ol style="list-style-type: none"> <li>1. Town centre car park occupancy report Nov 2011.</li> <li>2. Additional town centre car park occupancy data May 2012.</li> <li>3. Current car park fees and charges, including comparison data.</li> <li>4. Revenue budget information.</li> <li>5. Any relevant reports about the health and viability of the town centre, including the Portas review.</li> <li>6. Any relevant publications by others.</li> </ol>   |
| <p><b>Evidence and witnesses</b></p> <ol style="list-style-type: none"> <li>1. Representative(s) of town centre businesses.</li> <li>2. Graham Williams NBC Engineering Manager.</li> <li>3. Senior Regeneration Officer.</li> <li>4. Senior Finance officer.</li> <li>5. Other relevant partners.</li> </ol>  |

## Economic Development and Enterprise Committee

|   |
|---|
| <b>Method of scrutiny</b> <ol style="list-style-type: none"><li>1. The Scrutiny Committee may wish to propose a methodology for this work, which could include presentations and the setting up of a small member sub-group.</li></ol>  |
| <b>Timetable</b> <p>Any proposal that has any significant financial implication would need to be fed into the budget setting process.</p>   |
| <b>Constraints</b> <p>Depends upon preferred approach and breadth / depth of the review; may be capacity / resourcing issues.</p>   |
| <b>Members to undertake the scrutiny</b> <p>Members of the Economic Development and Enterprise Committee.</p>   |
| <b>Support</b> <ol style="list-style-type: none"><li>1. Graham Williams Engineering Manager</li><li>2. Head of Assets and Regeneration</li><li>3. Head of Housing and Regeneration</li><li>4. Head of Finance</li></ol>   |
| <b>Newcastle Borough Council Corporate Plan Priority area (s)</b> <ul style="list-style-type: none"><li>○ Creating a cleaner, safer and sustainable Borough</li><li>○ Creating a Borough of opportunity</li><li>○ Creating a healthy and active community</li><li>○ Transforming our Council to achieve excellence</li></ul>  |
| <b>CfPS Objectives:</b> <ul style="list-style-type: none"><li>● Provides and critical friend challenge to executive policy makers and decision makers</li><li>● Enables the voice and concerns of the public to be heard</li><li>● Is carried out by independent governors who lead and own the scrutiny role</li><li>● Drives improvement in public services</li></ul> |
| <b>Brief approved by Overview and Scrutiny Co-ordinating Committee</b><br><br>Signed<br><br><br>Date  |

## HS2 UPDATE

**Submitted by:** Scrutiny Officer – Louise Stevenson

**Portfolio:** Regeneration, Planning & Town Centres Development

**Ward(s) affected:** All

### **Purpose of the Report**

To update the Economic Development and Enterprise Overview and Scrutiny Committee of Government progress with their plans for a High Speed Rail link, Newcastle Borough Council's stance with regard to the plans and to update the Committee of the HS2 working group's position.

### **Recommendation**

**That the Economic Development and Enterprise Scrutiny Committee note the developments with regard to HS2 and that the Committee make comment as appropriate.**

### **Reasons**

To ensure the Economic Development and Enterprise Scrutiny Committee is updated of ongoing developments with regard to HS2 and that the Committee have the opportunity to make comment as appropriate.

## 1. **Background**

- 1.1 In 2010 the Government published a report to outline their plans to develop a high speed rail link to meet the increasing demands for rail services. Rail journeys continue to increase and in particular the demand for long distance rail travel is forecast to increase significantly. It is recognised that the rail network is increasingly under pressure with services overcrowded. Network Rail's Rail Utilisation Strategy (RUS) recognises that by 2024 the West Coast Mainline will be effectively full and therefore any increasing demand needs to be met by new infrastructure.
- 1.2 The Government plans for HS2 phase 1 to connect London and Birmingham, then for phase 2 to have two separate corridors; one direct to Manchester, and then connecting to the West Coast Mainline (at Warrington), and the other via the East Midlands and South Yorkshire – with interchange stations in both areas- before connecting to the East Coast Mainline north of Leeds.
- 1.3 In July 2011 the Borough Council's Cabinet considered a report on the Government's consultation on High Speed Rail. At this time it was not yet known whether the Borough was directly affected by the proposals but it was considered appropriate for a response to be made as there were potential sub regional transport and regeneration consequences.
- 1.4 It was suggested that the economic model which supported the proposal was flawed as the problems of large urban areas such as North Staffordshire were ignored and in addition the service between Stoke-on-Trent and London could be reduced. It was considered that the views of the County Council should be supported in opposing the HS2 proposals on the grounds that it would potentially harm the county's economy, the environment and did not have a sound business case. When this decision was made it was considered unlikely that an intermediate station (between Birmingham and Manchester) would be incorporated. That

said it was acknowledged that should an intermediate station be provided in the sub-region then this could further enhance the attractiveness of the area for inward investment.

- 1.5 In January 2012 the Government made the decision to proceed with HS2 plans. In Autumn 2012 the Government plans to undertake an engagement programme on the phase 2 preferred route, to discuss local views and concerns. This will be followed, in early 2014, with a consultation on the preferred route for phase 2. It is therefore appropriate that the Council continues to review the progress of the plans and considers the ways in which the proposals might affect our Borough, both environmentally and economically.
- 1.6 The matter was considered by the Task and Finish sub group of the Economic Development and Enterprise Overview and Scrutiny Committee on 4 July 2012. The recommendations of this group were:
  - (a) Highlight to Cabinet that the Government consultation on the route options for phase 2 will take place in the Autumn.
  - (b) That the Task and Finish Sub Group continue to have a brief to review this and in particular reconvene on the launch of the Government's consultation in the Autumn.
  - (c) That the Council continues to object to HS2 but that should it take place then a local station should be provided.
- 1.7 Cabinet considered a report regarding Reviewing the Potential Benefits of HS2 on 18 July 2012. The report contained the Task and Finish sub group's recommendations. Cabinet resolved to:
  - (a) That the Council modify its stance to offer support for the principle of HS2 as long as the potential economic benefits for North Staffordshire can be demonstrated to outweigh the environmental consequences, in particular whether such benefits would be derived from a local station being provided to serve this area.
  - (b) That the Economic Development and Enterprise Scrutiny and Overview Committee be asked to continue to scrutinise the plans for HS2 with the Task and Finish Sub Group reconvening when the Government Consultation commences, with a particular focus upon whether the provision of an intermediate station in the North Staffordshire area would strengthen the case on economic grounds sufficiently to outweigh potentially adverse environmental consequences.
- 1.8 The Task and Finish group await the commencement of the consultation, when they will reconvene at the earliest opportunity.

## 2. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 2.1 The aim of securing economic development in the area clearly contributes to the priority of creating a borough of opportunity. It should be noted however, that the HS2 will result in environmental consequences which will need mitigation if the plans are to align with the corporate objective of Creating a Cleaner, Safer and Sustainable Borough.

## 3. **Legal and Statutory Implications**

- 3.1 There are no specific implications as this report is providing an update to the Economic Development and Enterprise Overview and Scrutiny Committee.

## 4. **Equality Impact Assessment**

4.1 An assessment has not been undertaken as the aim is to secure investment and jobs in the area to benefit all identified groups.

5. **Financial and Resource Implications**

5.1 There are no direct financial implications to the Council arising from this report.

6. **Major Risks**

6.1 There would be a range of consultations to be undertaken by HS2 Ltd to consider viability, suitability and community views as part of the development of plans for HS2 phase 2.

7. **Key Decision Information**

7.1 The development of the HS2 line and potential local station could potentially affect several wards on the western side of the Borough.

8. **Earlier Cabinet/Committee Resolutions**

8.1 In July 2011 it was suggested that the economic model that supported the proposal was flawed, as the problems of large urban areas such as North Staffordshire were ignored and in addition the service between Stoke-on-Trent and London could be reduced. It was considered that the views of the County Council should be supported in opposing the HS2 proposals on the grounds that it would potentially harm the country's economy, the environment and did not have a sound business case.

8.2 Cabinet resolved that the Portfolio Holder for Regeneration and Planning be authorised to approved the submission of the Borough Council's formal response by the close of the consultation period on 29 July 2011.

8.3 Economic Development and Enterprise Scrutiny Committee considered the HS2 proposals on 24 August 2011. There was agreement that the working group would reconvene if and when there was further Government consultation on the preferred route.

8.4 The Task and Finish Sub Group of the Economic Development and Enterprise Scrutiny Committee met on 4 July 2012. The recommendations of the group were:

- (a) Highlight to Cabinet that the Government consultation on the route options will take place in the Autumn.
- (b) That the Task and Finish Sub Group continue to have a brief to review this and in particular reconvene on the launch of the Government's consultation in the Autumn.
- (c) That the Council continues to object to HS2 but that should it take place then a local station should be provided.

9. **Background Papers**

9.1 The Government's decision to proceed with HS2 is published in the Department for Transport High Speed Rail: Investing in Britain's Future – The Government's Decisions.

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## ECONOMIC DEVELOPMENT AND ENTERPRISE OVERVIEW AND SCRUTINY COMMITTEE

| Title   | Method of Scrutiny   | Progress to Date/Actions from last Meeting  |
|---|--|---|
| Economic Development Strategy   | Full Committee   | <ul style="list-style-type: none"> <li>• Strategy and 1<sup>st</sup> year action plan agreed by Cabinet on 23.05.2012.</li> <li>• Feedback &amp; progress on action plan possibly end Q4 or Q1 2013/14</li> </ul>   |
| The S-O-T & Staffs LEP  | <b>Working Group:</b><br>Cllr Matthews, Cllr Peers<br>Cllr Studd       | Receiving summary paper. Will meet as/when required.  |
| Broadband Provision   | County Council Working Group   | <ul style="list-style-type: none"> <li>• Jeanette Hilton to attend working group and feedback to Committee.</li> <li>• A re-scoping of this issue is required. The working group need to define what needs to be scrutinised and where they would like to go with it.</li> </ul>  |
| High Speed 2 Limited  | <b>Working Group:</b><br><br>Cllr Becket<br>Cllr Loades<br>Cllr Cairns | <p>On 04.07.2012 WG resolved to recommend: <b>1)</b> to continue stance to object, but should it take place then a local station should be provided <b>2)</b> EDE (through WG) to continue to scrutinise &amp; meet when consultation stage begins <b>3)</b> highlight to Cabinet consultation due to begin in Autumn.</p> <p>On 18.07.2012 Cabinet resolved to:</p> <ul style="list-style-type: none"> <li>• Modify Council's stance to offer support for principle of HS2 as long as potential economic benefits for North Staffs can be demonstrated to outweigh environmental consequences &amp; whether such benefits would be derived from a local station to serve the area.</li> <li>• EDE scrutiny committee to continue to monitor.</li> </ul> <p>Update to be provided at 17<sup>th</sup> September meeting.</p> |
| Proposal to jointly commission a viability assessment for the Community Infrastructure Levy (CIL) with S-O-T C.C. | Full Committee   | This should be received at the December meeting.  |
| Staffordshire Strategic Assets Review   | Full Committee   | Report discussed at 21.06.2012 meeting. To be considered at Sept Cabinet.   |



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|--|---------------------------------------|--|
| Asset Management Strategy  | Full Committee                        | Next update to Committee expected December 2012.   |
| <ul style="list-style-type: none"> <li>Town Centre Partnerships Development</li> <li>Town Centre Initiatives for Vacant Shops</li> </ul> | Full Committee                        | <ul style="list-style-type: none"> <li>Update report to be provided on the 2<sup>nd</sup> round Portas Pilot bid that was submitted on 30<sup>th</sup> June.</li> <li>Chair &amp; vice-Chair meeting with officers to discuss town centre initiatives for vacant shops on 6<sup>th</sup> Sept. A briefing note will be provided at the Sept meeting to update the Committee</li> </ul> |
| Former St Giles and St Georges   | To be decided, possible working party | <ul style="list-style-type: none"> <li>Additional meeting 28.06.2012.</li> <li>Recs for Cabinet – Committee would support further investigation of a combination of options 'A' &amp; 'C', option 'B' should be discounted completely</li> <li>Request to come back to scrutiny for a more in depth analysis.</li> </ul>   |
| Knutton Recreation Centre  | To be decided, possible working party | <ul style="list-style-type: none"> <li>Additional meeting 28.07.2012.</li> <li>Recommendations to be passed to Cabinet at Sept meeting.</li> <li>Will be brought back to the Committee if necessary.</li> </ul>  |
| Empty Homes Strategy   | tbc                                   | <ul style="list-style-type: none"> <li>Request from Jo Basnett to be included on agenda for 17<sup>th</sup> Sept.</li> <li>Report provided for consideration.</li> </ul>   |
| Town Centre Car Parking  | tbc                                   | <ul style="list-style-type: none"> <li>Leader request to investigate town centre car parking &amp; potential options that may exist to improve current car parking arrangements.</li> <li>Scrutiny brief for 17<sup>th</sup> September meeting.</li> </ul>   |
| Home Improvement Agency Services   | tbc                                   | Report/scrutiny brief to Committee – expected for December meeting. Service currently provided by Revival, options to be reviewed including a county wide service or NBC standing alone to provide the service.  |
| <b>MEMBERS SUGGESTIONS FOR SCRUTINY TOPICS</b>   |                                       |  |
| <b>Suggested by:</b>   | <b>Suggestion for Scrutiny Topic:</b> |  |
|  |                                       |  |