

WINCHESTER TOWN FORUM

12 September 2012

STREETSCENE IN THE RETAIL CENTRE

REPORT OF ASSISTANT DIRECTOR (ECONOMIC PROSPERITY)

Contact Officer: Eloise Appleby Tel No: 01962 848 181, Email: eappleby@winchester.gov.uk

RECENT REFERENCES:

[WTF162 Winchester Town Account Budget \(appendix 3\), November 2011](#)

EXECUTIVE SUMMARY:

During the cycle of budget discussions, Members of Town Forum debated the merit of allocating some resources to support improvements to commercial properties in and around the High Street, working in partnership with the Winchester Business Improvement District. Following advice about the options for pursuing such improvements, Members eventually opted not to allocate funding but to request officers to pursue these improvements as part of their day-to-day work.

This paper summarises action taken to date in support of the Town Forum objective of smartening up the retail centre, and proposes options to progress a programme of town centre enhancement initiatives.

RECOMMENDATIONS:

That the Winchester Town Forum:

- a) Considers whether it wishes to progress an enhancement project for St Maurice's Covert, and
- b) If it does wish to progress the above, nominates Members for an Informal Member and Officer Working Group and note that an appropriate source of funding will need to be identified as part of the 2013/14 budget cycle;

- c) Supports the proposal for a 'virtual' Public Realm Team for Winchester Town, as set out in section 6 of this report, to be chaired by the Assistant Director (Environment);
- d) Approves the inclusion of a growth bid for consideration in the 2013/14 budget cycle of an allocation of £45,000 (£22.5k in years 2013/14 and 2014/15 respectively) to fund a new, two year, 0.5FTE Historic Environment Projects Officer to progress work on the issues raised in this paper, noting that this will need to be affordable in accordance with the key budget principles in the Town Forum's Financial Strategy which appears elsewhere on this agenda.

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DETAIL:

1 Introduction

- 1.1 At the Town Forum meeting of November 2011, Members of Town Forum discussed the condition of a number of commercial properties in and around the High Street which they felt were diminishing the quality of the streetscene in Winchester. (Paper [WTF162 Winchester Town Account Budget \(appendix 3\)](#) refers.) This was felt to be at odds with the newly refurbished High Street and The Square, and also with other efforts being made by the Winchester Business Improvement District and Council officers to make the city centre a cleaner, more attractive and safer destination for all.
- 1.2. The discussion took place in the context of budget-setting, but it is not the first time that concern has been expressed about properties with leaky down-pipes, clogged gutters, shabby woodwork/signage and other aspects of neglect. In fact, in November 2009 the Council issued a [press release](#) and sent a series of letters to target businesses as part of National Maintenance Week – an initiative led by the Society for the Protection of Ancient Buildings (SPAB).
- 1.3 In an era when many commercial properties are leased from national landlords who may have no interest in the retail sector and no local interest, however, it is not easy to encourage some owners to invest. With the economic downturn leading to the disappearance of national chains from the High Street, there is an additional reluctance to commit funding which may see little or no return in terms of future building occupation.
- 1.4 By contrast, the refurbishment of the High Street has certainly inspired a new sense of pride among businesses. In some cases, where the Council is landlord, discussions with the tenant have led to notable ‘streetscene successes’ over the last couple of years, such as the restoration of the Black Swan on the corner of Southgate Street and Upper High Street, and the restoration of the clock over Lloyds Bank. Work on the former Thomas Cook building is under way at the time of writing, in preparation for the arrival of the White Company. But there is more to be done in the way of simple maintenance in order to prevent more serious long-term damage to the properties – and further inconvenience to the shoppers and visitors.

- 1.5 During discussions about such matters in 2012, other town centre issues have been raised which merit inclusion in this paper, as part of an integrated discussion about the retail centre. They are:
- a) pigeons – the intrusive effect of existing pigeon deterrents, and the continued damage/nuisance caused by the birds;
 - b) St Maurice's Covert – the potential for brightening up this space, following a basic refurbishment last winter, to make it a more interesting and useful feature on the High Street;
 - c) empty shops – these have a disproportionate impact on the retail area, and are a subject of concern during the ongoing recession although in reality few premises remain empty for many months as Winchester is still a desirable trading location.
- 1.6 This paper seeks to bring together the various discussions which have taken place in 2012, and the actions taken thus far in support of an objective of smartening up the retail centre. It identifies options for future action, including the identification of a budget growth bid for consideration as part of the budget process for 2013/14 to facilitate progress in this area.

2 Commercial Buildings

- 2.1 As has been indicated above, even the simplest improvements to commercial buildings can be difficult to bring about when the landlords are remote and the trading environment uncertain. However, officers met with the Chair of Town Forum in January this year to consider a course of action.
- 2.3 With a view to recording a long list of buildings, and the repairs required, Cllr Ian Tait accompanied the Head of Historic Environment, the Enforcement Manager, the Executive Director of Winchester BID, the Head of Economy and Arts and a representative of the City of Winchester Trust on a walkabout in the spring.
- 2.4 A list of 28 buildings was drawn up, with defects ranging from unpainted window frames and leaky downpipes to rotting timbers and vegetation in gutters. Works at two of these sites (both in The Pentice) are now being progressed.
- 2.5 20 of the buildings on the list were Listed, and the remaining 8 are in the designated Winchester City Centre Conservation Area. Whilst Listed status gives the Council specific powers to deal with urgent works, inclusion in the Conservation Area also provides a good platform from which to encourage building owners to take action.
- 2.6 The next step is for the Historic Environment Team to write to all the landlords of the identified properties, explaining that the Council has been reviewing the commercial area, has noted the defects on their building and would wish to be advised what action they plan to take to remedy them. A copy would be sent

to both the head office of the business and the local manager, as advised by and in partnership with the Winchester BID. [National Maintenance Week](#) (18 – 25 November 2012) would be a topical time to do this. The Week is promoted by the Society for Protection of Ancient Buildings.

- 2.7 Should no reply be forthcoming after one reminder, or should the landlord indicate that no action is planned, officers can then consider whether to pursue enforcement action under Section 215 of the Town and Country Planning Act 1990 (as amended). This gives the authority the power to serve a notice requiring a property owner to undertake external repairs or tidy up their premises, should it be considered that the appearance of their property is causing harm to the amenities of the area. Failure to comply with the notice is a criminal offence and can either lead to a prosecution or the Council taking direct action. The Council has successfully used this enforcement tool to secure improvements to a number untidy buildings in Winchester over recent years, although these were in a very poor state and it could easily argued that they were causing harm to the amenities of the area. Officers will need to decide on an individual basis in each case whether the service of a notice under Section 215 is justified.
- 2.8 Any landlord of a Listed Building still failing to address the defects after this point could potentially be served with an Urgent Works Notice. However, it is unlikely that the nature of most of the defects would warrant this, and there are some complications with the legal process which may make a notice under this legislation difficult to action.
- 2.9 Winchester BID officers have indicated that some modest amounts of funding might be made available to support or incentivise repairs of this kind, but this is obviously subject to a successful BID ballot in October this year.

3 Pigeons

- 3.1 Many important buildings in the centre bear witness to Winchester's thriving pigeon population. Staff at the Westgate often have to pick dead birds off the roof before opening (by way of example), and the combination of pigeon excrement and pigeon defence netting detracts from the visual pleasures of the Conservation Area. The excrement and the carcasses can, between them, block gutters and downpipes, corrode stonework, encourage the growth of vegetation on buildings and – at the extreme end – lead to respiratory diseases. Concern has been voiced at various times – including a Council Question in November 2011 - although not very frequently, according to records held by the Environmental Protection Team.
- 3.2 There is an abundance of pigeon deterrent measures on city buildings, many of which are Listed. This is expensive, ugly and often ineffectual without regular maintenance, as Members will have seen for themselves. In the past, the City Council has employed pest control operatives to carry out culls on its premises. However, such methods are again costly, time consuming, controversial, and subject to strict licensing requirements. Furthermore, they

tend only to provide a short term solution. The Council spends money both on defending its own buildings from pigeons, and on cleaning up excrement.

- 3.3 Officers have also considered employing falconry experts to scare the pigeon population away. However, published articles suggest that this can lead to unpleasant scenes of pigeons being dismembered in front of town centre users, the destruction of other non target bird species and only the short term displacement of the problem to another local centre. It is not recommended although it appears at first sight to be more 'green' than some alternatives.
- 3.4 A substance known as 'Bird Free Fire Gel' is currently being trialled in the Buttercross area. This is visible as a gel to humans, but it gives off an ultraviolet light which apparently fools pigeons into thinking their favourite roosting spots are on fire.
- 3.5 At present, the Council does not actively lead on pigeon deterrents but encourages the public to behave responsibly, for example by not feeding birds or by storing waste effectively.
- 3.6 Whilst the Council has always made it clear that it is the responsibility of landlords to pigeon-proof their buildings, it can play a helpful role in providing advice on the most effective strategy for management of the problem and setting the standard in the care of its own buildings. It would seem, from a study of web-based articles, that there needs to be a multi-pronged and multi-team approach to pigeon control if it is to be effective in controlling – although not eliminating – the pigeon population locally.

4 St Maurice's Covert

- 4.1 St Maurice's Covert is a feature of the City Centre, known mainly for the flower seller's stall and the regular charity sales that it accommodates throughout the year. All that now remains of the former St Maurice's Church is the tower, with the Norman arch at its base. The open area known as the Covert lies where part of the nave would have been, and old gravestones pave the yard.
- 4.2 The Covert is a handy cut-through from the High Street to the Cathedral. It is bordered on one side by Debenhams and the other by Greggs. In times gone by, it housed four tourist information panels but these were removed following repeated vandalism. One community noticeboard was later reinstated and kept up to date by the Neighbourhood Wardens, and the lighting was refurbished and the Covert repainted in November 2011. It is a simple, potentially elegant space, but still tends to look gloomy and uninviting. It was at one stage a resting place for the 'street community'. Nowadays, the Police regularly move people on, but the legacy of such a time is that the Covert can often be avoided, a dead space in what is otherwise a very vibrant High Street.
- 4.3 At the request of Town Forum Members, a meeting was convened to discuss options for enhancing the Covert. Suggestions included:

- a) a 'wall wrap' system - a very cost effective means of brightening up the walls or potentially the floor;
- b) a commissioned mosaic or wall tile feature, such as are used on the London Underground;
- c) a lighting design or feature for the ceiling, which may help to improve the appearance/feeling of safety during the winter and after dark;
- d) a mural, possibly in a frame so that the mural can be changed at regular intervals.

- 4.4 These could all have a community participation element, in terms of working with commissioned artists (as happened earlier this year with the three 'community bollards' outside City Museum in The Square). A more 'permanent' feature such as a mosaic or lighting would need to be durable, vandal resistant and of a high quality in line with the City's other public art features.
- 4.5 At present, there is no identified budget for enhancements to St Maurice's Covert. If Members of Town Forum wished to progress such a project they may wish to consider a one-off growth bid in the 2013/14 budget cycle. The bid would then need to be reviewed for affordability based on the budget position as a whole.
- 4.6 At this stage, Town Forum is asked to consider whether or not it wishes to pursue an enhancement project of this type, and, if it is, to nominate Members for an Informal Member and Officer Group which can support officers in taking it forward. Specific proposals and an outline budget would be brought to the November meeting of the Forum, in time for consideration as part of the 2013/14 budget.

5 Empty Shops

- 5.1 There is always concern about empty shops, which detract from any town centre. Although Winchester has a low number by comparison with other towns at this point in the recession, it has a small number of long term empty shops (for example the one on Broadway which is a former children's clothing shop, and the 'Snack Attack' store on Southgate Street) and it has a rather higher turnover of shops than has previously been the norm. However, the closure of more national chains is to be expected during a recession as they attempt to manage cashflow and cut back on more expensive leases.
- 5.2 Although feedback from those that are closing, received via the Winchester BID, is that some do not even have to market the properties through agents because they are so highly sought-after by incoming national chains there is often a period of several months between one tenant moving out and another arriving. BID members have already raised this as a concern, keen to keep the appearance of the retail centre as lively as possible.

5.3 There is a limit to what can be achieved in empty premises. Landlords are keen not to trigger a demand for Business Rates (NNDR). The creative community regularly ask for use of premises for 'pop up shops', and this can work in the interest of the landlord as the closure of the 'pop up shop' triggers another allowance for Empty Shops Rates (which only lasts three months after closure). Whilst there have been some notable successes in using empty spaces at The Brooks Shopping Centre, it is not always easy to negotiate such arrangements with remote or unknown landlords. In addition, even the simplest arrangement requires some form of legal agreement and this can be enough to deter busy landlords who stand to gain little or no income from the arrangement and seek to keep the property as available as possible in case of a longer-term prospect.

5.4 The BID has therefore trialled adhesive vinyl wraps and, pending the successful outcome of the BID ballot in October this year, is set to progress this idea over the coming year. INTECH has already negotiated a promotional wrap for the windows of the former Curry's shop.

5.5 This solution seems to be a simple, effective and affordable one. Whilst Members of Town Forum are invited to comment, for consideration by the BID, it is not considered that the Council needs to increase its involvement in this area. Officers of the Economy and Arts Team will, of course, continue to work with creative practitioners where they can usefully support the 'pop up shop' concept.

6 Next Steps

6.1 Whilst there is little in this report that will be wholly new to Members of Town Forum, this is the first time that a more corporate overview has been set out in this way. There is a genuine desire to make improvements, but discussions show that there is a lack of clarity about which Team can or should take the lead in delivering solutions. Officers therefore propose the following measures so that Town Forum can be assured of continued progress:

6.2 Public Realm Team: The issues raised in this paper require a 'joined up' approach from across the Council. With the success of the recent High Street refurbishment project in mind, officers therefore propose the creation of a permanent, cross-disciplinary Town Centre Public Realm Team.

6.3 This 'virtual' Team would include officers from Access & Infrastructure, Historic Environment, Landscapes & Open Spaces, Environmental Protection, Estates, Economy & Arts and the Winchester BID. It would be chaired by the Assistant Director (Environment) and would ensure a corporate approach to such problems.

6.4 Town Forum could refer problems to the team for consideration, or could ask for reports on specific issues.

6.5 Officer Support: The issues raised in this paper are irritating, and can potentially be resolved without too much money or difficulty. However, they

are 'low level' issues and officers are rarely able to prioritise them over other statutory duties or corporate priorities. Although creation of a working group or team (as above) will help to shape solutions, there is still a lack of professional officer resource to progress these projects.

- 6.6 Town Forum could, in the forthcoming budget cycle, consider the allocation of resources to the funding of a new, two year 'Town Projects Officer' post within the Historic Environment Team. There is a statutory duty to 'preserve and enhance' Conservation Areas, which sits naturally with this Team. Moreover, the Team is keen to take on such project work but is held back by the ever-increasing number of planning consultations to which it needs to respond within a two week deadline. The proposed Project Officer would spend all of their time working in the Winchester town area on generating practical improvements to the town environment which are frequently requested by Members and the public but which there is currently insufficient time to progress.
- 6.7 The cost of a top-scale Grade 5 Projects Officer working on a 0.5 FTE basis for two years would be £45,000 including on-costs and overheads (split equally between 2013/14 and 2014/15). The grading is based on the 'family group' of historic environment officers already working for the Council and the post would therefore not need to be evaluated as such. There would be no additional recruitment costs (as this can be done via the web and professional networks), and no redundancy costs as long as the contract was for a maximum of two years.

OTHER CONSIDERATIONS:

7 COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO):

- 7.1 This programme of Retail Centre improvements supports the first theme of the Economic Prosperity Strategy and Change Plan:

"We exploit the District's cultural strengths, heritage and historic environment...to stimulate a modern and creative approach to business."

- 7.2 Encouraging landlords to make improvements to their premises to support the wider impact of the streetscene also support the fourth theme, which asks businesses to be 'good neighbours'
- 7.3 The third theme of the High Quality Environment Change Plan is 'Protect and improve our landscapes and townscapes', which is also an objective for this programme of work.

8 RESOURCE IMPLICATIONS:

- 8.1 As is explained at section 6 above, these issues are not new and they may not be difficult to tackle but they do require a co-ordinated response and some officer capacity.

- 8.2 Small amounts of funding to match fund or incentivise repairs may be made available by the BID, but the key to progressing this programme is dedicated officer time.
- 8.3 The proposal is therefore for Town Forum to consider a growth bid for a new two year, 0.5FTE grade 5 post for a historic environment projects officer, as part of its annual budget cycle. The total would be £45,000 for a top-scale post split over two financial years, to be ring-fenced for enhancement projects under the guidance of the Head of Historic Environment. Although the role envisaged would contain substantial elements normally undertaken by the District Council (in terms of its statutory duties in relation to conservation activity) rather than a parish council, it is still possible for the Town Forum to fund the “top-up” of General Fund services in this way if it so wishes. This is because S35 (2)(d) Local Government Finance Act 1992 enables the Council to charge to the Town Account its costs in relation to performing a function which elsewhere in the District would be the responsibility of a parish council. Parish councils can “top up” the expenses of another authority in undertaking its functions – for example if the parish considers it is for the benefit of its area in a manner commensurate with the expenditure. In some instances, where the parish does not qualify as a quality council, this is subject to a financial limit per elector of £6.15 (April 2009 figures). Winchester Town has an electorate of 29,000 approx. – so using this approach as a benchmark, the proposed expenditure per annum would be well within that limit.
- 8.4 In order to fund this proposal, Town Forum will obviously need to consider how best to identify these funds as part of its wider budgeting discussions for 2013/14. . As the Town Account Reserve is projected to be below the 10% target set by the financial strategy it is unlikely that this bid could be funded from the reserve. This would therefore need to be from matched savings.
- 8.5 Should Town Forum choose to approve this proposal, it may also need consideration by Personnel Committee, in due course, as an addition – albeit temporary – to the Council’s establishment. However, if there is an available vacancy elsewhere on the establishment the officers could proceed under delegated powers to make the appointment, provided the budget is approved by full Council.
- 8.6 There is a further implication for resources arising from the proposal to enhance St Maurice’s Covert, referred to in section 4 of this report. Subject to support for the idea at this meeting of the Town Forum, officers would bring back an indicative budget figure for consideration as a potential growth item to be considered as part of the 2013/14 budget process.

9 BACKGROUND DOCUMENTS None APPENDICES None